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MAY 8 1975

THE WHITE HOUSE
WASHINGTON

May 7, 1975

MEMORANDUM FOR: DON RUMSFELD
FROM: JERRY H. JONES

Attached is an advertisement which the President inquired about recently stating that "this is interesting, I am not sure I understand it".

The publisher of Moneysworth is a gentleman by the name of Ralph Ginzburg who was formerly publisher of Fact magazine and Avant Garde. The President did in fact discuss Ginzburg during the Douglas skirmish. (See the President's comments concerning Ginzburg highlighted in the Congressional Record during the debate on the conduct of Associate Justice Douglas at Tab B.)

Obviously, what Ginzburg is doing is attempting to use a catchy headline to draw attention to his magazine; and to capitalize on what he calls the "Gerald Ford Depression" to sell people ideas for getting the most out of their incomes.

I have asked the Counsel's Office to comment on the legality of the advertisement and they recommend ignoring it.

DR HAS SEEN

Gerald Ford Has Attacked the Publisher of Moneysworth

He attacked him from the floor of Congress. Moneysworth's publisher, in turn, has called Ford "The Zombie of Herbert Hoover."

If you're displeased with the way the President has managed—or should we say mismanaged?—the economy, we think you'll love Moneysworth. Moneysworth presents practical, controversial, *supremely* useful advice on how to cope with The Gerald Ford Depression.

Get an eyeful of the fire-eating, sophisticated, wallet-fattening articles Moneysworth prints:

The Fine Art of Avoiding Income Tax
How to Collect Social Security at Any Age
How to Get 12½% Interest on Your Savings
How to Fight a Traffic Ticket
Buy a New Car for \$125 over Dealer's Cost
States with Best Unemployment Benefits
Prosperity in Alaska
Cars that Are Stingiest with Gas
Today's Soldiers Command High Pay
Low-Cost Insurance for Non-Smokers
Checking Accounts that Pay Interest
Cut-Rate Prescriptions by Mail Order
The Amazing New Two-Engine Car
Where Retirement Benefits Go Furthest
14 Ways to Save on Your Phone Bill
Home Burglar Alarms that Are a Steal
Depression-Proof Jobs
The ABC's of Buying Vitamins
Scholarships that Go Begging
VW Gets the Jump with Its "Rabbit"
Outsmarting the Insurance Adjuster

Golf Clubs that Won't Tee You Off
How to Break a Lease
IBM's "No-Fault" Typewriter
Stoves that Are a Turn-On
A Gourmet's Guide to Free Cookbooks
The Scandal of Undetected Bank Errors
Drug Combinations that Can Kill You
How to Sue without a Lawyer
Calculators that Add Up to Best Buys
Belted Tires: Ratings without Bias
A Look at Illustrated Sex Manuals
35MM Cameras: Facts in Black and White
Canada's T-Bills Lure U.S. Investors
Circumcision: The Unkindest Cut of All
The "Yurt": Incredible \$350 House
A Consumer's Guide to Marijuana
More Proof that Vitamin C Works
Yogurt's Benefits for Your Heart
Link Between Longevity and Light Eating
Don't Sneez at This Cold Remedy
"Do-Good" Vacations that Are Deductible
The Art of Padding Your Expense Account
The Link Between Caffeine & Heart Attack
Let's Dump Throwaway Containers
Power Drills that Do Their Bit
Picking the Best Locks
Fake Meat Can Be a Real Value
Hail the Checker Cab!
Cookware that Won't Go to Pot
Comic Books as Serious Investments
How Doctors Diet

Is Cancer Contagious? Startling Findings
Miami's New Secret "Swiss" Banks
World's 100 Most Beautiful Free Calendars
An Illuminating Rating of Light Bulbs
Indigestion Remedies that Pass the Acid Test
Are Hay Fever Shots Pointless?
Sailboats that Are Winners
The Nickel Phone Call Rises Again
How College Students Get Food Stamps
Legal Ways to Beat Sales Taxes

In short, Moneysworth gives you specific, right-on advice on how to cope with the current economic recession. It provides the vital facts you need to evade the Scylla and Charybdis of ever-rising prices and declining value of the dollar.

Each day, Moneysworth's offices are flooded with enthusiastic, unsolicited testimonials like:

• "The government has proven itself completely impotent in the fight against inflation. My only salvation comes from the advice I find in Moneysworth. It saves me each year as much as I lose through inflation."—*Theresa Ramseier; San Francisco.*

• "Your article on the 15% interest paid by Mexican banks has made it possible for me to retire in style. How can I ever thank you enough?"—*E. Swenson; Fallbrook, Calif.*

• "Thanks to Moneysworth, I am \$5,417 richer. I battled the Social Security Administration unsuccessfully for 18 months, then finally won out by following the advice of your brilliant article 'By All Means, Appeal.' May I say thank you?"—*Shirley E. Dominguez; Waterbury, Conn.*

• "Your article on air-fare 'triangular' routes was an astonisher. My wife and I saved \$100 each on a round-trip to New

York by stopping off at Las Vegas on the way back as you suggested."—*H. V. Kesselman; Los Angeles.*

• "You're not going to believe this, but I have parlayed \$146 into \$90,000 thanks to your informative article on breaking into real estate. How can I ever express my gratitude sufficiently?"—*Horace T. Purrose; Montgomery, Iowa.*

• "Your write-up on income averaging for tax purposes saved us \$1,100 this year. We didn't realize retirees could do this. Thank you, thank you, thank you!"—*Mr. & Mrs. J. W. Long; Morro Bay, Calif.*

• "Your advice on cut-rate gasolines has saved me at least \$150 over the past two years."—*Harold Zide; Peabody, Mass.*

• "To a retired teacher like myself living on a fixed income and caught between rising prices and the shrinking dollar, Moneysworth is a godsend."—*Elgin V. Tindall; Philadelphia.*

• "We salute Moneysworth for its excellent report on our free sex-counseling-by-telephone service. As a result of it, we've received calls from all 50 of the United States—including Hawaii and Alaska—and even a few from Europe and Africa."—*Community Sex Information Foundation; Boston; (617) 232-2335.*

• "Your recommendation that readers reduce orthodontic bills by having the work done at a university dental school saved me \$1,350 on my daughter's teeth."—*Bob G. Walters; Oxon Hills, Md.*

• "Your news reports on investments have brought me, in a matter of months, \$12,996 in profit, tripling my money. Let me assure you that I shall be a Moneysworth subscriber for life."—*Lawrence C. Gray; Ypsilanti, Mich.*

• "Bravo for your advice on combating a bad credit rating. It enabled me to overcome a black mark given me erroneously by a

Seattle credit bureau. Moneysworth is worth its weight in gold. People who see me reading it in public always exclaim 'Oh! I love that publication!' I always reply that I do, too. Go! Go! Go!"—*Betty J. Taylor; Juneau, Alaska.*

• "Your tip on flying to Europe via Afghanistan saved me \$450. You've made me a subscriber for life."—*Charles B. Fager, M.D.; Harrisburg Pa.*

• "Your advice on Social Security resulted in a \$3,135 lump-sum cash payment to my wife, and \$171 monthly pension. The best investment I ever made was a subscription to Moneysworth."—*Dr. Herman W. Hortop; La Grange, Ill.*

• "As a result of your report on 14.7% interest paid by Mexican banks, I invested \$120,000. My yield has been \$18,000 greater over the past three years than if I had not read Moneysworth. You are a 'must' on my list and, frankly, I don't know how you keep your subscription price so low."—*G. Peter Upham; Vineland, N.J.*

• "As a result of your article on non-profit, low-cost memorial associations, we have been receiving 400 inquiries per day. You'll get an inkling of the immense amount of money your subscribers have saved when you realize that each of our members saves well over \$1,000 on a funeral. Congratulations on a job well done."—*Richard James Stevens, President, Continental Association of Funeral and Memorial Societies; Chicago.*

• "Thank you for putting me onto the '62+ Club' of the Community State Bank of Albany, New York, which offers free checking accounts, free statements, free check imprinting, free leatherette check folders, and free postage-paid bank-by-mail envelopes to all retirees."—*Mrs. Jim Smith; Kansas City, Mo.*

• "Your tip about deducting the cost of transportation between my two teaching jobs saved me in taxes at least the cost of a ten-year subscription. Not only that, but your publication is lively, off-beat, a delight to read."—*Professor Reuben Garner; State University College; Brockport, N.Y.*

• "Thanks to your article 'How to Buy a New Car for \$125 Over Dealer's Cost,' I just bought a Chevy at a saving that I conservatively estimate at \$350."—*Ron Bromert; Anita, Iowa.*

• "Your article 'Inaccurate Billing by the Phone Company' led me to discover four years of overcharges. I got a \$1,593 refund."—*Armand DiRienzo; Bristol, Pa.*

• "Moneysworth's product ratings sure stretch the dollar. I bought the Canonet 35MM rangefinder camera which you recommended, and saved 30%."—*Robert D. Goodrich; Tucson, Ariz.*

• "Your article 'How to Fight a Traffic Ticket' saved me a \$200 lawyer's fee and a ticket. I did exactly as you suggested—taking pictures of the scene and double-checking the statute book—and came out the winner in court. Many thanks for the money you have saved me."—*W.R. Wendel; Hicksville, N.Y.*

• "Your article 'How to Avoid Paying an Exorbitant Doctor Bill' saved me \$65. As a token of gratitude, I enclose payment for extension of my subscription."—*Carl Wagner; Yorktown Heights, N.Y.*

• "Your article on low-cost, unadvertised trans-Atlantic air fares saved me \$108 on a vacation to Ireland. In addition, once there I saved \$64 on car rental, thanks to your advice."—*Bernard Bullon; Bronx, N.Y.*

• "You certainly tell it like it is. Your

article 'The Ugly Truth about Beauty Aids' is candid, commendable—and I'm a dermatologist. Moneysworth is well named; it certainly makes Consumer Reports seem Victorian."—*Harry Scot, M.D.; Raleigh, N.C.*

• "I've been a subscriber since Volume 1, Number 1 and I recently renewed. Now, more than ever, Moneysworth is a necessity of life."—*L.J. McQuown; West Palm Beach, Fla.*

• "Your exposé of charity rackets was a shocker. I've crossed several well-known organizations off my list, saving hundreds of dollars. Moneysworth certainly looks out for the interests of its readers."—*Freida M. McMullin; Steilacoom, Wash.*

• "Your article on how to save \$100 on a color TV worked. Moneysworth sure knows how to hold onto the green."—*Phillip Allen; Director of Student Union; Henderson State College; Arkadelphia, Ark.*

• "Your article on 'coupon refunding' got my husband and me hooked on the hobby. It saves us enough each year to pay for our vacation."—*Grace Ellen Feingold; Brooklyn, N.Y.*

• "I don't know if my subscription to Moneysworth saved money, but a few years ago it may have saved a life. I teach college at Lancaster, Pa. A student told me she was about to get an abortion from an 'almost' doctor (he had had two years of pre-med). I convinced her that a qualified abortion clinic in New York State would be safer and cheaper than her \$500 miracle worker. She went to one of the \$50 clinics you recommended and it turned out to be first-rate. In the course of her operation she began to hemorrhage, but, thanks to the information you had furnished, she was already in a hospital—not some motel room or attic. I'm grateful for the information you printed—and so is she."—*Louise Quimbo; Lancaster, Pa.*

• "By ordering cigarettes from Wilson, N.C., as Moneysworth suggests, I have cut my smoking expenses in half. Thank you."—*Raymond Paniewski; Chicago.*

• "Your suggestion that readers buy \$200-deductible car insurance instead of the usual \$50-deductible saved me hundreds of dollars. Insurance salesmen hate like hell to sell it because there's little profit in it for them, but it sure saves me money."—*Gary W. Goodwin; Sunland, Calif.*

• "For years I had always been the victim of greedy car mechanics till Moneysworth steered me to Jimmy's Service Station in Guttenberg, New Jersey. My old '66 Ford now runs much better than most new cars and the amount of money Jimmy has saved me—compared with estimates I've gotten from other mechanics—is unreal. Moneysworth, you're terrific!"—*Mrs. Dorothy Tyborski; Secaucus, N.J.*

• "I'm writing to tell you how immensely I enjoy your magazine. I've tried to analyze its psychological appeal. You seem to give readers the feeling you're really on their side—and the side of all the economically oppressed."—*S.M. Silverton; Fresno, Calif.*

• "I cannot put a dollar amount on savings I've made through Moneysworth, but your legal advice alone has saved me thousands of dollars. Keep up the great work."—*T.E. Simeon; Placentia, Calif.*

• "You sure did us a good turn recommending Mayflower for our move from California to Minnesota. Would you believe the bill was a hundred bucks under the estimate?"—*D. J. Ganser; Owatonna, Minn.*

• "Your exposé of rich charities has

saved me a fortune. I'd been a perennial sucker for the appeals of some of the country's biggest—but I no longer am. Thank you."—*Dorothy J. Song; Methuen, Mass.*

• "I am grateful for your tip on 'Tax Savings for Teachers'—which saved me the cost of a tax accountant and got me a considerable income tax refund."—*Charles Bryan; Brooklyn, N.Y.*

• "Upon Moneysworth's advice, I asked the phone company for an itemized bill. As a result, I discovered that for years I had been paying for a nonexistent extra line. Result: A \$550 refund. My trial subscription has paid for itself 110 times over!"—*George T. Petsche; Washington, D.C.*

• "Because of savings you just helped me make on a new car, I calculate that I can subscribe to Moneysworth for forty-six years and the subscription will be absolutely free. You're marvelous! Thank you."—*Mrs. J. Wilson; Philadelphia, Pa.*

• "Moneysworth's investment news dispatches enabled me to make over \$2,200 in less than a year. Yours is one of the most intelligent, down-to-earth, to-the-point periodicals ever."—*R. Pantell; Yonkers, N.Y.*

• "A month before my father died, you published an excellent article on cut-rate funerals. It saved me and my brothers at least \$600."—*K. W. Jerin; Carlsbad, Calif.*

• "Your article on TV game shows gave me the confidence to try out for 'The \$10,000 Pyramid.' I won \$850!"—*Ted Zammit; Franklin Square, N.Y.*

• "I have deposited \$12,500 in a Mexican bank, as you suggested, and have been receiving very high interest checks every month by airmail. Boy, am I grateful to you!"—*Charles T. Malburn; Sarasota, Fla.*

• "Your suggestion that I use a fake name in the phone directory, instead of paying \$1 per month for an unlisted number, alone pays for my Moneysworth subscription several times over."—*C. Russell; N.Y.C.*

• "Your report that dentures cost only \$40 at the Sexton-Shealy Dental Clinic of Florence, South Carolina, saved me, literally, hundreds of dollars. They fitted me up in 24 hours and I was able to complete the entire procedure during a vacation to Florida. I have never before written a testimonial to a magazine, but I couldn't let my grati-

tude remain unexpressed in this instance."—*Mrs. J. Petruccio; Frackville, Pa.*

• "I'd like to compliment you on your no-nonsense magazine. With the rising costs of postage and paper, and the declining value of the dollar, I just don't know how you can keep your subscription rate so low. I've saved at least 100 X's the subscription price each year. Even if I didn't save a cent, I'd buy Moneysworth for the kick I get out of its anti-establishment, no-holds-barred journalism."—*Randolph Peters; McKeesport, Pa.*

• "Moneysworth is aptly named. To paraphrase Churchill, 'Never have so many paid so little for so much.'"—*David Alperin; Pittsburgh, Pa.*

In sum, reading Moneysworth is the next best thing to being born with a silver spoon in your mouth. It provides unfailing protection against the vicissitudes of economic fortune—government-inspired or otherwise.

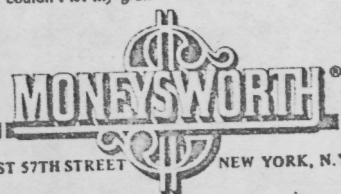
Moneysworth's sources of intelligence are the most formidable and far-flung of any financial periodical in existence. It subscribes to twelve of the world's most deep-digging, enterprising news services. Altogether, they transmit over half a million words per day of invaluable financial data to Moneysworth's editors, writers, researchers, and analysts who boil it down into the most concise, hard-hitting, supremely useful money report in history.

The periodical itself is an electric 24-page tabloid newspaper. Its graphics—by Herb Lubalin, the world's foremost designer of publications—set it apart from all other papers like neon in the dark. The unbeatable combination of its look and sagacity will absolutely knock you out.

The price of an eight-month subscription is—would you believe?—A MERE \$2.99!! That's right, the better part of a year for less than the cost of a movie. At this astonishing price, can you afford not to subscribe?

To enter your subscription, simply fill out the coupon below and mail it with \$2.99 to: Moneysworth, 251 W. 57th St., New York, N.Y. 10019.

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Enclose \$2.99 for an eight-month Special Introductory Subscription to Moneysworth, the dauntless recession-fighter.

EXTRA BONUS OFFER: Check this box ☐, enclose \$5 and get a WHOLE YEAR of Moneysworth AND a copy of the invaluable booklet all of America is talking about, "Stake Your Claim! How to Work the Social Security Gold Mine."

