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Mr. Speaker, America today is shaken by a deep national crisis—a near-breakdown of law and order made even more severe by civil disorders in which criminal elements are heavily engaged.

The law-abiding citizens of America who have suffered at the hands of the lawless and the extremists are anxiously awaiting a remedy.

This is a time for swift and decisive action. It is a time for early-effect measures, and a time for longrange solutions which not only repair but greatly strengthen the fabric of our society. It is long past the time when we should launch an all-out assault on the criminal in our midst and on the social conditions which tend to breed crime and civil disorder.

We have before us legislation which we hope will stiffen the will and the way of local law enforcement. I trust all of us here today will work together to shape this legislation into the best possible law enforcement aid for our states and local communities.

I personally feel that in this bill as in other measures needed to rebuild a badly torn and bleeding America we must take a new approach and in some instances a bold and imaginative approach.

We must abandon the idea of direct federal intervention in the cities, with a federal administrator deciding arbitrarily who will get what and how much. In the field of law enforcement as in others we must provide the incentive for strong state and local action with federal dollar help. That dollar help should be channeled through the states, through a designated state agency which would implement a statewide plan for stronger law enforcement as approved by our Justice Department.

If the legislation now before us is amended to provide for such block grants to the states to bolster state and local law enforcement, I believe we should double the authorization requested by the President for fiscal 1968. I also want an equitable allocation formula written into the bill. I don't want law enforcement grants left solely to the discretion of the attorney general of the United States.

What is Congress doing about crime in the streets...about the arson, looting
and murder that have made American cities from coast to coast places of horror, suffering and shame?

This House has passed an Anti-Riot Act, legislation which has received the silent treatment by the President and has been labeled unnecessary by the Attorney General.

We are about to pass landmark legislation to be known as the Law Enforcement and Criminal Justice Assistance Act of 1967.

What has the President of the United States done to assist the Congress in meeting the crime and civil disorders crisis of 1967?

Before the most recent outbreaks, he sent the Congress a so-called Safe Streets Bill which has been amended in more than 20 instances in the House Judiciary Committee. After the Detroit riot, he appointed a presidential study commission on civil disorders.

Has there been a flow of proposals from the White House to the Congress in a move to deal vigorously with the crime-in-the-streets crisis, which occupies a national priority second only to the War in Vietnam and has eclipsed even the war in the minds of the American people?

There have not been any new proposals from the White House. There has been "business as usual." There has been a fresh push by the President for more of the same, more millions for his Great Society programs, and charges by the President, the vice-president and the Secretary of Agriculture that you people here in the House have been inactive.

I submit that the Johnson Administration has delivered itself of a self-indictment in blaming the 1967 riots on the Congress. I submit that this attempt to fasten the blame on the Congress indicates a bankruptcy of ideas within the Administration.

This is "the game of switch," a move by the Administration to divert the blame from itself by pinning it on the Congress. The Administration is using the Congress as a scapegoat for its own troubles. The President is asking the American people to believe that the proposals he has advanced since he assumed the Presidency in November, 1963, contained all the answers and Congress just hasn't given him enough money. My friend, George Mahon, answered that argument beautifully here on the floor last Monday when he cited the tremendous sums that Democratic Congresses have voted since 1960 and declared that "Spending is not the answer to these problems."

All of this should tell us that something is basically wrong with the Johnson Administration's approach to the problems of our cities, the evils that (more)
help to spawn crime and civil disorder. Yet the President has spurned every new
approach offered by the Loyal Opposition, has refused to seriously entertain any
new proposals.