Name

Address

City State Zip

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April 15, 1970

for the future; I am certain my colleagues share my hope that the same atmosphere and down-to-earth negotiations continue in Vienna.

Our hopes are that in the future the wealth of nations—of all nations—can be transferred safely and without fear from the building of arms. It is with that intent and with the hope that the beginning in Vienna is a moment in history which sets a course for good for the centuries, that I offer this resolution and urge its support by all Members:

H. RES. 919

A resolution expressing the support of the House of Representatives with respect to the strategic arms limitation talks, and for other purposes

Whereas the preparations for the Strategic Arms Limitation Talks have involved the most intensive study of strategic arms problems ever made by the Government of the United States of America or any other government;

Whereas the Government of the United States of America and the Government of the Union of Soviet Socialist Republics open talks on April 16, 1970, which could result in agreement to limit arms and other matters: Now, therefore, be it

Resolved, That the House of Representatives hereby expresses its unreserved support for the talks which begin April 16, 1970, on the limitations of strategic arms between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics.

Be it further resolved, That it is the sense of the House of Representatives that—

(1) prompt negotiations between the Governments of the United States of America and of the Union of Soviet Socialist Republics to seek agreed limitations of both offensive and defensive strategic weapons should be urgently pursued; and

(2) the President should in such negotiations propose to the Government of the Union of Soviet Socialist Republics an immediate suspension by the United States and by the Union of Soviet Socialist Republics of the further deployment of all offensive and defensive nuclear strategic weapons systems, subject to national verification or such other measures of observation and inspection as may be appropriate.

CONDUCT OF ASSOCIATE JUSTICE DOUGLAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. GERALD R. FORD) is recognized for 60 minutes.

CALL OF THE HOUSE

Mr. HOWARD. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 78]

Abbott	Broomfield	Chisholm
Anderson,	Brown, Calif.	Clancy
Tenn.	Burton, Utah	Clark
Ashbrook	Bush	Clay
Ayres	Button	Culver
Baring	Byrne, Pa.	Daddario
Barrett	Cabell	Davis, Wis.
Bolling	Carey	Dawson
Bow	Celler	de la Garza

Dellenback	Kee	Quile
Dent	Kirwan	Riegle
Diggs	Kuykendall	Roberts
Dingell	Langen	Rooney, N.Y.
Edwards, Calif.	Lennon	Rooney, Pa.
Erlenborn	Lowenstein	Rosenthal
Esch	Lukens	St Germain
Ewins, Tenn.	McCarthy	Satterfield
Fallon	McMillan	Scheuer
Feighan	Martin	Schneebell
Findley	Meskill	Shibley
Fulton, Pa.	Michel	Sikes
Garmatz	Mikva	Skubitz
Glavin	Miller, Calif.	Slack
Gross	Mize	Smith, N.Y.
Gubser	Mollohan	Springer
Hanna	Moorhead	Stuckey
Hansen, Idaho	Murphy, Ill.	Sullivan
Harsha	Murphy, N.Y.	Taft
Hawkins	Nedzi	Teague, Calif.
Hébert	Nix	Teague, Tex.
Heckler, Mass.	Ottinger	Tunney
Holifield	Patman	Vigorito
Hungate	Pepper	White
Jarman	Poff	Whitten
Jonas	Powell	
Karth	Price, Tex.	

The SPEAKER pro tempore. On this roll call 325 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CONDUCT OF ASSOCIATE JUSTICE DOUGLAS

The SPEAKER pro tempore. The gentleman from Michigan (Mr. GERALD R. FORD) is recognized for 60 minutes.

Mr. GERALD R. FORD. Mr. Speaker, last May 8 I joined with the gentleman from Ohio (Mr. TAFT) in introducing H.R. 11109, a bill requiring financial disclosure by members of the Federal judiciary. This was amid the allegations swirling around Mr. Justice Fortas. Before and since, other Members of this body have proposed legislation of similar intent. To the best of my knowledge, all of them lie dormant in the Committee on the Judiciary where they were referred.

On March 19 the U.S. Judicial Conference announced the adoption of new ethical standards on outside earnings and conflict of interest. They were described as somewhat watered down from the strict proposals of former Chief Justice Warren at the time of the Fortas affair. In any event, they are not binding upon the Supreme Court.

Neither are the 36-year-old Canons of Judicial Ethics of the American Bar Association, among which are these:

Canon 4. *Avoidance of Impropriety.* A judge's official conduct should be free from impropriety and the appearance of impropriety; he should avoid infractions of law; and his personal behavior, not only upon the Bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach.

Canon 24. *Inconsistent Obligations.* A judge should not accept inconsistent duties; nor incur obligations, pecuniary or otherwise, which will in any way interfere or appear to interfere with his devotion to the expeditious and proper administration of his official function.

Canon 31. *Private Law Practice.* In many states the practice of law by one holding judicial position is forbidden . . . If forbidden to practice law, he should refrain from accepting any professional employment while in office.

Following the public disclosure last year of the extrajudicial activities and

moonlighting employment of Justice Fortas and Douglas, which resulted in the resignation from the Supreme Bench of Mr. Justice Fortas but not of Mr. Justice Douglas, I received literally hundreds of inquiries and protests from concerned citizens and colleagues.

In response to this evident interest I quietly undertook a study of both the law of impeachment and the facts about the behavior of Mr. Justice Douglas. I assured inquirers that I would make my findings known at the appropriate time. That preliminary report is now ready.

Let me say by way of preface that I am a lawyer, admitted to the bar of the U.S. Supreme Court. I have the most profound respect for the U.S. Supreme Court. I would never advocate action against a member of that Court because of his political philosophy or the legal opinions which he contributes to the decisions of the Court. Mr. Justice Douglas has been criticized for his liberal opinions and because he granted stays of execution to the convicted spies, the Rosenbergs, who stole the atomic bomb for the Soviet Union. Probably I would disagree, were I on the bench, with most of Mr. Justice Douglas' views, such as his defense of the filthy film, "I Am Curious (Yellow)." But a judge's right to his legal views, assuming they are not improperly influenced or corrupted, is fundamental to our system of justice.

I should say also that I have no personal feeling toward Mr. Justice Douglas. His private life, to the degree that it does not bring the Supreme Court into disrepute, is his own business. One does not need to be an ardent admirer of any judge or justice, or an advocate of his life style, to acknowledge his right to be elevated to or remain on the bench.

We have heard a great deal of discussion recently about the qualifications which a person should be required to possess to be elevated to the U.S. Supreme Court. There has not been sufficient consideration given, in my judgment, to the qualifications which a person should possess to remain upon the U.S. Supreme Court.

For, contrary to a widespread misconception, Federal judges and the Justices of the Supreme Court are not appointed for life. The Founding Fathers would have been the last to make such a mistake; the American Revolution was waged against an hereditary monarchy in which the King always had a life term and, as English history bloodily demonstrated, could only be removed from office by the headsman's ax or the assassin's dagger.

No, the Constitution does not guarantee a lifetime of power and authority to any public official. The terms of Members of the House are fixed at 2 years; of the President and Vice President at 4; of U.S. Senators at 6. Members of the Federal judiciary hold their offices only "during good behaviour."

Let me read the first section of article III of the Constitution in full:

The judicial power of the United States shall be vested in one supreme Court and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good

and shall, at stated Times, receive Services, a Compensation, which shall not be diminished during their Continuance in Office.

dealing with the compensation of Federal judges, which incidentally last year to \$60,000 for Justices of the Supreme Court, their "continuance in office" is limited. The provision that their compensation shall not be decreased prevents legislative or executive branches from influencing the judiciary by changing their pay, and suggests that in these bygone days the income of Federal judges is a highly sensitive matter.

The Constitution is perfectly explicit as to the tenure, or term of office, of Federal judges—it is "during good behaviour." It is implicit in this that if a judge ceases to be good, the tenure of his judicial office ceases also. What constitutes "good behaviour," or, conversely, ungood or disgood behaviour?

The words employed by the Framers of the Constitution were, as the proceedings of the Convention detail, chosen with the greatest care and precision. For example, the word "behaviour," as opposed to action, not merely to words or opinions; further, it refers to a single act but to a pattern or a sequence of action. We cannot remove a Federal judge for the legal views he holds—this is as contemptible as to exclude a judge serving on the Supreme Court for his ideology or past decisions. Nor can we remove him for a minor or isolated mistake—this does not constitute "behaviour" in the common meaning. We should scrutinize in sitting judges their continuing pattern of behaviour. The Constitution does not demand that it be "exemplary" or "perfect." But it does have to be

orderly. There must be orderly procedure for determining whether or not a Federal judge's behaviour is good. The Framers in most such questions of procedure cannot judge themselves. So the Framers vested this ultimate power where the ultimate sovereignty of our system is most directly represented—in the Congress, in the elected representatives of the people and of the

seldom-used procedure, called impeachment, the legislative branch controls both executive and judicial branches. The roles of the two bodies are dramatically different. The House serves as grand jury; the Senate as judge and trial jury.

Article I of the Constitution has this to say about the impeachment process:

The House of Representatives—shall have the Power of Impeachment.

The Senate shall have the sole Power to try Impeachments. When sitting for that purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside. And no Person shall be convicted without the Concurrence of two-thirds of the Members present.

Article II, dealing with the executive branch, states in section 4:

The President, Vice President, and all civil Officers of the United States, shall be removed from office on Impeachment for, and conviction of, Treason, Bribery or other high crimes and misdemeanors.

This has been the most controversial of the constitutional references to the impeachment process. No consensus exists as to whether, in the case of Federal judges, impeachment must depend upon conviction of one of the two specified crimes of treason or bribery or be within the nebulous category of "other high crimes and misdemeanors." There are pages upon pages of learned argument whether the adjective "high" modifies "misdemeanors" as well as "crimes," and over what, indeed, constitutes a "high misdemeanor."

In my view, one of the specific or general offenses cited in article II is required for removal of the indirectly elected President and Vice President and all appointed civil officers of the executive branch of the Federal Government, whatever their terms of office. But in the case of members of the judicial branch, Federal judges and Justices, I believe an additional and much stricter requirement is imposed by article II, namely, "good behaviour."

Finally, and this is a most significant provision, article I of the Constitution specifies:

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

In other words, impeachment resembles a regular criminal indictment and trial but it is not the same thing. It relates solely to the accused's right to hold civil office; not to the many other rights which are his as a citizen and which protect him in a court of law. By pointedly voiding any immunity an accused might claim under the double jeopardy principle, the framers of the Constitution clearly established that impeachment is a unique political device; designed explicitly to dislodge from public office those who are patently unfit for it, but cannot otherwise be promptly removed.

The distinction between impeachment and ordinary criminal prosecution is again evident when impeachment is made the sole exception to the guarantee of article III, section 3, that trial of all crimes shall be by jury—perhaps the most fundamental of all constitutional protections.

We must continually remember that the writers of our Constitution did their work with the experience of the British Crown and Parliament freshly in mind. There is so much that resembles the British system in our Constitution that we sometimes overlook the even sharper differences—one of the sharpest is our divergent view on impeachment.

In Great Britain the House of Lords sits as the court of highest appeal in the land, and upon accusation by Commons the Lords can try, convict, and punish any impeached subject—private person or official—with any lawful penalty for his crime—including death.

Our Constitution, on the contrary, provides only the relatively mild penalties of removal from office, and disqualification for future office—the worst punishment the U.S. Senate can mete out is both removal and disqualification.

Moreover, to make sure impeachment would not be frivolously attempted or easily abused, and further to protect officeholders against political reprisal, the Constitution requires a two-thirds vote of the Senate to convict.

With this brief review of the law, of the constitutional background for impeachment, I have endeavored to correct two common misconceptions: first, that Federal judges are appointed for life and, second, that they can be removed only by being convicted, with all ordinary protections and presumptions of innocence to which an accused is entitled, of violating the law.

This is not the case. Federal judges can be and have been impeached for improper personal habits such as chronic intoxication on the bench, and one of the charges brought against President Andrew Johnson was that he delivered "intemperate, inflammatory, and scandalous harangues."

I have studied the principal impeachment actions that have been initiated over the years and frankly, there are too few cases to make very good law. About the only thing the authorities can agree upon in recent history, though it was hotly argued up to President Johnson's impeachment and the trial of Judge Swayne, is that an offense need not be indictable to be impeachable. In other words, something less than a criminal act or criminal dereliction of duty may nevertheless be sufficient grounds for impeachment and removal from public office.

What, then, is an impeachable offense?

The only honest answer is that an impeachable offense is whatever a majority of the House of Representatives considers to be at a given moment in history; conviction results from whatever offense or offenses two-thirds of the other body considers to be sufficiently serious to require removal of the accused from office. Again, the historical context and political climate are important; there are few fixed principles among the handful of precedents.

I think it is fair to come to one conclusion, however, from our history of impeachments: a higher standard is expected of Federal judges than of any other "civil officers" of the United States.

The President and Vice President, and all persons holding office at the pleasure of the President, can be thrown out of office by the voters at least every 4 years. To remove them in midterm—it has been tried only twice and never done—would indeed require crimes of the magnitude of treason and bribery. Other elective officials, such as Members of the Congress, are so vulnerable to public displeasure that their removal by the complicated impeachment route has not even been tried since 1798. But nine Federal judges, including one Associate Justice of the Supreme Court, have been impeached by this House and tried by the Senate; four were acquitted; four convicted and removed from office; and one

resigned during trial and the impeachment was dismissed.

In the most recent impeachment trial conducted by the other body, that of U.S. Judge Halsted L. Ritter of the southern district of Florida who was removed in 1936, the point of judicial behavior was paramount, since the criminal charges were admittedly thin. This case was in the context of F. D. R.'s effort to pack the Supreme Court with Justices more to his liking; Judge Ritter was a transplanted conservative Colorado Republican appointed to the Federal bench in solidly Democratic Florida by President Coolidge. He was convicted by a coalition of liberal Republicans, New Deal Democrats, and Farmer-Labor and Progressive Party Senators in what might be called the northwestern strategy of that era. Nevertheless, the arguments were persuasive:

In a joint statement, Senators Borah, La Follette, Frazier, and Shipstead said:

We therefore did not, in passing upon the facts presented to us in the matter of the impeachment proceedings against Judge Halsted L. Ritter, seek to satisfy ourselves as to whether technically a crime or crimes had been committed, or as to whether the acts charged and proved disclosed criminal intent or corrupt motive; we sought only to ascertain from these facts whether his conduct had been such as to amount to misbehavior, misconduct—as to whether he had conducted himself in a way that was calculated to undermine public confidence in the courts and to create a sense of scandal.

There are a great many things which one must readily admit would be wholly unbecoming, wholly intolerable, in the conduct of a judge, and yet these things might not amount to a crime.

Senator Elbert Thomas of Utah, citing the Jeffersonian and colonial antecedents of the impeachment process, bluntly declared:

Tenure during good behavior . . . is in no sense a guaranty of a life job, and misbehavior in the ordinary, dictionary sense of the term will cause it to be cut short on the vote, under special oath, of two-thirds of the Senate, if charges are first brought by the House of Representatives. . . . To assume that good behavior means anything but good behavior would be to cast a reflection upon the ability of the fathers to express themselves in understandable language.

But the best summary, in my opinion, was that of Senator William G. McAdoo of California, son-in-law of Woodrow Wilson and his Secretary of the Treasury:

I approach this subject from the standpoint of the general conduct of this judge while on the bench, as portrayed by the various counts in the impeachment and the evidence submitted in the trial. The picture thus presented is, to my mind, that of a man who is so lacking in any proper conception of professional ethics and those high standards of judicial character and conduct as to constitute misbehavior in its most serious aspects, and to render him unfit to hold a judicial office . . .

Good behavior, as it is used in the Constitution, exacts of a judge the highest standards of public and private rectitude. No judge can besmirch the robes he wears by relaxing these standards, by compromising them through conduct which brings reproach upon himself personally, or upon the great office he holds. No more sacred trust

is committed to the bench of the United States than to keep shining with undimmed effulgence the brightest jewel in the crown of democracy—justice.

However disagreeable the duty may be to those of us who constitute this great body in determining the guilt of those who are entrusted under the Constitution with the high responsibilities of judicial office, we must be as exacting in our conception of the obligations of a judicial officer as Mr. Justice Cardozo defined them when he said, in connection with fiduciaries, that they should be held "to something stricter than the morals of the market-place. *Not honesty alone, but the punctilio of an honor the most sensitive, is then the standard of behavior.*" (Meinhard v. Solmon, 249 N.Y. 458.)

Let us now objectively examine certain aspects of the behavior of Mr. Justice Douglas, and let us ask ourselves in the words of Mr. Justice Cardozo, whether they represent "not honesty alone, but the punctilio of an honor the most sensitive."

Ralph Ginzburg is editor and publisher of a number of magazines not commonly found on the family coffee table. For sending what was held to be an obscene edition of one of them, Eros, through the U.S. mails, Mr. Ginzburg was convicted and sentenced to 5 years' imprisonment in 1963.

His conviction was appealed and, in 1966, was affirmed by the U.S. Supreme Court in a close 5-to-4 decision. Mr. Justice Douglas dissented. His dissent favored Mr. Ginzburg and the publication, Eros.

During the 1964 presidential campaign, another Ginzburg magazine, Fact, published an issue entitled "The Unconscious of a Conservative: A Special Issue on the Mind of BARRY GOLDWATER."

The thrust of the two main articles in Ginzburg's magazine was that Senator GOLDWATER, the Republican nominee for President of the United States, had a severely paranoid personality and was psychologically unfit to be President. This was supported by a fraction of replies to an alleged poll which the magazine had mailed to some 12,000 psychiatrists—hardly a scientific diagnosis, but a potent political hatchet job.

Naturally, Senator GOLDWATER promptly sued Mr. Ginzburg and Fact magazine for libel. A Federal court jury in New York granted the Senator a total of \$75,000 in punitive damages from Ginzburg and Fact magazine. Fact shortly was to be incorporated into another Ginzburg publication, Avant Garde. The U.S. court of appeals sustained this libel award. It held that under the New York Times against Sullivan decision a public figure could be libelled if the publication was made with actual malice; that is, if the publisher knew it was false or acted with reckless disregard of whether it was false or not.

So once again Ralph Ginzburg appealed to the Supreme Court which, in due course, upheld the lower courts' judgment in favor of Senator GOLDWATER and declined to review the case.

However, Mr. Justice Douglas again dissented on the side of Mr. Ginzburg, along with Mr. Justice Black. Although the Court's majority did not elaborate

on its ruling, the dissenting minority decision was based on the theory that the constitutional guarantees of free speech and free press are absolute.

This decision was handed down January 26, 1970.

Yet, while the Ginzburg-Goldwater suit was pending in the Federal courts, clearly headed for the highest court in the land, Mr. Justice Douglas appeared as the author of an article in Avant Garde, the successor to Fact in the Ginzburg stable of magazines, and reportedly accepted payment from Ginzburg for it.

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

Mr. GERALD R. FORD. May I conclude, and then I will be delighted to yield.

Mr. FRASER. Just on this one point and I shall be very brief.

Mr. GERALD R. FORD. I am sorry. I would like to finish and then I will be glad to yield.

Mr. FRASER. Just on a factual basis. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. GERALD R. FORD. If the gentleman will give me a minute or two—

The SPEAKER pro tempore (Mr. PRICE of Illinois). The gentleman declines to yield.

CALL OF THE HOUSE

Mr. FRASER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count.

One hundred fifty-three Members are present, not a quorum.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

Mr. FRASER. Mr. Speaker, I would not like to put the House to a call—

Mr. RHODES. Regular order, Mr. Speaker.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 79]

Abbott	Dawson	Hansen, Wash.
Addabbo	de la Garza	Harsha
Anderson, Ill.	Delaney	Hawkins
Anderson, Tenn.	Dellenback	Hays
Ashbrook	Dent	Hébert
Aspinall	Diggs	Heckler, Mass.
Ayres	Dowdy	Hollifield
Baring	Dwyer	Johnson, Pa.
Barrett	Edwards, Calif.	Karth
Beall, Md.	Ellberg	Kee
Belcher	Erlenborn	King
Betts	Esch	Kirwan
Bingham	Evins, Tenn.	Kleppe
Blackburn	Fallon	Kuykendall
Bolling	Feighan	Kyl
Bow	Findley	Langen
Brooks	Flood	Leggett
Broomfield	Ford	Lennon
Brown, Calif.	William D. Fulton, Pa.	Lloyd
Burleson, Tex.	Fulton, Tenn.	Lowenstein
Burton, Utah	Garnatz	Lukens
Button	Gaydos	McCarthy
Byrne, Pa.	Gibbons	McClure
Cabell	Green, Pa.	McCulloch
Chisholm	Griffiths	McMillan
Clancy	Gross	Martin
Clark	Gubser	Melcher
Clay	Gude	Meskill
Conyers	Hanley	Mikva
Corbett	Hanna	Miller, Calif.
Daddario	Hansen, Idaho	Mills

Powell	Springer
Price, Tex.	Steed
Pryor, Ark.	Stuckey
Quie	Sullivan
Quillen	Taft
Reuss	Teague, Calif.
Riegle	Teague, Tex.
Roberts	Thompson, N.J.
Rodino	Tunney
Rogers, Colo.	Udall
Rooney, N.Y.	Vander Jagt
Rooney, Pa.	Watts
Rosenthal	White
St Germain	Whitten
Scheuer	Wright
Schneebell	Yates
Shipley	Zwachs
Shriver	
Smith, N.Y.	

double meaning that I will not repeat them aloud.

Ralph Ginzburg's magazine *Avant Garde* paid the Associate Justice of the U.S. Supreme Court the sum of \$350 for his article on folk singing. The article itself is not pornographic, although it praises the lusty, lurid, and risqué along with the social protest of leftwing folk singers. It is a matter of editorial judgment whether it was worth the \$350. Ginzburg claims he paid Justice Douglas for writing it. I would think, however, that a byline clear across the page reading "By William O. Douglas, Associate Justice, U.S. Supreme Court" and a full page picture would be worth something to a publisher and a magazine with two appeals pending in the U.S. courts.

However, Mr. Justice Douglas did not disqualify himself from taking part in the Goldwater against Ginzburg libel appeal. Had the decision been a close 5-to-4 split, as was the earlier one, Ginzburg might have won with Douglas' vote.

Actually, neither the quantity of the sum that changed hands nor the position taken by the Court's majority or the size of the majority makes a bit of difference in the gross impropriety involved.

Title 28, United States Code, section 455 states as follows:

Any justice or judge of the United States should disqualify himself in any case in which he has a substantial interest, has been of counsel, is or has been a material witness, or is so related to or connected with any party or his attorney as to render it improper, in his opinion, for him to sit on the trial, appeal or other proceeding therein.

Let me ask each one of you: Is this what the Constitution means by "good behavior"? Should such a person sit on our Supreme Court?

Writing signed articles for notorious publications of a convicted pornographer is bad enough. Taking money from them is worse. Declining to disqualify one's self in this case is inexcusable.

But this is only the beginning of the insolence by which Mr. Justice Douglas has evidently decided to sully the high standards of his profession and defy the conventions and convictions of decent Americans.

Recently, there has appeared on the stands a little black book with the autograph, "William O. Douglas," scrawled on the cover in red. Its title is "Points of Rebellion" and its thesis is that violence may be justified and perhaps only revolutionary overthrow of "the establishment" can save the country.

The kindest thing I can say about this 97-page tome is that it is quick reading. Had it been written by a militant sophomore, as it easily could, it would of course have never found a prestige publisher like Random House. It is a fuzzy harangue evidently intended to give historic legitimacy to the militant hippie-yippie movement and to bear testimony that a 71-year-old Justice of the Supreme Court is one in spirit with them.

Now, it is perfectly clear to me that the first amendment protects the right of Mr. Justice Douglas and his publishers to write and print this drivel if they please.

Mr. Justice Douglas is constitutionally

and otherwise entitled to believe, though it is difficult to understand how a grown man can, that "a black silence of fear possesses the Nation," and that "every conference room in Government buildings is assumed to be bugged."

One wonders how this enthusiastic traveler inside the Iron Curtain is able to warn seriously against alleged Washington hotel rooms equipped with two-way mirrors and microphones, or accuse the "powers that be" of echoing Adolf Hitler. Frankly, this is nonsense, but certainly not the only nonsense being printed nowadays.

But I wonder if it can be deemed "good behavior" in the constitutional sense for such a distorted diatribe against the Government of the United States to be published, indeed publicly autographed and promoted, by an Associate Justice of the Supreme Court.

There are, as the book says, two ways by which the grievances of citizens can be redressed. One is lawful procedure and one is violent protest, riot, and revolution. Should a judge who sits at the pinnacle of the orderly system of justice give sympathetic encouragement, on the side, to impressionable young students and hard-core fanatics who espouse the militant method? I think not.

In other words, I concede that William O. Douglas has a right to write and publish what he pleases; but I suggest that for Associate Justice Douglas to put his name to such an inflammatory volume as "Points of Rebellion"—at a critical time in our history when peace and order is what we need—is less than judicial good behavior. It is more serious than simply "a summation of conventional liberal poppycock," as one columnist wrote.

Whatever Mr. Justice Douglas may have meant by his justification of anti-establishment activism, violent defiance of police and public authorities, and even the revolutionary restructuring of American society—does he not suppose that these confrontations and those accused of unlawfully taking part in them will not come soon before the Supreme Court? By his own book, the Court surely will have to rule on many such cases.

I ask you, will Mr. Justice Douglas then disqualify himself because of a bias previously expressed, and published for profit? Will he step aside as did a liberal jurist of the utmost personal integrity, Chief Justice Warren, whenever any remote chance of conflict of interest arose? Not if we may judge by Mr. Justice Douglas' action in the Ginzburg appeals, he will not.

When I first encountered the facts of Mr. Justice Douglas' involvement with pornographic publications and espousal of hippie-yippie style revolution, I was inclined to dismiss his fractious behavior as the first sign of senility. But I believe I underestimated the Justice.

In case there are any "square" Americans who were too stupid to get the message Mr. Justice Douglas was trying to tell us, he has now removed all possible misunderstanding.

Here is the April 1970 current edition of a magazine innocently entitled "Evergreen."

Perhaps the name has some secret

SPEAKER pro tempore (Mr. of Illinois). On this rollcall 281 members have answered to their names,

without objection, further proceed—under the call will be dispensed

FRASER. Mr. Speaker, reserving right to object to that unanimous request, and I shall not object, I wanted to take this moment to go to the House that the speaker in well had changed the text—

GERALD R. FORD. Mr. Speaker, out of my time?

SPEAKER pro tempore. The gentleman reserved the right to object to unanimous-consent request.

FRASER. The speaker in the well changed the text of his statement that handed out to the press the earlier version having charged Justice Douglas with having accepted a fee for an article in a magazine at the time that that person had a case pending in the Supreme Court. In fact, that was a false allegation, and I would like that the speaker would after 2 days of study have known it was false, apparently between that time and the time he spoke on the floor he learned it was false and modified his statement. My only purpose in asking him to yield was so that the press would be clear in fact he had changed that very false allegation since it was brought.

Mr. Speaker, I withdraw my reservation of objection.

By unanimous consent, further proceed—under the call were dispensed

SPEAKER pro tempore. The gentleman from Michigan (Mr. GERALD R. Ford) is recognized.

CONDUCT OF ASSOCIATE JUSTICE DOUGLAS

Mr. GERALD R. FORD. Mr. Speaker, the March 1969 issue of *Avant Garde*, on page 1, shows Ralph Ginzburg as stating under oath that it incorporated the former magazine *Fact*.

Table of contents lists on page 1 an article titled "Appeal of Folk Singing: A Landmark Opinion" by Justice William O. Douglas. Even his judicial record on only eight other Americans is brazenly exploited.

Justice Douglas' contribution immediately follows one provocatively entitled "Decline and Fall of the Female." There are two other titles in the contents so vulgarly playing on

erotic significance, because otherwise it may be the only clean word in this publication. I am simply unable to describe the prurient advertisements, the perverted suggestions, the downright filthy illustrations and the shocking and execrable four-letter language it employs.

Alongside of Evergreen the old Avant Garde is a family publication.

Just for a sample, here is an article by Tom Hayden of the "Chicago 5." It is titled "Repression and Rebellion." It possibly is somewhat more temperate than the published views of Mr. Justice Douglas, but no matter.

Next we come to a 7-page rotogravure section of 13 half-page photographs. It starts off with a relatively unobjectionable arty nude. But the rest of the dozen poses are hard-core pornography of the kind the U.S. Supreme Court's recent decisions now permit to be sold to your children and mine on almost every newsstand. There are nude models of both sexes in poses that are perhaps more shocking than the postcards that used to be sold only in the back alleys of Paris and Panama City, Panama.

Immediately following the most explicit of these photographs, on pages 40 and 41, we find a full-page caricature of the President of the United States, made to look like Britain's King George III and waiting, presumably, for the second American Revolution to begin on Boston Common, or is it Berkeley?

This cartoon, while not very respectful toward Mr. Nixon, is no worse than we see almost daily in a local newspaper and all alone might be legitimate political parody. But it is there to illustrate an article on the opposite page titled much like Tom Hayden's "Redress and Revolution."

This article is authored "by the venerable Supreme Court Justice," William O. Douglas. It consists of the most extreme excerpts from this book, given a somewhat more seditious title. And it states plainly in the margin:

Copyright 1970 by William O. Douglas . . . Reprinted by permission.

Now you may be able to tell me that it is permissible for someone to write such stuff, and this being a free country I agree. You may tell me that nude couples cavorting in photographs are art, and that morals are a matter of opinion, and that such stuff is lawful to publish and send through the U.S. mails at a postage rate subsidized by the taxpayers. I disagree, but maybe I am old fashioned.

But you cannot tell me that an Associate Justice of the United States is compelled to give his permission to reprint his name and his title and his writings in a pornographic magazine with a portfolio of obscene photographs on one side of it and a literary admonition to get a gun and start shooting at the first white face you see on the other. You cannot tell me that an Associate Justice of the U.S. Supreme Court could not have prevented the publication of his writings in such a place if he wanted to, especially after widespread criticism of his earlier contributions to less objectionable magazines.

No; Mr. Justice Douglas has been telling us something and this time he wanted to make it perfectly clear. His blunt message to the American people and their Representatives in the Congress of the United States is that he does not give a tinker's damn what we think of him and his behavior on the Bench. He believes he sits there by some divine right and that he can do and say anything he pleases without being questioned and with complete immunity.

Does he really believe this? Whatever else one may say, Mr. Justice Douglas does know the Constitution, and he knows the law of impeachment. Would it not, I ask you, be much more reasonable to suppose that Mr. Justice Douglas is trying to shock and outrage us—but for his own reasons?

Suppose his critics concentrate on his outrageous opinions, expressed off the Bench, in books and magazines that share, with their more reputable cousins, the constitutional protections of free speech and free press. Suppose his impeachment is predicated on these grounds alone—will not the accusers of Mr. Justice Douglas be instantly branded, as we already are in his new book—as the modern Adolf Hitlers, the book-burners, the defoliators of the tree of liberty?

Let us not be caught in a trap. There is a prima facie case against Mr. Justice Douglas that is—in my judgment—far more grave. There is prima facie evidence that he was for nearly a decade the well-paid moonlighter for an organization whose ties to the international gambling fraternity never have been sufficiently explored.

Are these longstanding connections, personal, professional, and profitable, the skeleton in the closet which Mr. Justice Douglas would like to divert us from looking into? What would bring an Associate Justice of the Supreme Court into any sort of relationship with some of the most unsavory and notorious elements of American society? What, after some of this became public knowledge, holds him still in truculent defiance bordering upon the irrational?

For example, there is the curious and profitable relationship which Mr. Justice Douglas enjoyed, for nigh onto a decade, with Mr. Albert Parvin and a mysterious entity known as the Parvin Foundation.

Albert Parvin was born in Chicago around the turn of the century, but little is known of his life until he turns up as president and 30-percent owner of Hotel Flamingo, Inc., which operated the hotel and gambling casino in Las Vegas, Nev. It was first opened by Bugsy Siegel in 1946, a year before he was murdered.

Bugsy's contract for decorations and furnishings of the Flamingo was with Albert Parvin & Co. Between Siegel and Parvin there were three other heads, or titular heads, of the Flamingo. After the gangland rubout of Siegel in Los Angeles, Sanford Adler—who was a partner with Albert Parvin in another gambling establishment, El Rancho, took over. He subsequently fled to Mexico to escape income tax charges and

the Flamingo passed into the hands of one Gus Greenbaum.

Greenbaum one day had a sudden urge to go to Cuba and was later ordered. Next Albert Parvin teamed with William Israel Alderman—known as Ice Pick Willie—to head the Flamingo. But Alderman soon was off the Riviera and Parvin took over.

On May 12, 1960, Parvin signed a contract with Meyer Lansky, one of country's top gangsters, paying Lansky what was purportedly a finder's fee of \$200,000 in the sale of the Flamingo. The agreement stipulated that payments would be made to Lansky in quarterly installments of \$6,250 starting in 1961. If kept, final payment of the \$200,000 would have been in October 1968.

Parvin and the other owners sold the Flamingo for a reported \$10,500,000 to a group including Florida hotelier Morris Lansburgh, Samuel Cohen, and Daniel Lifter. His attorney in the deal was Edward Levinson, who has been associated with Parvin in a number of enterprises. The Nevada Gaming Commission approved the sale on June 1, 1960.

In November of 1960, Parvin set up the Albert Parvin Foundation. Accounts vary as to whether it was funded with Flamingo Hotel stock or with a first mortgage on the Flamingo taken under the terms of the sale. At any rate the foundation was incorporated in New York and Mr. Justice Douglas assisted in setting up, according to Parvin. If the Justice did indeed draft the articles of incorporation, it was in patent violation of title 28, section 454, United States Code, which states that "any justice or judge appointed under the authority of the United States who engages in the practice of law is guilty of a high misdemeanor."