I challenge him to take a fresh look at the ideas set forth in the Republican
State of the Union Message of last January 19--particularly those of tax credits
as an incentive to industry to attack urban problems, a proposed Industry Youth
Corps to provide private, productive employment for young people as part of a
revamped War on Poverty, the Human Investment Act which would trigger a nationwide
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We have repeatedly urged the tax credit approach to the problems of the cities.
So, now, does the Washington Post. So, too, does a prominent Senate Democrat.
To the Washington Post and to Bobby Kennedy, I say, "Welcome to the club."
The Vice-President, who has been admiringly labeled "the President's echo"
by the Washington Post, last night lofted a trial balloon on Lyndon Johnson's
behalf. He called for a domestic Marshall Plan to fight poverty in the United
States. I thought we had an anti-poverty program. Is Mr. Humphrey calling the
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Mr. Humphrey obviously is saying that the $25.6 billion which President
Johnson's 1968 budget message lists as earmarked for the poverty fight this
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Mr. Humphrey appears to be calling the Democratic majority in the Congress a
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Where are all the blessings from this outpouring of federal aid? George
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President's trial balloon domestic Marshall Plan is simply a dollar-fattening of his old ideas, then the President is failing to help the Congress meet the great crisis that confronts the American people.

I challenge the President to cast off his blinders, to open his eyes to fresh new approaches to our slum sickness. I challenge him to re-think America's problems, for the sands of time are flowing fast.

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STATEMENT BY SENATOR DIRKSEN

No person has a right to act against the public safety, anywhere, any time. There is no excuse -- ever -- for riot, arson and murder.

On this Americans are agreed.

Americans also agree that:

When near-anarchy exists in this nation --

When trouble-makers defy the law, incite rioting, burning, pillaging and murder --

There must be action. Its urgency is extreme.

Punishment of those who break the law must be swift and decisive -- no matter who they may be.

The protection of life and property must be primary and total.

The re-enforcement of every arm of the law everywhere must be maximum. There can be no compromise with crime -- and crime is exactly what this is.

Republicans in Congress and across America call for firm, certain action at all levels and in total strength.

Explanations for this war in America's streets are many. Some may be well-founded. Others are not. To find the right answers is our first duty.

The Administration has named a "blue ribbon" commission to work to this end. This is not enough -- not nearly enough. Congress itself must act to determine promptly the causes and the cures of this frightful situation. The Congress -- for the people -- must provide the solutions.

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Our people must be made safe in their homes, at their jobs and on the streets.

Mr. Ford and I, with many of our colleagues, have filed a resolution calling for immediate creation of a Joint Committee of the Congress to investigate riots and violent civil disorder, with full powers necessary to this purpose.

Additional measures having similar objectives have been filed by others in Congress. The Government Operations Committee of the Senate may be named to take initial investigative action. Whatever is done must be done promptly, without partisanship. We are all in this boat together and the winds are raging.

We repeat, punishment must be swift for those who break the law -- whoever they may be. There must be no reward for those who riot and destroy.

BUT --

There must be found workable solutions to this unrest and violence that will permanently assure eradication of these evils.

There must be achieved a restoration of that strength-in-unity that has made America great and will keep America free.
The statements just made by Senator Dirksen have my complete and wholehearted support.

This war in our streets must be brought to the earliest possible end for the safety and benefit of every American citizen.

I am wholly confident that the Congress and, hopefully, the Administration, will promptly and accurately determine the root causes and enduring cures for this malignant social cancer.

The Republican Leadership of the Congress believes that there are immediate steps to be taken by all of us -- now. In our January appraisal of the State of the Union we urged several of these:

A total re-vamping and re-direction of the Poverty War -- where waste has been astronomical and administration ineffective. We said then and we repeat:

"We want an Opportunity Crusade that will enlist private enterprise and the States as effective partners of the Federal Government in this fight. We would give the children of poverty the very highest priority they deserve. As Republicans have urged for two years, Head Start requires follow-through in the early grades."

Creation of a new Industry Youth Corps "to provide private productive employment and training on the job."

The passage of a Human Investment Act "to induce employers to expand job opportunities for the unskilled."

The enlargement of "opportunities of low-income Americans for private home ownership."

Support for a system of tax sharing to return to the States and local governments a fixed percentage of personal income taxes without Federal control.

The elimination of the poverty of realistic ideas among Poverty War officials.

We believe that in vastly expanded educational opportunities and productive job training the earliest and best of these solutions will be found. A closer application of Federal resources to local needs is clearly necessary.

In help -- and self-help -- for this generation of Americans, in help -- and opportunity -- for the next generation -- we will find the answers we seek and must have.
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STATEMENT BY REPRESENTATIVE FORD: August 3, 1967

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The House Republican Policy Committee urges the Johnson-Humphrey Administration to provide the American people with an effective Anti-Ballistic Missile system. The Soviets have been building and deploying their ARM system for some time. The Joint Chiefs of Staff unanimously support the position that this country should now proceed to deploy. Congress has appropriated sufficient funds for this purpose.

The Joint Committee on Atomic Energy has warned, "A low order of magnitude attack could possibly be launched by the Chinese Communists against the United States by the early 1970's. At present we do not have an effective anti-ballistic missile system which could repel such a suicidal (for the Chinese) but nevertheless possible strike." Time and the rush of events demand action.

As early as 1963 there were rumors that the Russians were developing an ARM defense. However, Secretary McNamara when questioned about this, engaged in a dialogue of evasion that appeared to deny that the Soviets had such a system. It was not until November 10, 1966, two days after the 1966 election, that McNamara announced there was considerable evidence of the existence of a Soviet ARM system. Moreover, information from the intelligence community now indicates that the Soviets are indeed deploying one and possibly two ARM systems. Also, the Soviets probably will extend and improve their defenses over the coming year and they have accelerated the deployment of hardened offensive intercontinental ballistic missiles.

It is significant that in response to a news conference question about the Soviet anti-ballistic missile system, General Paul G. Kurochin, head of the Soviet Frunze Military Academy, stated that missiles fired at the Soviet Union would not hit their targets. He also stated that, "Detecting missiles in time and destroying them
in flight is no problem." Under the circumstances, it is little wonder that Soviet
Premier Kosygin has given no encouragement to hopes for a moratorium on anti-
ballistic missile defense development as a means of limiting the arms race between
the great powers.

There is a continuing split between Secretary McNamara and the entire
Joint Chiefs of Staff on the anti-ballistic missile defense question. For years
the Joint Chiefs of Staff have unanimously supported the position that this country
should deploy Nike X. The Chairman of the Joint Chiefs of Staff, General Wheeler,
testified that he had gone to President Johnson on his own initiative to present the
Joint Chiefs' case. According to General Wheeler, "the Soviets will undoubtedly
improve the Moscow system as time goes on and extend ABM defense to other high priority
areas of the Soviet Union." In his opinion, the Soviet objective is "to achieve an
exploitable capability, permitting them freedom to pursue their national aims at
conflict levels less than general nuclear war."

On March 10, 1967, General Harold Johnson, the Chief of Staff of the U. S.
Army, in his testimony before the House Appropriations Committee, clearly expressed
the position of the professional military leaders when he stated, "When do we stop
discussing and when do we reach a decision point?"

With the shock of the recent Chinese thermonuclear explosion on June 17,
1967, efforts to downgrade the potential menace of Communist China have disappeared.
It took the United States 8 years to move from the atomic bomb to the hydrogen bomb.
It took the Soviet Union 4 years to accomplish the same result. In just 2 years and
8 months, Red China has joined the H-bomb club. In a recent report on the Red
Chinese threat, the Joint Committee on Atomic Energy stated:

"We believe that the Chinese will continue to place a high
priority on thermonuclear weapon development. With continued
testing, we believe they will be able to develop a thermonuclear
warhead in the ICBM weight class with a yield in the megaton
range by about 1970. We believe that the Chinese can have an
ICBM system ready for deployment in the early 1970's. On the
basis of our present knowledge, we believe that the Chinese
probably will achieve an operational ICBM capability before