Please note that this offense is specifically stated in the Federal statutes to be a high misdemeanor, making it conform to one of the constitutional grounds for impeachment. There is additional evidence that Mr. Justice Douglas later, while still on salary, gave legal advice to the Albert Parvin Foundation on dealing with an Internal Revenue investigation.

The ostensible purpose of the Parvin Foundation was declared to be educating the developing leadership in Latin America. This had not previously been a known concern of Parvin or his Las Vegas associates, but Cuba, where some of them had business connections, was then in the throes of Castro's Communist revolution.

In 1961 Mr. Justice Douglas was named a life member of the Parvin Foundation board, elected president and voted a salary of \$12,000 per year plus expenses. There is some conflict in testimony as to how long Douglas drew his pay, but he did not put a stop to it until last May—1969—in the wake of public revelations that forced the resignation of Mr. Justice Fortas.

The Parvin Foundation in 1961 undertook publication of Mr. Justice Douglas' book, "America's Challenge," with costs borne by the foundation but royalties going to the author.

1962 the Parvin Foundation tax-exempt status. And some very interesting things

October 22, 1962, Bobby Baker in Las Vegas for a 3-day stay. All was paid by Ed Levinson, associate and sometime attorney. Baker's registration card at the hotel had noted—"Is with

was then, of course, majority of the Senate and widely regarded as the right hand of the then President of the United States. So it is clear whether the note meant that Mr. Justice Douglas was in Las Vegas at that time or it meant only to identify Baker as an associate.

December 1962, I have learned, Baker met with Juan Bosch, soon President of the Dominican Republic in New York City.

January 1963 the Albert Parvin Foundation decided to drop all its Latin American projects and to concentrate on the Dominican Republic. Douglas designated President-elect Bosch as an old

February 26, 1963, however, we find Baker and Ed Levinson together at this time on the other side of the Atlantic in Florida—buying round-trip tickets on the same plane for the Dominican Republic.

The Parvin Foundation was set up to develop leadership in Latin America. Emilio had been toppled from power in a bloody uprising, and Juan Bosch was about to be inaugurated as the first liberal President. Officially representing the United States at the ceremony on February 27 were the Vice President and Mrs. Johnson. But their Air Force plane was loaded with such celebrities as Senator and Mrs. Humphrey, Assistant Secretaries of State, Mr. and Mrs. Valenti, and Mrs. Elizabeth Taylor. Bobby Baker and Eddie Levinson went commercial.

On hand in Santo Domingo to greet Bosch's taking up the reins of power were Mr. Albert Parvin, President of the Parvin-Dohrmann Co., and the President of the Albert Parvin Foundation, Mr. Justice William O. Douglas of the U.S. Supreme Court.

There is conflicting testimony as to the reason for Mr. Justice Douglas' presence in the Dominican Republic at that time, along with Parvin, Levinson, and Bobby Baker. Obviously he was there as an official representative of the United States, as he was not in the President's party.

It is reported that the Parvin Foundation was offering to finance an educational television project for the Dominican Republic. Another is that Mr. Justice Douglas was there to advise President Bosch in writing a new Constitution for the Dominican Republic.

There is little about the reasons behind the presence of a singularly large number of known gambling figures in Santo Domingo, however. With the change of political regime the rich gambling concessions of the Dominican Republic were up for

grabs. These were generally not owned and operated by the hotels, but were granted to concessionaires by the government—specifically by the President. It was one of the country's most lucrative sources of revenue as well as private corruption. This brought such known gambling figures as Parvin and Levinson, Angelo Bruno and John Simone, Joseph Sicarelli, Eugene Pozo, Santa Trafficante Jr., Louis Levinson, Leslie Earl Kruse, and Sam Giancana to the island in the spring of 1963.

Bobby Baker, in addition to serving as go-between for his Las Vegas friends such as Ed Levinson, was personally interested in concessions for vending machines of his Serv-U Corp., then represented by Washington attorney Abe Fortas. Baker has described Levinson as a former partner.

Mrs. Fortas, also an attorney, was subsequently to be retained as tax counsel by the Parvin Foundation. Her fee is not exactly known but that year the foundation spent \$16,058 for professional services.

There are reports that Douglas met with Bosch and other officials of the new government in February or early March of 1963, and also that he met with Bobby Baker and with Albert Parvin. In April 1963, Baker and Ed Levinson returned to the Dominican Republic and in that same month the Albert Parvin Foundation was granted its tax-exempt status by the Internal Revenue Service.

In June, I believe it was June 20, Bobby Baker and Ed Levinson traveled to New York where Baker introduced Levinson to Mr. John Gates of the Intercontinental Hotel Corp. Mr. Gates has testified that Levinson was interested in the casino concession in the Ambassador—El Embajador—Hotel in Santo Domingo. My information is that Baker and Levinson made at least one more trip to the Dominican Republic about this time but that, despite all this influence peddling, the gambling franchise was not granted to the Parvin-Levinson-Lansky interests after all.

In August, President Bosch awarded the concession to Cliff Jones, former Lieutenant Governor of Nevada who, incidentally, also was an associate of Bobby Baker.

When this happened, the further interest of the Albert Parvin Foundation in the Dominican Republic abruptly ceased. I am told that some of the educational television equipment already delivered was simply abandoned in its original crates.

On September 25, 1963, President Bosch was ousted and all deals were off. He was later to lead a comeback effort with Communist support which resulted in President Johnson's dispatch of U.S. Marines to the Dominican Republic.

Meanwhile, through the Parvin-Dohrmann Co. which he had acquired, Albert Parvin bought the Fremont Hotel in Las Vegas in 1966 from Edward Levinson and Edward Torres, for some \$16 million. In 1968, Parvin-Dohrmann acquired the Aladdin Hotel and casino in the same Nevada city, and in 1969 was denied permission by Nevada to buy the Riviera Hotel and took over operation of the

Stardust Hotel. This brought an investigation which led to the suspension of trading in Parvin-Dohrmann stock by the SEC, which led further to the company's employment of Nathan Voloshen. But in the interim Albert Parvin is said to have been bought out of the company and to have retired to concentrate on his foundation, from which Mr. Justice Douglas had been driven to resign by relentless publicity.

On May 12, 1969, Mr. Justice Douglas reportedly wrote a letter to Albert Parvin in which he discussed the pending action by the Internal Revenue Service to revoke the foundation's tax-exempt status as a "manufactured case" designed to pressure him off the Supreme Court. In this letter, as its contents were paraphrased by the New York Times, Mr. Justice Douglas apparently offered legal advice to Mr. Parvin as to how to avoid future difficulties with the Internal Revenue Service, and this whole episode demands further examination under oath by a committee with subpoena powers.

When things got too hot on the Supreme Court for Justices accepting large sums of money from private foundations for ill-defined services, Mr. Justice Douglas finally gave up his open ties with the Albert Parvin Foundation. Although resigning as its president and giving up his \$12,000-a-year salary, Mr. Justice Douglas moved immediately into closer connection with the leftish Center for the Study of Democratic Institutions.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

CONDUCT OF ASSOCIATE JUSTICE DOUGLAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Hampshire (Mr. WYMAN) is recognized for 60 minutes.

Mr. BURTON of California. Mr. Speaker, I ask unanimous consent to address the House for 30 seconds as a result of the remarks of the gentleman from Michigan having been concluded or, alternatively, if the gentleman from Michigan still has the floor, I would appreciate his yielding to me.

Mr. WYMAN. Not at this point. I will yield to the gentleman later.

At this point, Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

Mr. BURTON of California. Reserving the right to object—

The SPEAKER pro tempore. The gentleman from California reserves the right to object.

Mr. WYMAN. To object to what, Mr. Speaker?

Mr. WAGGONER. A point of order. To what does the gentleman from California reserve the right to object? The Chair recognized the gentleman under a previous order.

The SPEAKER pro tempore. The gentleman from California—

Mr. BURTON of California. I am reserving my right to object to the unanimous-consent request.

The SPEAKER pro tempore. The Chair will state the matter.

The gentleman from California reserved the right to object to the unanimous-consent request of the gentleman from New Hampshire to revise and extend his remarks and include extraneous matter.

Is there objection to the request?

Mr. BURTON of California. Further reserving the right to object, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from California reserves the right to object.

Mr. BURTON of California. Mr. Speaker, in reserving the right to object, I would like to note that few members in the history of the Supreme Court have matched the outstanding judicial record of Justice Douglas.

Mr. WYMAN. Mr. Speaker, I withdraw my unanimous-consent request.

The SPEAKER pro tempore. The gentleman withdraws his request.

The gentleman from New Hampshire is recognized.

Mr. WYMAN. Mr. Speaker, prior to yielding to the gentleman from Michigan (Mr. GERALD R. FORD) for the purpose of enabling him to finish his remarks, I would like to advise the gentleman from California that in due course during the time I have I will yield to the gentleman for the purpose for which he seeks recognition but not at this time.

Mr. BURTON of California. I am sure the gentleman is aware that I waited without interruption for the gentleman from Michigan to complete his statement.

Mr. HALL. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. WYMAN. Yes. I yield.

Mr. HALL. I would like to know whether this time comes out of the previous unanimous-consent agreement and allocation of the time of the gentleman from New Hampshire?

The SPEAKER pro tempore. The gentleman still has 1 hour available.

Mr. HALL. I thank the Speaker.

The SPEAKER pro tempore. The gentleman from New Hampshire is recognized.

Mr. WYMAN. Mr. Speaker, I yield to the gentleman from Michigan (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Although resigning as its president and giving up his \$12,000 a year salary, Mr. Justice Douglas moved immediately into closer connection with the leftist "Center for the Study of Democratic Institutions."

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

The SPEAKER pro tempore. The gentleman from New Hampshire has the floor.

Mr. HAYS. I asked the gentleman if he will yield.

Mr. WYMAN. No.

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count.

Mr. HAYS. Mr. Speaker, I withdraw my point of order.

The SPEAKER pro tempore. The point of order is withdrawn.

The gentleman from New Hampshire has yielded to the gentleman from Michigan.

Mr. GERALD R. FORD. I thank the gentleman from Ohio for taking the action that he did.

The center is located in Santa Barbara, Calif., and is run by Dr. Robert M. Hutchins, former head of the University of Chicago.

A longtime "consultant" and member of the board of directors of the center, Mr. Justice Douglas was elevated last December to the post of chairman of the executive committee. It should be noted that the Santa Barbara Center was a beneficiary of Parvin Foundation funds during the same period that Mr. Justice Douglas was receiving \$1,000 a month salary from it and mobster Meyer Lansky was drawing down installment payments of \$25,000 a year. In addition to Douglas, there are several others who serve on both the Parvin Foundation and Center for Democratic Studies boards, so the break was not a very sharp one.

The gentleman from New Hampshire (Mr. WYMAN) has investigated Mr. Justice Douglas' connections with the center and discovered that the Associate Justice has been receiving money from it, both during the time he was being paid by Parvin and even larger sums since.

The distinguished gentleman, who served as attorney general of his State and chairman of the American Bar Association's committee on jurisprudence before coming to the House, will detail his findings later. But one activity of the center requires inclusion here because it provides some explanation for Mr. Justice Douglas' curious obsession with the current wave of violent youthful rebellion.

In 1965 the Santa Barbara Center, which is tax exempt and ostensibly serves as a scholarly retreat, sponsored and financed the National Conference for New Politics which was, in effect, the birth of the New Left as a political movement. Two years later, in August 1967, the Center was the site of a very significant conference of militant student leaders. Here plans were laid for the violent campus disruptions of the past few years, and the students were exhorted by at least one member of the center's staff to sabotage American society, block defense work by universities, immobilize computerized record systems and discredit the ROTC.

This session at Mr. Justice Douglas' second moonlighting base was thus the birthplace for the very excesses which he applauds in his latest book in these words:

Where grievances pile high and most of the elected spokesmen represent the Establishment, violence may be the only effective response.

Mr. Speaker, we are the elected spokesmen upon whom the Associate Justice of the Supreme Court is attempt-

ing to place the blame for the rebellion in this country. We are not representing the establishment, not know, except that he is a hothead revolutionaries. I know very well who I represent, and if the patriotic and hard-working and God-fearing people of America are the ones who are proud to represent such men.

Perhaps it is appropriate at this point who Mr. Justice Douglas represents. On the basis of the information available to me, and present Justice Douglas appears to be Albert Parvin and his sister, the international gambler, Mr. Ralph Ginzburg, and the pornographic publisher, Robert Hutchins and his incubators for the New Left and others of the same ilk. Justice Douglas does not find his company suddenly or accidentally; he has been working for years, profiting from it for years, flaunting it in the faces of Americans for years.

There have been many questions to me in recent days. Let me now answer the most important question for the record now.

Mr. HAYS. Mr. Speaker, will the gentleman yield at that point?

Mr. GERALD R. FORD. About 2 more minutes to go.

Mr. HAYS. I want to ask a question right about what you are saying about.

Mr. GERALD R. FORD. I want to answer pertinent questions or all the other things, at a time, as soon as I have finished, be most grateful if the gentleman wait a few minutes until I can finish.

Mr. CLEVELAND. I will yield to the gentleman from Ohio as soon as the gentleman from Michigan finishes.

Mr. GERALD R. FORD. I will yield to the gentleman I will be glad to yield.

Mr. HAYS. I will wait.

Mr. GERALD R. FORD. This is this action on my part, to, or retaliation for, the other body of two nominating Supreme Court, Judge Haynsworth, Judge Carswell. In a narrow view, the judicial misbehavior will believe Mr. Justice Douglas to have begun long before anybody elevating Judges Haynsworth well.

But in a larger sense, I do think there can be two standards for ship on the Supreme Court, of Justice Fortas, another for Justice Douglas.

What is the ethical or moral question, I ask those arbiters of high who have studied such matters as the Parvin Foundation, Parvin's troubles with the SEC, Parvin's \$12,000-a-year retainer for Justice Douglas—the one and the Wolfson Family Foundation, Louis Wolfson's troubles with the SEC and Wolfson's \$20,000-a-year retainer for Associate Justice Fortas? Why

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characters in these two cases is interchangeable.

Parvin was named a coconspirator in the unregistered case that sent Louis Wolfson to prison. Albert Parvin was again involved in the stock manipulation investigation in the stock manipulation case against Parvin-Dohrmann. The generation has largely forgotten that William O. Douglas first rose to national prominence as Chairman of the Securities and Exchange Commission. Parvin was a law pupil at Yale and fellow trader in those days was one Abe Fortas and they remained the closest friends on and off the Supreme Court. Parvin was retained by the Parvin Corporation in its tax difficulties. Abe Fortas was retained by Bobby Baker until he was removed from the case because of his association with the White House.

It is stated that there is some difference between the two situations. There is no question that Louis Wolfson had no underworld associations in his financial enterprises. And more important, Mr. Justice Fortas had enough respect for the so-called establishment to resign when the personal decency to resign when the behavior brought reproach upon the Supreme Court. Whatever he may have done privately, Mr. Justice Fortas did not consistently take public positions that damaged and endangered the fabric of the law and government.

Another question I have been asked is whether I, and others in this House, want to set ourselves up as censors of books and magazines. This is, of course, a stock market needle which will continue to be used at every opportunity no matter how often it is plainly answered in the negative. But as the "censor" was an ancient Roman office, the supervisor of public morals, let me substitute, if I may, another Roman office, the tribune. This is the tribune who represented and spoke up for the people. This is our role in the impeachment of unfit judges and Federal officials. We have not made ourselves censors; the Constitution makes us tribunes.

A third question I am asked is whether the steps we are taking will not diminish public confidence in the Supreme Court. This is the easiest to answer. Public confidence in the U.S. Supreme Court diminishes every day that Mr. Justice Douglas remains on it.

Finally, I have been asked, and I have asked myself, whether or not I should stand here and impeach Mr. Justice Douglas on my own constitutional responsibility. I believe, on the basis of the investigation and the facts I have set before you, that he is unfit and should be removed. I would vote to impeach him right now.

But we are dealing here with a solemn constitutional duty. Only the House has the power; only here can the people obtain redress from the misbehavior of appointed judges. I would not try to impose my judgment in such a matter upon another Member; each one should examine his own conscience after the full facts have been spread before him.

I cannot see how, on the prima facie case I have made, it is possible to object to a prompt but thoroughgoing investi-

gation of Mr. Justice Douglas' behavior. I believe that investigation, giving both the Associate Justice and his accusers the right to answer under oath, should be as nonpartisan as possible and should interfere as little as possible with the regular legislative business of the House. For that reason I shall support, but not actively sponsor, the creation of a select committee to recommend whether probable causes does lie, as I believe it does, for the impeachment and removal of Mr. Justice Douglas.

Once more, I remind you of Mr. Justice Cardozo's guidelines for any judge:

Not honest alone, but the punctilio of an honor the most sensitive, is then the standard of behavior.