It has been estimated that from 5 to 7 years, from the time the go-ahead
is given, would be needed to deploy even a thin U. S. anti-ballistic missile defense. Any lingering doubt over whether or not such a system should be developed has been
dispelled by China's amazing progress with nuclear weapons. In a report dated
August 4, 1967, the Senate Committee on Appropriations noted that during fiscal year
1968, there will be approximately $970 million available for an ABM defense system.
The Committee also stated, "The Congress has met its constitutional responsibilities
in this matter, and the responsibility for further delaying this system clearly rests
with the executive branch of the government."

These funds must be put to use without further delay. The secret of
mass destruction is now in the hands of those who may be tempted to use it. Our
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mass destruction is now in the hands of those who may be tempted to use it. Our
defenses must be prepared to meet this challenge.
Mr. GERALD R. FORD. Mr. Speaker, at a time when law and order are of prime concern to all Americans, I think it is incumbent on all of us to contribute what we can to improving our criminal laws and procedures. To this end, Republicans have created a task force on crime to study problems in this complex area and to propose legislation to improve law enforcement. The task force is not concerned with any partisan advantage. Rather, it hopes to act as a catalyst in the legislative process to produce more effective tools to fight our Nation's grave crime problem.

For this reason, I believe it might be of interest to Members to read the policy statement issued to date by the task force on crime.

Under leave to extend my remarks, I include the statements of May 11, May 23, May 31, and June 5, 1967:

**Republican Task Force on Crime**

**May 11, 1967**

The Republican Task Force on Crime believes that one small, yet positive and significant step in enhancing the status of local police officers would be the passage of a federal survivorship and disability compensation law. Here, as with many areas of law enforcement, the result of a deficiency in federal law is a lack of state and local government responsibility. The pattern so far has been for the survivors of officers killed in the line of duty to depend on private insurance or charitable donations and to seek assistance from the public or the police organization. The Task Force recommends that in the area of compensation the State and local governments be required to adopt policies providing a minimum level of benefits.

**May 23, 1967**

The American people have created, enhanced, and preserved a system of technical tools to avenge and prevent crime, and the local police as the first line of defense.

The Task Force recognizes that the local police officer is in a profession of extreme danger and that the public must take responsibility to ensure that the police forces are adequately staffed and equipped. To the public this may mean not only an obligation to use the police effectively, but also the responsibility of supporting and defending their local police.

**May 31, 1967**

The Task Force believes that the Congress should provide the police officer with a salary level and the fringe benefits customary to most jobs today—life insurance, retirement and disability, medical care, and other medical benefits. This law would benefit both the law enforcement employee and the public. The police officer, just as the soldier, is a professional person, dedicated to our country and to the preservation of law and order, deserving not only the personal but also the financial support of the public.

**June 5, 1967**

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Congressman Richard M. Poff, Chairman of the House Republican Task Force on Crime, deplored the attempt to create a conflict between the FBI and the President's Crime Commission on the proper treatment of criminals.

Congressman Poff told the House of Representative's today. "Those trying to conjure up a conflict between the Public and the President's Crime Commission ill serve the cause of law and order. The FBI says that the right way to fight crime is to strengthen deterrence. The Commission says that the right way to fight crime is to strengthen rehabilitation. Neither disputes the other. Both are right.

Recidivism statistics reported by the FBI illuminate a tragic truth. Most of the crime in this country is committed by repeaters. Some 57% of those released from Federal custody in 1963 had been arrested again before June 1966. For those paroled, the figure was 82%.

"Those statistics do not prove that rehabilitation is unworkable. Nor do they prove that deterrence is obsolete. All they prove is that both are inadequate in their present form.

"While we must not 'coddle criminals,' we must not be afraid to experiment with new techniques of criminal rehabilitation. While we must not impose cruel or unusual punishment, we must not be timid in facing penalitv committments with the offense. Successful rehabilitation saves society the burden of a second offense and thereby makes criminals of the first offense by others."

Chaterman of the Crime Commission, Mr. Katzenbach, said that organized crime is only a 'tiny part of the picture. President Johnson last year, following a meeting with former Attorney General Katzenbach, said that organized crime constitutes something less than a guerrilla war against the nation. The Attorney General of the United States is the chief law enforcement officer of the nation. If he thinks, he should say so if he is either uninformed about the statistics of bad mistakes or in error.

Mr. Poff pointed out, "Webster says that a 'bit' is a 'little' or a 'whit.' Those who contend that the level of crime has risen only a little are more than a little bit wrong. In the decade of the sixties, the growth rate of crime has outpaced the growth rate of the population by more than 6 times. To me, that sounds more like a wave than a little bit. The crime problem in this country will never be solved by making it smaller. It must be technics of criminal rehabilitation. While we must not impose cruel or unusual punishment, we must not be timid in facing penalitv committments with the offense. Successful rehabilitation saves society the burden of a second offense by others."

The Attorney General says there is no 'bit of crime in the united states.' Mr. Poff reported. We went on to say. That he should say so if he is part of the crime problem. The Attorney General of the United States is the chief law enforcement officer of the nation. If he thinks, he should quote as saying, that 'the level of crime has risen a little bit,' then he is either uninformed about the statistics of bad mistakes or in error.

"Mr. Katzenbach was also quoted as saying that organized crime is only a 'tiny part of the picture. President Johnson last year, following a meeting with former Attorney General Katzenbach, said that organized crime constitutes something less than a guerrilla war against the nation. The Attorney General of the United States is the chief law enforcement officer of the nation. If he thinks, he should say so if he is either uninformed about the statistics of bad mistakes or in error.

"Congressman Poff concluded. "The crime problem in America will never be solved by making it smaller. It must be solved by attacking the problem of recidivism. As the crime is in its full dimension and thereby set the atmosphere of urgency essential to its solution."
REPUBLICAN TASK FORCE ON CRIME CALLS FOR APPEALS AUTHORITY

(Mr. GERALD R. PORD (at the request of Mr. SCALRAPANI) was granted permission to extend his remarks at this point in the debate and to include extraneous matter.)


Task Force Chairman Richard M. Poft (R-NY) urged positive action on the bill because of the problem which would permit Federal prosecutors to appeal an adverse ruling on a defendant's motion to suppress evidence collected by law enforcement officials. "When some traditional methods of police work are restricted by court decisions, new tools must be developed to ensure that violations of the law are met with swift and sure punishment," commented Mr. Poft. He added that as the Supreme Court's interpretation of the Constitution, and to assure fairness to all aggrieved, any action to provide additional means for appeal by the Government in criminal trials must be carefully drawn."

The Task Force notes that while no one condones unreasonable and illegal searches, there is confusion as to what is unreasonable and illegal search. In organized crime cases, where so much is a matter of opinion, the right of the accused to raise this issue in the effort to have proper legal procedures at every stage is important. The Department of Justice and the District Attorney of New York City have noted the critical need for a tool which may expedite the search and seizure process. The President's Crime Commission noted that the Department of Justice's inability to move forward with the prosecution when material suppressed was badly needed:

"Allowing appeals would also help overcome corrupt judicial action. In gambling cases, particularly, arbitrary rejection of evidence uncovered in a search is one method by which corrupt judges purloin their services for organized crime."