Why should the American people demand such a high standard of their judiciary? Because justice is the foundation of our free society. There has never been a better answer than that of Daniel Webster, who said:

There is no happiness, there is no liberty, there is no enjoyment of life, unless a man can say when he rises in the morning, I shall be subject to the decision of no unwise judge today.

Mr. JACOBS. Mr. Speaker, will the gentleman yield to me at this time?

Mr. WYMAN. The gentleman from Michigan (Mr. Ford) does not have the floor. I have the floor, and I am under commitment to yield to the gentleman from Ohio.

Mr. GERALD R. FORD. I am subject to the rules of the House, and I will be glad to answer any questions if the gentleman from New Hampshire will yield for that purpose.

Mr. HAYS. Mr. Speaker, I have not been here for this whole discussion. I had an engagement down at the State Department with the Secretary of State, and other people, including members of the NATO Standing Committee.

However, I have been briefed a little about this, and I heard the latter part of it. I am curious about a couple of things. One is that I thought I was fairly well read and that I got around about as much as anybody, and that I have fairly catholic tastes. But until tonight I never heard of this Evergreen magazine. Is it giving the Republican Party anything for the advertisement it is getting tonight?

Mr. GERALD R. FORD. May I respond to the gentleman, Mr. Speaker?

Mr. WYMAN. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. I never heard of the magazine before it was brought to my attention 3 or 4 days ago. It is a magazine entitled "Evergreen," and underneath the title on the front page of the issue that I hold it says, "Evergreen Review No. 77, April, 1970, one dollar."

Mr. HAYS. I have another question for the gentleman:

I have observed, and I did not make a point of order about it, although I guess it is against the rules, that a number of people on the Republican side were looking at this magazine during the gentleman's speech. Is it available only to Republicans—or can some of us Democrats get it?

Mr. WYMAN. I will respond to the gentleman by saying it is available on the newsstands, and several times in the last few days Members have sent their assistants out, and they have been able to purchase it. Regrettably, this involves a certain measure of advertisement, and it cannot be avoided.

Mr. BURTON of California. Mr. Speaker, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from California.

Mr. BURTON of California. Few members in the history of the Supreme Court can match the consistently outstanding judicial record of Justice William O. Douglas in his defense, preservation, and strengthening of the constitutional rights and liberties of the American people.

I suspect that Justice Douglas would be among the first to defend our Michigan colleague's right to make his remarks. As for me, I want to be among the first to decry this attack on one of the most outstanding jurists in American judicial history.

Mr. WYMAN. Mr. Speaker, I yield to the gentleman from Louisiana (Mr. Waggonner).

Mr. WAGGONNER. I thank the gentleman for yielding. The statement of the distinguished minority leader is to be commended. It is beyond reproach.

Mr. Speaker on July 18, 1966, almost 4 years ago, I introduced House Resolution 920, calling for a complete investigation into the moral character of Justice William O. Douglas. It was patently clear to me at that time that this man was totally lacking either the moral or ethical probity to occupy a seat on this Nation's highest court.

Regrettably, too few Members of this body would join me in seeking passage of my bill. I am happy to cosponsor with a number of others, a new resolution seeking that same end. I welcome their support and I urge that every Member now turn his full attention to this subject.

You have heard the gentleman from Michigan, Mr. Ford. The events he has recounted, the statements and the postures which he has ascribed to Justice Douglas must appall you as they did me. They must, regardless of your party or demographic background, convince you that there is substantial cause to doubt the integrity, the morality and/or the competence of Justice Douglas.

The conflicts of interest in which Justice Douglas has been and apparently still is involved are nothing short of scandalous. His association, wittingly and for profit, with notorious elements of the gambling world, high priests of pornography, and with the radical left element are too numerous to pass over lightly or pass over at all.

The arm-in-arm posture Justice Douglas strikes with pornographer Ginzburg, underworld figure Lansky, and radical Hutchins demeans the high position he holds and certainly calls into question the propriety of his past and present actions.

My cosponsorship of this resolution stems from a single emotion, my outrage that Justice Douglas has not had the

decency to resign from the Court so that he could undertake this activity as a private citizen, rather than drag the robes of the Court through the mud.

Were he in retirement, removed from any position of responsibility, his intellectual infirmity and his moral slippages could be overlooked, even pitied. But this man occupies one of the highest positions of honor this Nation has to offer. In it, he sits in judgment daily on the lives, veritably, of both individuals and the populace as a whole. His least whim, his most casual aberration can suddenly, for all intents, become the law of the land. Certainly it comes within the ambit of our responsibilities here in the House to protect the people from the wavering judgment of a man to whom no certain morality can be ascribed; in whom no undoubtable trust reposed.

I will not take your time to reiterate the evidence which Mr. Ford has presented so thoroughly. It is sufficient to say that a reasonable doubt has been created as to the integrity of Justice Douglas. The select committee will have ample opportunity to pursue the subject in depth and either exonerate or indict.

The House must not sidestep its responsibility to, at least, examine into these grave charges of misbehavior and conflict of interest. To do so would make us derelict in our obligation to the people we represent. The people deserve the facts and I, for one, am willing to see that they get them.

The appointment of this select committee must be undertaken.

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

Mr. WYMAN. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. I thank the gentleman for yielding.

I, too, would like to associate myself with the remarks of the distinguished gentleman from Michigan (Mr. Ford) and also to associate myself with the remarks of the gentleman from New Hampshire (Mr. WYMAN). The gentleman from Michigan has outlined quite convincingly the need for this Congress to take steps to conduct a full and impartial investigation into the affairs and actions of Associate Justice William O. Douglas.

We have been lulled into the totally unwarranted belief that once a man is appointed to the U.S. Supreme Court he is there for life. We seem to have taken this for granted no matter how repugnant the actions of a sitting Justice may be to the people of America. This has resulted in our operating under a double standard.

In effect, we have one standard of conduct for men nominated for duty on the High Court and another for those already sitting on the hallowed Bench. If we allow this to continue, we will be abdicating our constitutional responsibilities to insure that only men and women of the highest caliber are allowed to continue to sit on the U.S. Supreme Court once confirmed.

It would be redundant at this time for me to dwell on the questionable activities of Associate Justice Douglas such as his association with a so-called foundation

that was connected with gambling interests in Las Vegas. But I would like to mention his public utterances and printed words that have condoned and even called for violence in America. These words and utterances so closely parallel the thin line between free speech and sedition and treason that it makes it hard to tell the difference. For this reason, the investigating committee is needed.

In a time when we have law-abiding citizens clamoring for law and order in America, it is totally wrong in my opinion to have an Associate Justice of the Supreme Court encouraging just the opposite. I just cannot condone Mr. Douglas openly taking the side of violent protesters. Protesters whose fate he will be asked to rule on in future Court decisions.

I think it quite appropriate that we discuss this matter on April 15—the day people throughout America are digging deep into their pockets to come up with the money to support our Government for another year. Especially since part of this money will go to pay the salary of Mr. Douglas to the tune of \$60,000, plus other fringe benefits.

I say if Mr. Douglas wishes to condone, encourage, or participate in violent protests against his mythical establishment, then let him do it as a private citizen and not as an Associate Justice of the U.S. Supreme Court. I feel it is morally, legally, and constitutionally wrong for the people of America to subsidize this man's questionable activities against their will and to provide him a forum to espouse his seemingly farout beliefs.

I do not take lightly my responsibilities as a Congressman and my call for preliminary proceedings leading to impeachment. I would hope Associate Justice Douglas would be man enough to resign without the people of America having to suffer through a prolonged and ugly investigation.

Mr. JACOBS. Mr. Speaker, will the gentleman yield for a three-sentence statement?

Mr. WYMAN. I yield to the gentleman from Indiana.

Mr. JACOBS. Mr. Speaker, the gentleman from Michigan has stated publicly that he favors impeachment of Justice Douglas.

He, therefore, has a duty to this House and this country to file a resolution of impeachment.

Since he refuses to do so and since he raises grave questions, the answers to which I do not know, but every American is entitled to know, I introduce at this time the resolution of impeachment in order that a proper and dignified inquiry into this matter might be held.

The SPEAKER pro tempore (Mr. PRICE of Illinois). The gentleman from New Hampshire has the floor.

Mr. WYMAN. I did not yield for that purpose.

The SPEAKER pro tempore. The gentleman from Indiana has introduced a resolution.

Mr. WYMAN. Mr. Speaker, I have some remarks I want to make on my own here but at this time I would like to make it very clear to all who are here and all who may be interested in this very seri-

ous problem that what has come from Indiana has just precisely what we have been told we do not believe is fair to the Supreme Court.

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

Mr. WYMAN. I will in just a moment. We think there should be a resolution under oath to determine many of these allegations are true. It should be attended by witnesses who give their evidence under oath under penalty of perjury. On this I and my colleagues agree with me. The reason for the resolution is to take a little time out of this session to explain which would create a committee of three Republican and three Democrats to be appointed by the Speaker.

I yield to the gentleman.

Mr. HAYS. Is the distinguished gentleman a member of the bar?

Mr. WYMAN. I am a member of the bar.

Mr. HAYS. I am not, but I understand how the Constitution respects impeachments to be heard by the House itself supposed to be a grand jury.

Mr. WYMAN. No.

Mr. HAYS. Let me put it to you. The grand jury that brings in a verdict.

Mr. WYMAN. No; the House is the body that impeaches, and its relation to impeachment is similar to that of a grand jury in a criminal proceeding.

Mr. HAYS. The Constitution says anything about that grand jury which in this case is the House? I would like to set up a committee so that you can have a lot of publicity and try the case in the newspapers before the House. I do not know how I should feel at the moment, but I will say one thing. I will not be a part of any devious means of trying this case. The newspapers of the United States have too many cases tried there.

Mr. WYMAN. I could not agree with the gentleman more, but I think the question to be decided by a bipartisan nonpartisan group. It is extremely important to me that the gentleman from Ohio will read it—that this is not a resolution of impeachment. It is rather a resolution for an investigation to determine whether there should be an impeachment.

Mr. HAYS. I understand exactly what you are saying. It is a resolution to put it in the press where there can be a hearing and where it can be drawn out as long as desired.

Mr. WYMAN. In case the gentleman should be at all interested, I would like to be a sponsor and probably will be the chief sponsor of these resolutions. It will not serve on the committee. I am on the Defense Appropriations Committee, and I cannot serve on the committee. I am not interested in headlines, but I am interested in some of the extra activities of this sitting Justice of the Supreme Court. I think it merits investigation. In this I cannot help the

from Ohio, whether he is or not, will concur.

Mr. HAYS. It seems to me the gentleman's outrage is compounded in direct proportion to the number of nominees that have been turned down recently.

Mr. WYMAN. That has nothing to do with either, as far as I am concerned. I speak for anyone else. I would like to see for this investigation into the conduct and statements of the sitting Justice and whether Judge Carswell had been impeached or rejected, and, prior to him, Mr. Haynsworth.

It is a matter of fact, I was one of those who did not think this should be done until these matters were resolved because I cannot see a connection between the two. I would be one of the first to investigate any judge on the Supreme Court, whatever his philosophy or point of persuasion, if he took actions and made such statements as the sitting Justice Douglas has done.

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

Mr. WYMAN. I yield to the gentleman from Virginia.

Mr. SCOTT. Mr. Speaker, for the information of Members, I would like to have 1 hour directly following the gentleman in the well. I will take only 10 to 15 minutes and I will be glad to yield time, either to the gentleman in the well or to people on both sides of the aisle, if the gentleman in the well might be permitted to make his statement.

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

Mr. WYMAN. I yield to the gentleman from Texas very briefly. I would like to make my remarks in the time I have, and in any time remaining I will be glad to yield further.

Mr. ECKHARDT. Mr. Speaker, I believe the gentleman from New Hampshire is a very able constitutional lawyer. I feel sure he is. Does the gentleman recognize the Constitution covers the matter in two aspects, one in its division of powers provision and, two, in its provisions with respect to impeachment, and by so covering the matter it precludes another approach to a review by the body of Government over another body? Does the gentleman not recognize that only the process of impeachment may be instituted in this body properly by means of reviewing the activities of the sitting judge?

Mr. WYMAN. I thought that is what we were trying to do—to find out whether or not to impeach after learning more of the facts. Then, if the House wishes by majority vote to impeach the sitting Justice, that can be done.

Mr. ECKHARDT. Mr. Speaker, if the gentleman will yield further, it is precisely that process that is provided in the Constitution by the institution of impeachment in this House.

Mr. WYMAN. And that is precisely what the resolution I will refer to in a moment is designed to accomplish, but in a much more responsible manner, I submit to the gentleman, than by merely acting at this state of affairs and saying, "Impeach the Justice."

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

Mr. WYMAN. I yield to the gentleman from Washington.

Mr. FOLEY. Mr. Speaker, I wonder if the gentleman could advise us—and I do not want to anticipate his speech—but just briefly whether the gentleman will advise us of the purpose of the special select committee, whether it would be to hear allegations and other evidence alleged against Justice Douglas and make a positive recommendation to the House as to whether or not impeachment proceedings should proceed. Is that correct?

Mr. WYMAN. That is precisely what it is designed to do. And may I say, since the gentleman has brought it up, that the special subcommittee in its work would not be confined to the leads or to whatever is listed in the whereas clauses in the resolution. It can go into anything that is relevant that it wishes to in the 90-day period that is required.

Mr. FOLEY. Another question, if the gentleman will permit. The gentleman mentioned a moment ago the select committee would consist of six Members appointed by the Speaker, three from the majority side and three from the minority side.

Mr. WYMAN. That is right.

Mr. FOLEY. The gentleman is, I am sure, aware of the rule of the House that when such select committees are appointed, the Speaker will appoint the minority Members on the recommendation of the minority leader. I wonder if the gentleman would address himself to the question, whether, if this committee is to be appointed, it would be appropriate for the distinguished minority leader, who has stated on the floor his conviction that impeachment should lie at this time without further evidence, whether it should be appropriate for him to nominate half those Members who would hear the evidence and report to the House.

Mr. WYMAN. I have the utmost confidence in the able minority leader's integrity and in his nomination of persons to the Speaker for consideration in regard to appointment to the special committee who are not out "to get" Justice Douglas but who are solely out to ascertain the facts and from them to make recommendations to this body.

Furthermore, so far as the gentleman's observation is concerned, I consider it a bit of a reflection upon the character of the membership of this House, to suggest that there are Members within our membership who are persons who would take on this special committee and go out to do a "hatchet job." I just do not think so. It may be there are some who would. I would not. I am sure the gentleman would not.

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

Mr. WYMAN. I yield to the gentleman from Ohio.

Mr. HAYS. Is the gentleman who is standing in the well saying—I have heard a lot of oratory in my time here about the wisdom of the Founding Fathers, who wrote the Constitution, and strangely enough I get a little criticism from the New Left because I subscribe to

some of that—that the Founding Fathers, the people who wrote the Constitution, who set up the separation of powers and who set up the impeachment procedure are all wrong, and we are so much brighter that we ought not really come to grips with this in a constitutional way but we ought to set up a committee to tell us whether or not we ought to come to grips with this in a constitutional way? That is about what the gentleman is saying.

Mr. WYMAN. Not at all. The House has several options in this situation. Any Member has those options. Any Member can rise at any time and say, "I impeach," and then list the charges and demand a vote; and there will be a vote.

The House itself, before it acts to impeach, always investigates. It can investigate through its Judiciary Committee, or it can investigate through a special committee.

In the circumstances of this rather unique situation, where not since, I believe, 1836, or some time long ago, has a Justice of the Supreme Court been sought to be impeached, we believe that a special committee, as would be set up in this resolution, is the proper course. There is nothing irregular or extraordinary or unusual about it.

Mr. HAYS. The last time I recall any operation like this, rather remotely resembling this, was when the late Carroll Reece, as the price of his vote on a tax bill, got the House to agree that he could have a committee to investigate foundations. It was not 50-50; it was 3 to 2; and I was the ranking Member on the minority side. It was a very unprejudiced investigation, believe you me. All of the staff and all of the witnesses were preparing documents to prove that Rockefeller and Ford were Communists, and that they set up a foundation to be run by Communists.

I guess my finest hour around here was when I got their chief witness to read three paragraphs which I submitted to him, and asked him if he would care to characterize this literature without knowing who wrote it. He took it hook, line, and sinker. I won a few bets in the Press Gallery, from those who said it would not work. I apprised them of my intention ahead of time.

He read the three paragraphs and he said, "Oh, that is as communistic literature as I have ever read."

I said, "Would you care to know who the author was?"

He said he guessed he would.

I said, "It just happened to be Pope Pius."

That ended this unbiased, unprejudiced investigation.

It seems to me the gentleman is in the position right now of being out of date, because, as I understand it, a bill of impeachment has already been filed, and that lets the House come to grips with it, without any select committee, which may or may not be stacked.

Mr. WYMAN. If it is stacked it can only be stacked because of the decision of a higher authority than mine.

As I told the gentleman before, I do not believe it will be stacked.

So far as the parliamentary situation

is concerned, the resolution will be offered tomorrow to set up the special or select committee, and it will have an alternative for the House. The House will have an alternative either to vote to set up a select committee or to vote up or down an impeachment. I cannot stop that.