The Commission Report on the Courts discussed the need for appellate authority in more detail and pointed out that in many cases the defendant's appeal is too late, and that the court order suppressing vital evidence or a statement by the accused. As stated by the Commission on the Courts:

"In many cases the prosecution cannot proceed to trial without the suppressed evidence. And even when it has other evidence, the delay in obtaining a conviction may be seriously handicapped by the suppression order." (p. 87)

A letter from Mr. Fred M. Walls, Jr., Assistant Attorney General, addressed to the author of H.R. 8654, Mr. Baldwin, came up the argument for this legislation by stating:

"This bill would be most helpful to the Government since an adverse ruling at the preliminary stage of the proceedings may effectively bar the Government's ability to go forward with the prosecution when the material suppressed is a substantial portion of the Government's case." (Letter of May 10, 1967)

The Supreme Court recognized that Congress had the power to authorize such appeals, provided that they were limited to Sixth Amendment provisions of right to a speedy trial and the Fifth Amendment protection against self-incrimination.

The Supreme Court has stated: "It is not in serious need for appeals by the Government from suppression orders, or unreasonably long delays of effective criminal law enforcement.... It is the function of the Congress to decide whether to initiate a pattern of related appellate jurisdiction in criminal cases."

Obviously, to remain consistent with the Court's interpretation of the Constitution, and to assure fairness to all defendants, any action by the Congress to provide additional grounds for appeal by the Government in criminal trials must be carefully weighed. The House Republican Task Force on Crime endorses and supports the bill which would provide additional tools for the Government to appeal motions to suppress in widely recognized and supported. The House Republican Task Force on Crime endorses and supports the bill which would provide the authority to appeal motions to suppress in widely recognized and supported.

Mr. Speaker, under leave to extend my remarks I include policy statements of the Republican Task Force on Crime dated June 7, 1967.

STATEMENT OF BILL TO ALLOW APPEALS OF MOTIONS TO SUPPRESS

The Republican Task Force on Crime asks the House to consider the following: the House of Representatives to grant Federal prosecutors general authority to appeal a court ruling to suppress evidence.

The President's Crime Commission concluded that the Supreme Court's interpretation of the Constitution, and to assure fairness to all aggrieved, any action to provide additional means for appeal by the Government in criminal trials must be carefully drawn. The President's Crime Commission noted that the Department of Justice's inability to move forward with the prosecution when material suppressed was badly needed:

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Mr. Speaker, under leave to extend my remarks I include policy statements of the Republican Task Force on Crime dated June 7, 1967.
The House Republican Task Force on Crime endorses and urges enactment of H.R. 10037, a bill introduced by Rep. William McCulloch (R.-Ohio), and 80 other Republicans. This proposal would prohibit all wiretapping and electronic bugging except by federal and local law enforcement officers engaged in the investigation and prevention of organized crime and other specified crimes. The Task Force finds the Administration’s proposal (H.R. 896), which bans all wiretapping and electronic bugging except in defined areas of “national security,” a dangerous threat to individual privacy, and an unwarranted invasion on law enforcement officials who need such equipment to combat the growing problem of crime in our nation.

The Task Force believes that the Congress must have the authority to preserve the privacy of all Americans. New and sophisticated electronic bugging devices are used today with far fewer restrictions and little or no safeguards; the Federal statutory law is silent on electronic bugging. All who have examined the existing law on wiretapping agree that it is inadequate, outmoded and often self-defeating. The Federal wiretapping statute, Title 18, U.S. Code, §§ 2510 et seq., was passed out of fear for national security cases but ineffective in cases involving serious and organized crimes. It is inconsistent to hold that the use of these extraordinary devices is justified in national security cases but not justified when used in major criminal cases. Surely, the Attorney General does not believe one action is authorized only by Congress, while a similar action by the Executive Department is permissible by executive order because it is less intrusive on privacy rights.

...
The purpose of organized crime is not competition with viable, legal government but elimination of it. When organized crime believes that government is an obstacle to its economic goals, then it may seek to eliminate it. This is true of legitimate political processes when they are interfering with organized crime's accumulated political power.

"Illegitimate" economic activities by organized crime are also the basis for taxation. Thus, organized crime acts as a monopolist for the non-profit sector. The legitimate government can be compared to a monopoly in the non-profit sector.