I just believe, from what the gentleman from Michigan said and from what appears in the form of general circulation in this House and from what we read in the newspapers and magazines and editorials, that there is enough to warrant an investigation.

It is an investigation, as I have said. It is not designed to impeach unless it finds facts warranting this. It is an investigation to ask Justice Douglas what, as a Justice of the Supreme Court, is he doing bringing the Court into disrepute and attacking the Government as well?

Mr. HAYS. Do you think there is enough evidence for impeachment?

Mr. WYMAN. I would vote to impeach now on nothing more than statements in his book, "Points of Rebellion," and the fact that the Justice has sought deliberately to pour gasoline on the fires of civil unrest in this country at this time of domestic distress and all from the vantage point of the Supreme Court. I would, but recognizedly others would not. They want more evidence and there is ample indication that it is available.

Mr. HAYS. Then, why do you want to appoint a committee?

Mr. WYMAN. Because the will of this House is shown by 435 Members and not just the gentleman from New Hampshire.

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

Mr. WYMAN. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I think that the distinguished minority leader made a very, very strong and convincing case of the reprehensible conduct of the jurist, particularly when we consider that just in the last few weeks the other body has decided that men sitting on the Supreme Court must have extraordinary ability. Surely anyone who permits the use of his name and his material for a magazine that has been presented here does not reflect that kind of extraordinary ability. But I am troubled not at the question as to whether or not the jurist's conduct is reprehensible. That, I think, has been sufficiently made out here, and the gentleman made a very valid probable case of probable cause. But I am troubled by the whole procedure that the gentleman is suggesting. Where in the law or in the Constitution is there a provision to proceed in the manner in which the gentleman is proposing? The Constitution itself does say that if the House of Representatives feels that a Justice's conduct is such that it is subject to impeachment, then the House shall sit as the judge for establishing probable cause and not a commission. I seriously wonder and I am going to ask the gentleman to tell me, is there some other place we can look to find an answer as to whether or not this House can delegate its responsibility—

Mr. WYMAN. Yes.

Mr. PUCINSKI. To six other men?

Mr. WYMAN. Yes. It does not delegate its responsibility for one moment. There are precedents available. The House virtually always acts through committees. We have a Parliamentarian, and the gentleman knows that if this is assigned to the Committee on Rules, we will have hearings there and there will be an opportunity to determine the question.

Mr. PUCINSKI. Will the gentleman yield for another question?

Mr. WYMAN. Yes, but that is all. I yield.

Mr. PUCINSKI. Would it be in order—and I do not know whether it would be—to ask as a parliamentary point of information, and I do not know whether or not our Parliamentarian is the person to ask this question, that is, as to whether or not the procedure suggested by the gentleman to delegate the responsibility of the House to a committee is proper and within the bounds of the Constitution.

The SPEAKER pro tempore. That is a matter for the House to determine under the rules.

Mr. PUCINSKI. The Rules Committee will make that decision.

Mr. WYMAN. That is what I think I just said to the gentleman.

Mr. CAREY. Mr. Speaker, will the gentleman yield for one moment?

Mr. WYMAN. I yield to the gentleman.

Mr. CAREY. I could not help but note for the record that it was just at this time, on this day, April 15, 1865, when a great President of the Republican Party, Abraham Lincoln, passed from this earth as a result of an assassin's bullet. That was the same time as tonight, April 15, 1865. He passed away then. Subsequently the chapter of history was written in which an impeachment was brought against a sitting President, according to the traditions and rules and practices and customs of the House before a duly constituted committee of the House. If it is such a grave proceeding that you contemplate here, why is it prudent to talk about a six-man committee when we have a sitting committee of great stature in the House which is constituted to handle an impeachment procedure?

Mr. WYMAN. Yes, I know. But its chairman already has indicated he looks with disfavor on the whole question.

Mr. CAREY. The gentleman who preceded you in the well indicated he would vote for impeachment.

Mr. WYMAN. Yes.

Mr. CAREY. What is the proper committee? A committee of four or of seven?

Mr. WYMAN. The gentleman is very familiar with the rules of the House and the powers of committee chairmen. The place to have it out before the House is first to decide it is in the Committee on Rules. Let them sit and vote it up or down and then refer it to a special committee of whatever number they wish. We will make the proposal.

If you will, I must finish now. I have only 26 minutes left, and I must complete my own remarks.

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

Mr. WYMAN. I would like to get my own remarks in the Record, but I will yield to the gentleman.

Mr. McEWEN. Very briefly, Mr. Speaker, that from Illinois raised the question as to such a select committee cause those of us who serve Congress recall the question of electing those whose qualifications here were challenged and the House referred the matter to a committee.

The Constitution does not say anything about a select committee, or anything about a committee. The gentleman simply says that this body is the result of the elections, returns the qualifications of its Members. That is inconsistent with that which we referred to that committee to make a report to this House.

Mr. WYMAN. I thank you for that contribution, and I yield further at this time.

Mr. Speaker, I want to draw some of the facts in which I know will be to a certain repetitive but which I hope to be of use.

The situation before the House a resolution has been prepared to be introduced tomorrow for the introduction of the activities of many cosponsors, calling for the activities of the Supreme Court of the United States.

It is not a resolution of impeachment. It is a resolution that calls for the establishment of a committee that will be composed of six members each side of the aisle, to determine whether or not Justice William Douglas should be impeached on the basis of the committee should or should not be impeached.

Mr. Speaker, with reference to this, I have already said, briefly, I would like to draw the attention of my colleagues to the fact that at that time the will of the House will be worked on the recommendation of the committee. This proposal is going to destroy the Supreme Court. Some of the more hostile editorials have suggested that the investigation of these charges will destroy or undermine the Supreme Court of the United States. In fact, the contrary matter of fact, the contrary we did not do anything about it would go further and destroy confidence in the justice cause the activities of Justice are continuing to bring the Court into disrepute.

Now, this is serious business to anyone's understanding. It is a problem to realize that the gentleman brought it upon himself. In a commonplace manner of speaking, it has been asking for it for many years.

Last year, 1969, in May, the Tribune said about this subject, quote from a lead editorial:

Whatever the ABA committee Douglas does not resign the House Committee should initiate impeachment proceedings. As the House charged a vote decided by a two-thirds vote of Judge Halsted L. Ritter, in 1968, Douglas' actions have tended to bring the court into scandal and disrepute.

...everyone is familiar with the fact that the ABA referred to is the American Bar Association.

...the same matter last year the Times in a lead editorial on the subject:

...who serves on the Federal bench has the right to engage in the arena of controversy or in the business of self-denying ordinance had long been granted, but in the light of the measures an explicit code of conduct for the judiciary may be useful.

...the Washington Evening Star in the same month the Star said in a editorial entitled, "The Douglas Let-ter addressed to Albert Parvin to the gentleman from Michigan reference:

...too serious a matter to be hushed up. The fitness of Justice Douglas on the Court is very much in question. There is reason to think there is more than has yet appeared, the Department should take possession of all documents and correspondence bearing on the relationship between the justice on the one hand and the foundation and Parvin on the other. This would make it possible to get to the bottom of the matter, which most certainly should be done.

...Speaker, I think our select committee whomever may serve on it, with adequate staff and counsel, can get to the bottom of the matter within the prescribed 90 days.

...Mr. Speaker, I can remember—when it was 20 years ago, or thereabouts—when Justice William O. Douglas, after a mountain-climbing expedition in the Himalayas, returned and publicly advocated the U.S. recognition of Communist China, which was regarded as a dangerous nation at that time. Many Americans, including myself, wondered why a Justice of the Supreme Court would make public statements concerning matters relating to the responsibility and the province of the executive branch and the Senate of the United States.

...Since then Justice William O. Douglas has engaged himself in one matter after another that are not the proper function and role of a Justice of the Supreme Court.

...I believe it is important to observe at this point that it would not make any difference whether a Justice so conducts himself has a personal philosophy oriented to the right or the left. It is immaterial to me what Justice Douglas' personal views are. He has a right to his views. But he has no right as a sitting Justice to publicly declare these views when they refer to matters in controversy likely to come into controversy before the Court particularly in a manner calculated to rile up the people and encourage further resort to violence when violence is already rampant in America.

...The situation facing this House at this time is one of a Justice of the Supreme Court who has brazenly flaunted virtually every ethical standard applicable to the judiciary or orderly society.

...Now, in the first place, historically as well as conceptionally, judges are judges.

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

Mr. WYMAN. I cannot yield until I finish.

From the ancient days of Greece and Rome through to the development of English common law, judges must live in a world apart. They must remain detached, objective, for they have the power to sentence to death or to imprisonment, or the power to make economic judgments that are the equivalent of actual life and death for citizens. They simply do not have and must not have the latitude to speak out on current issues that are available to a private citizen. If they want to speak out, if they are so deeply motivated as to feel that they must declare themselves as advocates of a cause, whatever that cause may be, then they should get off the court to be in a position to do this. And, of course, this is what Justice Douglas should do.

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

Mr. WYMAN. I told the gentleman before, Mr. Speaker, I do not want to yield until I finish my remarks.

Mr. HAYS. Mr. Speaker, I have a very good question that affects me personally, and I also would like to go home.

Mr. WYMAN. If it affects the gentleman personally, I yield to the gentleman.

Mr. HAYS. Well, I have been filled in a little bit since I have been here about some of the discussion, and as I get the story—and if I am incorrect the gentleman can tell me so—that this magazine that they have over there, that Justice Douglas wrote an article for it, and there happens to be some nude pictures in it, but there was no relation between the article and the nude pictures; is that correct?

Mr. WYMAN. I do not know.

Mr. HAYS. The gentleman has not read the magazine?

Mr. WYMAN. I have looked at the magazine, and I presume the committee would want to investigate whether the Justice saw the format in which the article attributed to him appears before it was released to the press—a format that directly attacks the office of President of the United States.

Mr. HAYS. I ask the gentleman was there any connection between the article that he wrote and nude women, or was it something else?

Mr. WYMAN. The article had to do with the need to resort to violence, if necessary, if peaceable dissent proved ineffective in changing and restructuring the Government of the United States.

Mr. HAYS. My question to the gentleman was as to whether there was any connection between the article and the licentious pictures?

Mr. WYMAN. None whatsoever, other than juxtaposition.

Mr. HAYS. The question I have asked is because I have just written an article for a magazine, not this one, defending congressional travel, as a matter of fact, and pointing out that on a lot of the occasions that the Congressmen do a great deal of work.

I have no control over this magazine. Maybe I can still stop it. They have not paid me yet. But what I want to know is if they put a picture of a nude woman

next to my article about travel, am I going to be removed from this body because of it?

Mr. WYMAN. Of course not.

Mr. HAYS. All of the arguments I have heard of in the newspapers, and what I have been filled in on here show that most of the attention apparently to this particular magazine, which I never heard of until tonight nor ever saw in my life, had to do with lascivious pictures and his article, which I assume somehow are connected.

Mr. WYMAN. That may be where most of the attention came in the press, and it may be where a lot of talk has been directed. But so far as I am concerned, it is irrelevant.

Mr. HAYS. You said you had not read the article or had looked at the pictures. Is that true of everybody over there?

Mr. WYMAN. No; I have not said I never read the article or looked at the pictures. Certainly I looked at the pictures. They are one of the reasons these magazines sell—and the gentleman recognizes that. But what concerns me, and one of the reasons I believe that an investigation is warranted, is because what the Justice wrote in the article about violence to alter the Government of the United States, of which the gentleman is a member.

Mr. HAYS. Has anybody read the article—or is everybody over there who has a magazine just looking at the pictures?

Mr. WYMAN. The article is in a series of excerpts from the book "Points of Rebellion"—that is what the article is. For your information, it has come to me in the rumor stage and I say the rumor stage because I have not talked to the Justice—that Justice Douglas says he did not know anything about the Evergreen magazine or the article appearing in it. That rumor may be fact or it may not, but it certainly is one of the things I would assume that a committee acting for this House would look into and report upon.

I think the Justice would be in a position where as a private citizen he can write all the books and memoirs and make all the statements about how broad the first amendment liberties should be that he wants or how justified violence may be to restructure the Government of the United States—that he wants to. That is, as a private citizen. Unfortunately the Justice has not only repetitively ignored that basic requirement of detachment, but he has done so in the most provocative ways and settings imaginable.

I think when a sitting Justice of the Supreme Court writes that the President of the United States and the Government of the United States is George III of England who denied religious freedom to people and who was guilty of taxation without representation and from whom our forefathers came to America to establish a government of freedom and justice for our citizens and when he suggests that that revolution which is glorious in our tradition may be the trigger for a revolution which would also be glorious to change the Government of the United States by violence—

longer responsive to the people of the United States through this House or through the other body, I think this is one concrete illustration of the inestimable and incalculable amount of harm that is being done to the very structure of our society by this Justice.

I know there are many Members of this body who feel that words alone are not something on the basis of which the House should impeach. But there is a great deal more, to which the gentleman from Michigan has made reference, that warrants investigation.

I question whether you may give legal advice when you are on the Court. You are not supposed to. I question whether you may sit in judgment on somebody with whom you have financial connections. You are not supposed to. But the problem here is very clear, that unless this body acts, there is no other place in the world that can act to deal with this kind of situation, because under the Constitution, to which the gentleman from Ohio and other people made reference here, this is the only body in the world that can impeach a judge of the Supreme Court of the United States or can even investigate to determine whether or not there should be impeachment.

And there is no question, my friends, that this is warranted at this particular juncture in the activities of this particular Justice.

I have made reference at this point almost exclusively to the writings and statements of Justice Douglas, but I think it is fair to ask these questions.

Is it good behavior for a judge of the Supreme Court to take pay on the side from corporate entities with tax exemptions provided that they do it right—and give them legal advice as to how to set up and operate so as to continue with their tax-exempt status? Of course not.

Is it good behavior for a Justice of the Supreme Court to take an annual salary of thousands of dollars from a corporate entity heavily involved in and related to gambling and known criminals? Of course not.

Is it good behavior for a Justice of the Supreme Court to serve as a director and officer of a political action group that finances, edits, and distributes directly or indirectly extremely controversial and provocative speeches and statements relating to violence and unrest in America at a time when America, from communities in the gentleman's State to communities of my State and the big cities are having problems in how to make the streets safe for orderly and law-abiding members of society to walk upon?

In this connection the president of the Center for the Study of Democratic Institutions at Santa Barbara, Calif., advised me in writing last month that Justice William O. Douglas has been a member of the board of directors of the Fund for the Republic, directing the center, since 1962, and that the board meets twice yearly to determine the general policies of the center. He also advised me the Justice is chairman of the executive committee of the board, and he has been paid nearly \$7,000 in "honoraria" since 1962 in the following amounts and

years: 1962, \$900; 1963, \$800; 1965, \$1,000; 1966, \$1,000; 1968, \$1,100; 1969, \$2,000.

The situation here, without belaboring the point—and my time has almost run out—clearly, I believe, warrant a non-partisan, bipartisan select committee of three Republicans and three Democrats that has a lot of questions to ask and a lot of facts to ascertain, and I think it is wholly irrelevant as to whether anybody serving on the committee is going to get any publicity or make any headlines or anything else, because what is really at stake here is the people's right to an independent and nonpartisan judiciary. The people of America have a right that their Justices on the Supreme Court shall remain judicial, shall remain judges, and shall not become advocates for causes or against causes to come before the Court. They have the right that their judges should keep out of conflicting financial dealings that, at the very least, tend to impair their objectivity as judges.

And they have the right that this House of Representatives should insist that the judges not flagrantly violate the American Bar Association's Canons of Judicial Ethics. Not only in this their right, the people's right, but as the people's Representatives, this is our obligation. It is our obligation, on the basis of the charges that have been made here, to look into this and to make a report and to determine whether or not the Justice should be removed.

I do not at this point use the word "impeachment" because many people do not quite understand. "Impeach" sounds like a very bad word. I suppose in a sense it is. It might be akin to the resolutions of censure that have been used in the other body. But actually all "impeach" means is a process of removal. The question before us is whether the Justice has so conducted himself that, in the judgment of a majority of the Members of this House, he should be removed, and if we think that is the case, we should draw up the charges and send them over to the other body.

I hope that those Members who have not had time to do so will take the time to review the resolution for investigation and become cosponsors if they are so inclined.

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

Mr. WYMAN. I yield to the gentleman from Ohio.

Mr. HAYS. You say "impeach" means to remove. I understood that "impeach" means to bring an indictment, and it is left to the Senate to decide whether he should be removed. Am I wrong?

Mr. WYMAN. No; the gentleman is correct. I was referring to public acceptance of the word. "Impeach" means to charge. The removal, if it is done at all, will be done in the other body by a two-thirds vote. This body makes the charge and sends it over to the other body.

Mr. HAYS. It sounded like you were saying that "impeachment" meant removal.

Mr. WYMAN. I understand the gentleman's confusion, and I regret it should have been caused.

I yield to the gentleman from New York (Mr. HORTON).