"The glorification of organized crime is an accepted norm in certain layers of the community. The price of goods in the black market is often less than the price of goods in the legal market. When economic affairs are dominated by organized crime, it is no longer possible to get any honest work and the legitimate system is destroyed.

"There has been much concern about the proliferation of gangsterism and organized crime in recent years. The organized crime syndicates have become so powerful that they are able to influence the political process. When it becomes necessary to discriminate against criminals, organized crime becomes powerful enough to interfere with the political process."

"It is organized crime's accumulation of power, not the individual transactions by which the money is accumulated, that has a great and threatening impact on America. The millions of dollars it can throw into the legitimate economic system give it the power to control the economy. Organized crime is thus organized in order to control the market and, in the case of lower prices, to determine whether entire industries are union or nonunion, to make it easier or harder for businesses to continue in business."

The Task Force notes with the majority of the President's Crime Commission in urging that "legislation should be enacted to establish a Commission on Law Enforcement and Administration of Justice." This is the recommendation and is patterned after the statutory scheme suggested by the Commission and discussed in detail in the Report of the Commissioner's Organized Crime Task Force.

Those who have studied or experienced the need for law enforcement in combating organized criminal activity are aware of the abuses of electronic surveillance. The Chairman of the Michigan Commission on Crime, Deception and Criminal Administration—Mr. John N. Martin—reports that the Michigan Commission has concluded that "organized crime presents such a pervasive threat to the well-being of our State that it is necessary to act now to prevent its spread (and ultimately invasion)." 10

The Attorney General of the State of Oregon, Mr. William Hogan, as Chairman of the Oregon State Police Commission, has submitted a report to the Oregon State Legislature. He has stated that "the Oregon State Police Commission, in its deliberations on this subject, has given serious consideration to the recommendations of the President's Crime Commission of 1971." 11

The Chairman of the President's Commission on Law Enforcement and Administration of Justice, Mr. John N. Martin, in his final report, states that "Organized crime is probably the most valuable weapon in the fight against organized crime. It is appreciated that, where it is legally authorized, it must be used fairly, sparingly and with caution."

In conclusion, the Task Force urges legislation to establish a Commission on Law Enforcement and Administration of Justice, in order to effectively to be able to do anything about this very far-reaching and very serious problem.
AUTHORIZATIONS

Sec. 2516. Authorizations for interception of wire or oral communications

Federal

(a) The Attorney General of the United States (or his designee) may authorize the making of an application to the Chief Judge of a United States District Court (or his designee), the Chief Judge of a United States Court of Appeals (or his designee) or the Chief Justice of the United States (or his designee) to authorize interception by the Federal Bureau of Investigation or the Federal Intelligence Service, if the application contains sworn statements by a law enforcement officer or a judge, and the following additional information:

(1) The identity of the person to be intercepted in the course of its business, or where the employer is a person who has committed, is committing, or is about to commit an offense described in paragraphs (a) and (b) of subsection (d) of section 2516 of this title.

(b) The wire or oral communications to be intercepted must be a wire or oral communication through which information may be used, or to which information may be obtained through an interception; and

(c) The location or places to be used for the purpose of gathering intelligence; the applicant must state the number of outstanding authorizations based on such grounds.

Additional Support for Application

(d) The judge may require additional material to support the application.

Grounds for Issuance

(e) Ex parte authorizations authorizing interceptions may be made by a judge in his sole discretion on a showing that:

(1) That the application is not

(2) That it is in the interests of justice to issue such an application.

Strategic Intelligence Gathering Re Organized Crime

(2) (A) An individual has been convicted of an offense involving moral turpitude which is punishable as a felony; and

(B) There is reliable information to believe that this individual is presently engaged in one of the offenses enumerated in section 2518 (above); and

(C) This individual presently has two or more outstanding authorizations under the requirements of paragraphs (a) and (b) above; and

(D) The judge or his designee may appropriate for such an application.