Mr. HORTON. Mr. Speaker, living in an era when the ins and outs of government in America and the people who man them are undergoing the severest tests in history. Not only we, in government, being tested as to the adequacy of response and imagination in the face of massive public problems, we are being tested against justifiably severe standards of this democracy laid down for us on whose shoulders fall the powers and duties of public office and responsibility.

A public and a press which are increasingly well informed and aware of the seriousness of the problems before us are demanding far stricter adherence to the standards of conduct and integrity which should bind every officeholder. This healthy trend, applied to the Congress, the Executive branch, and to the Federal judiciary, as to State and local officials.

As one who has supported the establishment of a Committee on Standards of Official Conduct in the House, I have urged that its powers be strengthened—I also can support responsible and cautious moves to probe standards of Federal judicial conduct and behavior.

The distinguished minority leader today proposing that a special investigatory committee be appointed to look into allegations that an Associate Justice of the U.S. Supreme Court, Justice William O. Douglas, has not met the standard of "good behavior" imposed by the language of article III of the U.S. Constitution.

The appointment of this committee requested as an exercise of the constitutional power of the House of Representatives to act as grand jury and prosecutor in impeachment proceedings, which the Senate acts as trial judge and jury.

I have reviewed several accounts of the allegations against Justice Douglas. I make absolutely no conclusions as to their validity, or as to whether they are factual, they are sufficient to sustain an impeachment proceeding. I do believe that the question of integrity of Federal judges, and particularly Supreme Court Justices is a vital one for our society, and I believe that no harm can be done if a proper, thorough, and responsible review of qualifications for judicial office, and standards of judicial conduct were held.

If a committee, as suggested by the gentleman from Michigan, were appointed for the purpose of reviewing facts surrounding serious allegations made against this Justice, or any other Justices, I feel the existence of such a committee, whatever the outcome of the probe, would be a beneficial one for the public confidence in the judicial branch of Government.

In the recent past, one Associate Justice of the Supreme Court resigned after allegations attacking his integrity were made, despite the fact that no real investigation was held, and no firm standards were ever laid down to guide judicial conduct. His resignation probably

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beneficial effect of protecting the public from sharing any cloak of wrongdoing by the Justice.

We cannot continue to let mere exposure in the press, and its accompanying emotionalism, serve as judge in assessing the conduct of public officials. Some responsible moves of the Government must be made to set standards. There can be no other way to accomplish this than to rely on the provisions of the Constitution for policing the conduct of Federal judges and officials.

Like the President, Vice President, a Senator or Congressman, a Federal judge must be removed or recalled by the public through periodic elections. A judge serves "during good behavior" subject to his death, resignation, or impeachment through constitutional provisions in the Congress.

The mere beginning of an investigation that may lead to impeachment does not impute guilt to any party. A Supreme Justice, like any accused person, is innocent in this land until found guilty—in this case by a two-thirds vote of the U.S. Senate.

As a lawyer and a public servant, I believe that a priceless ingredient for any judge is integrity. The process and institutions of justice will stand or fall according to the integrity of its judges and justices. Not only is judicial integrity a matter of legitimate public concern, just as the integrity of Congressmen and Senators is a legitimate concern, judicial integrity is essential to public confidence in our system of government and its ability to protect the rights of individuals under the Constitution.

Thus, I believe the advent of serious allegations against any Federal judge should give rise to a proper investigation by a committee of the House convened for the purpose of carrying out such an investigation. In supporting the proposal that a committee be convened to look into the particulars of this case, let me state these principles very clear:

First, I do not believe that any man's fitness to serve as a judge, legislator, or public official should be determined by his personal philosophies or political views, however novel, as long as he is shown to be upholding the Constitution of the people he serves.

Second, I do not believe that any man's fitness to serve should be determined by his personal habits, values or moral principles, however unpopular or novel, except where his personal behavior clearly is destructive of the judicial body or structure on which he serves.

Third, I do not believe that under any pretense, a body of public opinion or public officials who share a common political philosophy, should seek to condemn or impeach an official of different philosophy where the real ground of disagreement or impeachment is philosophical and not related to the integrity of that individual to serve.

I believe that a responsible committee to investigate the conduct alleged can be convened without allowing itself to engage in any form of political or philosophical "witch hunt," and without seeking in any way to "retaliate" for political

reasons against the failure of the Senate to confirm two of the President's nominees for the Supreme Court.

It must be possible for a reasonable probe of judicial conduct to be held by this House without reference to the Senate's action on Judge Haynsworth and Judge Carswell, and without reference to whether or not the Members of this House agree or disagree with Justice Douglas' views on free speech and obscenity, or with his expressions of social philosophy.

The challenge is simply this: Can we objectively weigh the integrity and impartiality of a man's official behavior against the high standards which the public and the Constitution demand for service in high Federal office? If we can, there is hope that respect—from all segments of the political spectrum—can be regained and maintained for our institutions of government. If we cannot, then our standards will be judged by sensational public exposés, with no recourse to either individual rights or constitutional procedures.

I have enough faith in our system and our institutions to believe that our National Legislature is sufficiently capable and responsible to deal fairly and squarely with this problem.

In light of this belief, I intend to sponsor a House resolution authorizing the appointment of the investigating committee. My resolution will make no allegations or recitations as to any evidence or changes that have been made regarding Justice Douglas' conduct.

By adopting a resolution free of any conclusions of fact, I believe the House can form a committee which would conduct its probe from a strictly objective beginning.

Mr. CORMAN. Mr. Speaker, my curiosity was aroused by the minority leader (Mr. GERALD R. FORD) concerning an article written by Justice Douglas in *Evergreen* magazine.

Mr. FORD's detailed description of the magazine in which the article appeared, his reading of the table of contents, or that portion which his sensitivities permitted him to read, his graphic description of certain pictures in the magazine not connected with the Justice's article, gave me no clue as to the content of the article. Having no interest in the pictures described by Mr. FORD, but feeling that the article itself was relevant to our discussion, I asked the Library of Congress to provide me a copy, expurgated of the irrelevant, extraneous, allegedly lewd, and lascivious surrounding material.

I submit the article for the *RECORD*, believing that it speaks for itself, and may cast a new light on the presentation of the minority leader, Mr. GERALD R. FORD:

REDRESS AND REVOLUTION

(By William O. Douglas)

I remember an alpine meadow in Wyoming where willows lined clear, cold brook. Moose browsed the willow. Beaver came and made a dam which in time created a lovely pond which produced eastern brook trout up to five pounds. A cattle baron said the sagebrush was killing the grass. So the Forest Service sprayed the entire area. It killed the sagebrush and the willow too. The moose disappeared and so did the beaver. In time

the dam washed out and the pond was drained. Ten years later some of the willow was still killed out; the beaver never returned; nor did the moose.

Why should a thing of beauty that hundreds of people enjoy be destroyed to line the pockets of one cattle baron?

The agency decision that destroys the environment may be the cutting of a virgin stand of timber or the construction of a road up a wilderness valley. Hundreds of actions of this kind take place every year; and it is the unusual case on which the public is heard.

In 1961-1962, the Forest Service made plans to build a road up the beautiful Minam River in Oregon, one of the few roadless valleys in the state. It is choice wilderness—delicate in structure, sparse in timber, and filled with game. We who knew the Minam pleaded against the road. The excuse was cutting timber—a poor excuse because of the thin stand. The real reason was road-building on which the lumber company would make a million dollars. The road would be permanent, bringing automobiles in by the thousands and making a shambles of the Minam.

We spoke to Senator Wayne Morse about the problem and he called over Orville Freeman, Secretary of Agriculture, the agency that supervises the Forest Service. Morse pounded the table and demanded a public hearing. One was reluctantly given. Dozens of people appeared on the designated day in La Grande, Oregon, not a blessed one speaking in favor of the plan. Public opposition was so great that the plan was suffocated.

Why should not the public be heard whenever an agency decides to take action that will or may despoil the environment?

The design of a highway, as well as its location, may be ruinous to economic, esthetic, scenic, recreational, or health interests.

By highway design and construction, the Bureau of Public Roads has ruined fifty trout streams in the Pacific Northwest. Gravel and rocks have been dumped in the streams, making the water too fast for trout or salmon. Rivers have been dredged, with the result that they have become sterile sluiceways.

Why should not the public be allowed to speak before damage of that character is done?

Racial problems often are the key to a freeway crisis. In Washington, D.C., the pressure from the Establishment was so great on the planners that the natural corridor for the freeway was abandoned and the freeway laid out so it would roar through the black community. That experience was not unique. Many urban areas have felt the same discrimination. The blacks—having no voice in the decision—rise up in protest, some reacting violently.

Why should not all people—blacks as well as whites—be allowed to appear by right, before a tribunal that is impartial and not a stooge for the powerful Highway Lobby, to air their complaints and state their views?

Why should any special interest be allowed to relocate a freeway merely to serve its private purposes?

The Highway Lobby makes the Bureau of Public Roads almost king. In 1968, when Alan Boyd proposed hearing procedures before federally supported highways were either located or designed, public hearings on the proposed regulations were held. Every one of our fifty governors appeared or sent word opposing the regulations. Why? Because the national Highway Lobby and the state highway departments have such a close working partnership that nothing should be done to disrupt it. That means that they think that individuals should have no voice in planning. Yet the location of a highway may: (a) ruin a park, as those in Washington, D.C. know from the repeated threats to Glover Archbold Park; (b) ruin the scenic values of a

river; (c) needlessly divide a unitary suburban area into separate entities; (d) ruin a trout stream (as some fifty highways have done in the Pacific Northwest); (e) have an ugly racial overtone, as when a freeway is diverted by the Bureau from a white area and sent roaring through the middle of a black section.

The values at stake are both esthetic and spiritual, social and economic; and they bear heavily on human dignity and responsibility. Is a faceless bureaucrat to tell us what is beautiful? Whether a particular type of highway is more socially desirable than the country's best trout stream? Whether a particularly described highway is more desirable than a wilderness park? Whether the blacks should be sent scurrying so that the whites can live in peace and quiet? Where do the blacks go but into more crowded neighboring slums, as there are no suburban slums yet created?

Offshore leasing of oil lands has become another explosive issue. Offshore oil wells may result in leakages that ruin a vast stretch of beaches, as recently happened at Santa Barbara. Conservationists, if heard, could have built a strong case against the permits. Without any hearings, Secretary of the Interior Udall was allowed to do the bidding of the oil companies and knuckle under to the pressure of President Johnson to start more money coming into the federal treasury to wage war in Vietnam. The result was that the beaches of Santa Barbara were ruined by one man's *ipse dixit*.

The tragedies that are happening to our environment as a result of agency actions are too numerous to list. They reach into every state and mount in intensity as our resources diminish.

People march and protest but they are not heard.

As a result, Congressman Richard L. Ottinger of New York has recently proposed that a National Council on the Environment be created and granted power to stay impending agency action that may despoil the natural resources and to carry the controversy into the courts or before Congress, if necessary.

Violence has no constitutional sanction; and every government from the beginning has moved against it.

But where grievances pile high and most of the elected spokesmen represent the Establishment, violence may be the only effective response.

In some parts of the world the choice is between peaceful revolution and violent revolution to get rid of an unbearable yoke—either religious, military, or economic—on the backs of people. The Melville account from Guatemala is in point. (Thomas R. Melville and Arthur Melville are two Maryknoll Fathers and Marian P. Bradford was a nun who later married Thomas.)

These three worked primarily among the Indians who make up about 56 percent of the population of Guatemala. They saw the status quo, solidly aligned against the Indians, being financed by our Alliance For Progress and endowed with secret intelligence service to ferret out all "social disturbers." Between 1966 and 1967, they saw more than 2800 intellectuals, students, labor leaders, and peasants assassinated by right-wing groups because they were trying to combat the ills of Guatemalan society. Men trying to organize unions were shot, as were men trying to form cooperatives. The Melvilles helped the Indians get a truck to transport lime from the hills to the processing plant, an operation historically performed by Indians who carried one-hundred-pound packs on their backs. A truck would increase the production of the Indians and help raise their standard of living. But the powers-that-be ran this truck off the road into a deep canyon and did everything else possible to defeat this slight change in the habits of the Indians.

And so the Indians faced the issue of whether the use of violence in self-defense was justified. The simple question they asked their priests was whether they would go to hell if they used violence.

The Melvilles said:

"Having come to the conclusion that the actual state of violence, composed of the malnutrition, ignorance, sickness and hunger of the vast majority of the Guatemalan population, is the direct result of a capitalistic system that makes the defenseless Indian compete against the powerful and well-armed landowner, my brother and I decided not to be silent accomplices of the mass murder that this system generates.

We began teaching the Indians that no one will defend their rights if they do not defend them themselves. If the government and oligarchy are using arms to maintain them in their position of misery, then they have the obligation to take up arms and defend their God-given right to be men."

Their final conclusion was: "Our response to the present situation is not because we have read either Marx or Lenin, but because we have read the New Testament."

That is also what Dom Helder Camara, Archbishop of Recife, Brazil, was telling the world in 1969. "My vocation," he said, "is to argue, argue, argue for moral pressure upon the lords." The "lords" are the "slave-masters"—the Establishment in Brazil and the United States, now dedicated to crushing any move toward violent upheaval. Though violence is not open to Archbishop Camara, he said, "I respect the option for violence."

Guatemala and Brazil are token feudal situations characteristic of the whole world. They represent a status quo that must be abolished.

We of the United States are not in that category. But the risk of violence is a continuing one in our own society, because the oncoming generation has two deep-seated convictions:

First: The welfare program works in reverse by syphoning off billions of dollars to the rich and leaving millions of people hungry and other millions feeling the sting of discrimination.

Second: The special interests that control government use its powers to favor themselves and to perpetuate regimes of oppression, exploitation, and discrimination against the many.

There are only two choices: a police state in which all dissent is suppressed or rigidly controlled; or a society where law is responsive to human needs.

If society is to be responsive to human needs, a vast restructuring of our laws is essential.

Realization of this need means adults must awaken to the urgency of the young people's unrest—in other words, there must be created an adult unrest against the inequities and injustices in the present system. If the government is in jeopardy, it is not because we are unable to cope with revolutionary situations. Jeopardy means that either the leaders or the people do not realize they have all the tools required to make the revolution come true. The tools and the opportunity exist. Only the moral imagination is missing.

If the budget of the Pentagon were reduced from \$80 billion to \$20 billion, it would still be over twice as large as that of any other agency of government. Starting with vast reductions in its budget, we must make the Pentagon totally subordinate in our lives.

The poor and disadvantaged must have lawyers to represent them in the normal civil problems that now haunt them. Laws must be revised so as to eliminate their present bias against the poor. Neighborhood credit unions would be vastly superior to the finance companies with their record of anguished garnishments.

Hearings must be made available so that

the important decisions of federal may be exposed to public criticism they are put into effect.

The food program must be devised so that its primary purpose is to make the hungry rather than to make rate farmer rich.

A public sector for employment created that extends to meaningful work. It must include man-crafts, the theater, industries, psychiatric and social workers, artists in the whole gamut of human

The universities should be freed from CIA and from Pentagon through grants of money or other ulties and students should have controls so that the university revolutionary force that helps structuring of society. A university not be an adjunct of business, military, nor of government. Its should teach change, not the status. Then the dialogue between the powers-that-be can start; and possibly keep us all from being the corporate state.

The constitutional battle of the has been won, but equality of opportunity has, in practice, not yet been achieved. There are many, many steps still necessary. Secret is continuous progress.

Whatever the problem, those who escape are hopeless, embittered. A necessity is measurable change.

George III was the symbol against our Founders made a revolution considered bright and glorious. George not crossed the seas to fasten a foot on us. George III and his dynasty established and nurtured us and did was by no means oppressive. Restructuring of laws and institutions necessary if the people were to be free. That restructuring was not forced there was revolution.

We must realize that today's movement is the new George III. Whether continue to adhere to his tactics, we know. If it does, the redress, honor, and dignity, is also revolution.

Poets and authors have told us society has been surfeited with goods. Our people are mostly well-fed, thriving and advertising devices have our hands all manner and form of to meet any whim, but that we are happy and not free.

The young generation sees this clearly than their parents do. The stars who rise up in protest have not a program for action. Few want to destroy the system. The aim of most is to regain the freedom of choice of their ancestors lost—to be free, to be in their destiny.

We know by now that technology toxic as well as tonic. We know by now if we make technology the predestined in our lives, man will walk to the end of its demands. We know how level influence can be, how easy it is to control man and make him a servile to vast industrial complex.

This means we must subject technology—to control and to spoiling the earth and filling people with goodies merely to make money. The of the young today is more specific ancient search for the Holy Grail. The of the youth today is for ways and to make the machine—and the bureaucracy of the corporation state government that runs that machine—ant of man.

That is the revolution that is coming. That revolution—now that the people the residual powers of government not be a repetition of 1776. It is a revolution in the nature of an political regeneration. It depends on the wise the Establishment is. If, with it

THE WHITE HOUSE

WASHINGTON

April 25, 1975

MEMORANDUM FOR: JERRY JONES
THROUGH: PHIL BUCHEN *P.W.B.*
FROM: DUDLEY CHAPMAN *DC*
SUBJECT: Advertisement by Moneysworth

The advertisement by Moneysworth, while clearly distasteful, contains no statement or implication of endorsement by the President of this commercial venture. The only sound course is to ignore it.

THE WHITE HOUSE
WASHINGTON

April 21, 1975

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR:

PHIL BUCHEN

FROM:

JERRY H. JONES 

With regard to the attached, the question has been raised as to the validity of such advertising and its meaning. Please investigate the facts and submit your findings to this office.

Thank you.

THE WHITE HOUSE
WASHINGTON

Mr
Don R.)

This is interesting

I'm not sure I

understand it.

Dechhardt

Gerald Ford Has Attacked the Publisher Moneysworth

He attacked him from the floor of Congress. Moneysworth's publisher, in turn, has called Ford "The Zombie of Herbert Hoover."

If you're displeased with the way the President has managed—or should we say *mismanaged*?—the economy, we think you'll *love* Moneysworth. Moneysworth presents practical, controversial, *supremely useful* advice on how to cope with The Gerald Ford Depression.

Get an eyeful of the fire-eating, sophisticated, wallet-fattening articles Moneysworth prints:

The Fine Art of Avoiding Income Tax
How to Collect Social Security at Any Age
How to Get 12½% Interest on Your Savings
How to Fight a Traffic Ticket
Buy a New Car for \$125 over Dealer's Cost
States with Best Unemployment Benefits
Prosperity in Alaska
Cars that Are Stingiest with Gas
Today's Soldiers Command High Pay
Low-Cost Insurance for Non-Smokers
Checking Accounts that Pay Interest
Cut-Rate Prescriptions by Mail Order
The Amazing New Two-Engine Car
Where Retirement Benefits Go Furthest
14 Ways to Save on Your Phone Bill
Home Burglar Alarms that Are a Steal
Depression-Proof Jobs
The ABC's of Buying Vitamins
Scholarships that Go Begging
VW Gets the Jump with Its "Rabbit"

Golf Clubs that Won't Tee You Off
How to Break a Lease
IBM's "No-Fault" Typewriter
Stoves that Are a Turn-On
A Gourmet's Guide to Free Cookbooks
The Scandal of Undetected Bank Errors
Drug Combinations that Can Kill You
How to Sue without a Lawyer
Calculators that Add Up to Best Buys
Belted Tires: Ratings without Bias
A Look at Illustrated Sex Manuals
35MM Cameras: Facts in Black and White
Canada's T-Bills Lure U.S. Investors
Circumcision: The Unkindest Cut of All
The "Yurt": Incredible \$350 House
A Consumer's Guide to Marijuana
More Proof that Vitamin C Works
Yogurt's Benefits for Your Heart
Link Between Longevity and Light Eating
Don't Sneeze at This Cold Remedy
"Do-Good" Vacations that Are Deductible
The Art of Padding Your Expense Account
The Link Between Caffeine & Heart Attack
Let's Dump Throwaway Containers
Power Drills that Do Their Bit
Picking the Best Locks
Fake Meat Can Be a Real Value
Hail the Checker Cab!
Cookware that Won't Go to Pot
Comic Books as Serious Investments

Is Cancer Contagious? Startling Findings
Miami's New Secret "Swiss" Banks
World's 100 Most Beautiful Free Calendars
An Illuminating Rating of Light Bulbs
Indigestion Remedies that Pass the Acid Test
Are Hay Fever Shots Pointless?
Sailboats that Are Winners
The Nickel Phone Call Rises Again
How College Students Get Food Stamps
Legal Ways to Beat Sales Taxes

In short, Moneysworth gives you specific, right-on advice on how to cope with the current economic recession. It provides the vital facts you need to evade the Scylla and Charybdis of ever-rising prices and declining value of the dollar.

Each day, Moneysworth's offices are flooded with enthusiastic, unsolicited testimonials like:

• "The government has proven itself completely impotent in the fight against inflation. My only salvation comes from the advice I find in Moneysworth. It saves me each year as much as I lose through inflation."—*Theresa Ramseier; San Francisco.*

• "Your article on the 15% interest paid by Mexican banks has made it possible for me to retire in style. How can I ever thank you enough?"—*E. Svenson; Fallbrook, Calif.*

• "Thanks to Moneysworth, I am \$5,417 richer. I battled the Social Security Administration unsuccessfully for 18 months, then finally won out by following the advice of your brilliant article 'By All Means, Appeal.' May I say thank you?"—*Shirley E. Dominguez; Waterbury, Conn.*

• "Your article on air-fare 'triangular' routes was an astonisher. My wife and I

ed er of th

ork by stopping off at Las Vegas on the
ay back as you suggested."—*H.V. Kessel-
an; Los Angeles.*

• "You're not going to believe this, but I
ve parlayed \$146 into \$90,000 thanks to
our informative article on breaking into
al estate. How can I ever express my grati-
ude sufficiently?"—*Horace T. Pinrose;
Montgomery, Iowa.*

• "Your write-up on income averaging
or tax purposes saved us \$1,100 this year.
e didn't realize retirees could do this.
hank you, thank you, thank you!"—*Mr. &
rs. J.W. Long; Morro Bay, Calif.*

• "Your advice on cut-rate gasolines has
ved me at least \$150 over the past two
ears."—*Harold Zide; Peabody, Mass.*

• "To a retired teacher like myself living
n a fixed income and caught between rising
rices and the shrinking dollar, Moneys-
orth is a godsend."—*Elgin V. Tindall;
Philadelphia.*

• "We salute Moneysworth for its excel-
nt report on our free sex-counseling-by-
lephone service. As a result of it, we've
ceived calls from all 50 of the United
ates—including Hawaii and Alaska—and
en a few from Europe and Africa."—*Com-
munity Sex Information Foundation;
oston; (617) 232-2335.*

• "Your recommendation that readers
duce orthodontic bills by having the work
one at a university dental school saved me
1,350 on my daughter's teeth."—*Bob G.
alters; Oxon Hills, Md.*

• "Your news reports on investments
ave brought me, in a matter of months,
12,996 in profit, tripling my money. Let
e assure you that I shall be a Moneysworth
bscriber for life."—*Lawrence C. Gray;
psilanti, Mich.*

• "Bravo for your advice on combating a
ed credit ratings. It enabled me to overcome

it in public affairs. On: I love that
publication!" I always reply that I do, too.
Go! Go! Go!"—*Betty J. Tailor; Juneau,
Alaska.*

• "Your tip on flying to Europe via
Afghanistan saved me \$450. You've made
me a subscriber for life."—*Charles B. Fager,
M.D.; Harrisburg Pa.*

• "Your advice on Social Security re-
sulted in a \$3,135 lump-sum cash payment
to my wife, and \$171 monthly pension. The
best investment I ever made was a subscrip-
tion to Moneysworth."—*Dr. Herman W.
Hortop; La Grange, Ill.*

• "As a result of your report on 14.7%
interest paid by Mexican banks, I invested
\$120,000. My yield has been \$18,000 great-
er over the past three years than if I had not
read Moneysworth. You are a 'must' on my
list and, frankly, I don't know how you keep
your subscription price so low."—*G. Peter
Upham; Vineland, N.J.*

• "As a result of your article on non-
profit, low-cost memorial associations, we
have been receiving 400 inquiries per day.
You'll get an inkling of the immense amount
of money your subscribers have saved when
you realize that each of our members saves
well over \$1,000 on a funeral. Congratula-
tions on a job well done."—*Richard James
Stevens, President, Continental Association
of Funeral and Memorial Societies; Chicago.*

• "Thank you for putting me onto the
'62+ Club' of the Community State Bank of
Albany, New York, which offers free check-
ing accounts, free statements, free check
imprinting, free leatherette check folders,
and free postage-paid bank-by-mail envel-
opes to all retirees."—*Mrs. Jim Smith; Kan-
sas City, Mo.*

• "Your tip about deducting the cost of
transportation between my two teaching
jobs saved me in taxes at least the cost of a
ten-year subscription. Not only that, but
your publication is lively, off-beat, a delight
to read."—*Professor Reuben Garner; State
University College; Brockport, N.Y.*

• "Thanks to your article 'How to Buy a
New Car for \$125 Over Dealer's Cost,' I just
bought a Chevy at a saving that I conserva-
tively estimate at \$350."—*Ron Bromert;
Anita, Iowa.*

• "Your article 'Inaccurate Billing by
the Phone Company' led me to discover four
years of overcharges. I got a \$1,593 refund."
—*Armand DiRienzo; Bristol, Pa.*

• "Moneysworth's product ratings sure
stretch the dollar. I bought the Canonet
35MM rangefinder camera which you recom-
mended, and saved 30%."—*Robert D.
Goodrich; Tucson, Ariz.*

• "Your article 'How to Fight a Traffic
Ticket' saved me a \$200 lawyer's fee and a
ticket. I did exactly as you suggested—taking
pictures of the scene and double-checking
the statute book—and came out the winner
in court. Many thanks for the money you
have saved me."—*W.R. Wendel; Hicksville,
N.Y.*

• "Your article 'How to Avoid Paying an
Exorbitant Doctor Bill' saved me \$65. As a
token of gratitude, I enclose payment for
extension of my subscription."—*Carl Wag-
ner; Yorktown Heights, N.Y.*

• "Your article on low-cost, unadver-
tised trans-Atlantic air fares saved me \$108
on a vacation to Ireland. In addition, once
there I saved \$64 on car rental, thanks to
your advice."—*Bernard Bullon; Bronx, N.Y.*

ologist. Moneysworth is well known for cer-
tainly makes Consumer Reports seem Vic-
torian."—*Harry Scott, M.D.; Raleigh, N.C.*

• "I've been a subscriber since Volume I,
Number 1 and I recently renewed. Now,
more than ever, Moneysworth is a necessity
of life."—*L.J. McQuown; West Palm Beach,
Fla.*

• "Your exposé of charity rackets was a
shocker. I've crossed several well-known
organizations off my list, saving hundreds of
dollars. Moneysworth certainly looks out
for the interests of its readers."—*Freida M.
McMullin; Steilacoom, Wash.*

• "Your article on how to save \$100 on
a color TV worked. Moneysworth—sure
knows how to hold onto the green."—*Phillip
Allen; Director of Student Union; Hender-
son State College; Arkadelphia, Ark.*

• "Your article on 'coupon refunding'
got my husband and me hooked on the
hobby. It saves us enough each year to pay
for our vacation."—*Grace Ellen Feingold;
Brooklyn, N.Y.*

• "I don't know if my subscription to
Moneysworth saved money, but a few years
ago it may have saved a life. I teach college at
Lancaster, Pa. A student told me she was
about to get an abortion from an 'almost'
doctor (he had had two years of pre-med). I
convinced her that a qualified abortion
clinic in New York State would be safer and
cheaper than her \$500 miracle worker. She
went to one of the \$50 clinics you recom-
mended and it turned out to be first-rate. In
the course of her operation she began to
hemorrhage, but, thanks to the information
you had furnished, she was already in a
hospital—not some motel room or attic. I'm
grateful for the information you printed
—and so is she."—*Louise Quiambao; Lan-
caster, Pa.*

• "By ordering cigarettes from Wilson,
N.C., as Moneysworth suggests, I have cut
my smoking expenses in half. Thank you."
—*Raymond Paniewski; Chicago.*

• "Your suggestion that readers buy
\$200-deductible car insurance instead of the
usual \$50-deductible saved me hundreds of
dollars. Insurance salesmen hate like hell to
sell it because there's little profit in it for
them, but it sure saves me money."—*Gary
W. Goodwin; Sunland, Calif.*

• "For years I had always been the vic-
tim of greedy car mechanics till Moneys-
worth steered me to Jimmy's Service Station
in Guttenberg, New Jersey. My old '66 Ford
now runs much better than most new cars
and the amount of money Jimmy has saved
me—compared with estimates I've gotten
from other mechanics—is unreal. Moneys-
worth, you're terrific!"—*Mrs. Dorothy
Tyborski; Secaucus, N.J.*

• "I'm writing to tell you how immense-
ly I enjoy your magazine. I've tried to ana-
lyze its psychological appeal. You seem to
give readers the feeling you're really on their
side—and the side of all the economically
oppressed."—*S.M. Silverton; Fresno, Calif.*

• "I cannot put a dollar amount on sav-
ings I've made through Moneysworth, but
your legal advice alone has saved me thou-
sands of dollars. Keep up the great work."
—*T.E. Simeon; Placentia, Calif.*

• "You sure did us a good turn recom-
mending Mayflower for our move from
California to Minnesota. Would you believe
the bill was a hundred bucks under the esti-
mate?"—*D. J. Ganser; Owatonna, Minn.*

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● "I cannot put a dollar amount on savings I've made through Moneyworth, but your legal advice alone has saved me thousands of dollars. Keep up the great work."—*T.E. Simeon; Placentia, Calif.*

● "You sure did us a good turn recommending Mayflower for our move from California to Minnesota. Would you believe the bill was a hundred bucks under the esti-

try's biggest—but I no longer am. Thank you."—*Dorothy J. Song; Methuen, Mass.*

● "I am grateful for your tip on 'Tax Savings for Teachers'—which saved me the cost of a tax accountant and got me a considerable income tax refund."—*Charles Bryan; Brooklyn, N.Y.*

● "Upon Moneyworth's advice, I asked the phone company for an itemized bill. As a result, I discovered that for years I had been paying for a nonexistent extra line. Result: A \$550 refund. My trial subscription has paid for itself 110 times over!"—*George T. Petsche; Washington, D.C.*

● "Because of savings you just helped me make on a new car, I calculate that I can subscribe to Moneyworth for forty-six years and the subscription will be absolutely free. You're marvelous! Thank you."—*Mrs. J. Wilson; Philadelphia, Pa.*

● "Moneyworth's investment news dis-patches enabled me to make over \$2,200 in less than a year. Yours is one of the most intelligent, down-to-earth, to-the-point peri-odicals ever."—*R. Pantell; Yonkers, N.Y.*

● "A month before my father died, you published an excellent article on cut-rate funerals. It saved me and my brothers at least \$600."—*K. W. Jerin; Carlsbad, Calif.*

● "Your article on TV game shows gave me the confidence to try out for 'The \$10,000 Pyramid.' I won \$850!"—*Ted Zammit; Franklin Square, N.Y.*

● "I have deposited \$12,500 in a Mexi-can bank, as you suggested, and have been receiving very high interest checks every month by airmail. Boy, am I grateful to you!"—*Charles T. Malburn; Sarasota, Fla.*

● "Your suggestion that I use a fake name in the phone directory, instead of pay-ing \$1 per month for an unlisted number, alone pays for my Moneyworth subscrip-tion several times over."—*C. Russell; N.Y.C.*

● "Your report that dentures cost only \$40 at the Sexton-Shealy Dental Clinic of Florence, South Carolina, saved me, litera-ly, hundreds of dollars. They fitted me up in 24 hours and I was able to complete the entire procedure during a vacation to Flori-da. I have never before written a testimonial to a magazine, but I couldn't let my grati-

● "I'd like to compliment you on your no-nonsense magazine. With the rising costs of postage and paper, and the declining value of the dollar, I just don't know how you can keep your subscription rate so low. I've saved at least 100 X's the subscription price each year. Even if I didn't save a cent, I'd buy Moneyworth for the kick I get out of its anti-establishment, no-holds-barred jour-nalism."—*Randolph Peters; McKeesport, Pa.*

● "Moneyworth is aptly named. To paraphrase Churchill, 'Never have so many paid so little for so much'."—*David Alpern; Pittsburgh, Pa.*

In sum, reading Moneyworth is the next best thing to being born with a silver spoon in your mouth. It provides unfailing protec-tion against the vicissitudes of economic for-tune—government-inspired or otherwise.

Moneyworth's sources of intelligence are the most formidable and far-flung of any financial periodical in existence. It sub-scribes to twelve of the world's most deep-digging, enterprising news services. Alto-gether, they transmit over half a million words per day of invaluable financial data to Moneyworth's editors, writers, researchers, and analysts who boil it down into the most concise, hard-hitting, supremely useful money report in history.

The periodical itself is an electric 24-page tabloid newspaper. Its graphics—by Herb Lubalin, the world's foremost designer of publications—set it apart from all other papers like neon in the dark. The unbeatable combination of its look and sagacity will absolutely knock you out.

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To enter your subscription, simply fill out the coupon below and mail it with \$2.99 to: Moneyworth, 251 W. 57th St., New York, N.Y. 10019.

Order your subscription today. Reading Moneyworth is the only known way to save yourself from "The Zombie of Herbert Hoover."



251 WEST 57TH STREET NEW YORK, N.Y. 10019

I enclose \$2.99 for an eight-month Special Introductory Subscription to Moneyworth, the dauntless recession-fighter.

EXTRA BONUS OFFER: Check this box ☐, enclose \$5 and get a **WHOLE YEAR** of Moneyworth AND a copy of the invaluable booklet all of America is talking about, "Stake Your Claim! How to Work the Social Security Gold Mine."

Name

Address

City State Zip

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