Adverse Consequences Number orders for strategic intelligence

(1) Judge issuing order must include

(2) Number orders for strategic intelligence

(3) The judge shall include

(4) The judge shall include

(5) The judge shall include

Public telephone

(1) No public telephone may be intercepted

(2) The judge shall include

(3) The judge shall include

(4) The judge shall include

(5) The judge shall include

Privileged communications

(1) Conversations between a husband and wife, doctor and patient, lawyer and client or clergyman and confidant may not be intercepted in order to satisfy the requirements of the judge and the judge shall determine that:

(A) The interception will be conducted in a way that minimizes or eliminates

(B) Evidence will be gathered

(C) Evidence will be gathered

(D) Evidence will be gathered

(E) The judge shall include

(F) The judge shall include

(G) The judge shall include

(H) The judge shall include

(1) Federal orders: 2 per 1 million national population.

(2) Local orders: 5 per 1 million State population.

(3) Federal orders: 10 per 1 million local population.

(4) Local orders: 10 per 1 million State population.
Contents of order

(a) Order authorizing interception must specify:

(1) The nature and duration of the interception;
(2) The person who is the direct or indirect object of the interception;
(3) The period of time during which each interception is authorized;
(b) Time Limit and Extensions of Order

(1) No order may authorize an interception for a period exceeding 45 days. Extensions of the order may be granted for periods of not more than 30 days, but no extensions may be granted unless:

(A) The privacy of the person whose communications are being intercepted requires a delay or a temporary suppression of the contents of the interception.
(B) The interception was unlawful.
(C) The interception was not made in conformity with the provisions of this title.

(2) The judge authorizing judge shall notify the person whose communications are being intercepted of the reasons for the order of authorization, and the same grounds as originally justified the authorization continue to justify the authorization.

Emergency interception

(3) In emergency situations law enforcement officers may temporarily seize the workable information contained in such a recording. The content of any such interception must be specified.

Precautions for accuracy

(a) Any "aggrieved person" (person who is the direct or indirect object of the interception) in a proceeding that moves to suppress the contents of the interception, or evidence derived therefrom, on the grounds that—

(A) The interception was unlawful,
(B) The order authorizing the interception is insufficient on its face, or
(C) The interception was not made in conformity with the provisions of this title,
shall be entitled to bring an action against the person making the interception or the evidence derived therefrom may not be used.

(b) The United States in the right to appeal from an unfavorable ruling on a motion to suppress under paragraph (1) above. An appeal from such an appeal is not taken for purposes of delay.

(c) Any report concerning intercepted wire or oral communications, (a) within 90 days after the expiration of an authorization order (or any extensions thereof), the issuing judge must report the following information to the Administrative Office of the United States Courts—

(1) The fact that the order was applied for.
(2) The kind of order applied for.
(3) Whether the order was granted as applied for or as modified.
(4) The period of time, including the extensions, of the authorization.
(5) The offense(s) specified in the order.
(6) The identity of the applicant and who authorized the application.

(d) Within 10 days after the termination of an investigation or trial using authorized interceptions, the Attorney General of the United States (or his designee) or the attorney general of the state or the principal prosecuting attorney of a political subdivision thereof, as the case may be, shall also report any information concerning interceptions to the Administrative Office of the United States Courts and the number of arrests, trials, and motions to suppress and convictions resulting from such interceptions.

(e) In March of each year the Administrative Office shall report the aforementioned information to the Congress.

(f) Reports concerning intercepted wire or oral communications, (A) The interception was unlawful,
(B) The interception was not made in conformity with the provisions of this title,
shall report the aforementioned information to the Congress.

(g) Actual damages (but not less than $50 a day for each day of violation or $1,000, whichever is higher):

(1) The privacy of the person whose communications are being intercepted requires a delay or a temporary suppression of the contents of the interception, or
(2) The interception was unlawful.

(h) Punitive damages, and

(i) Reasonable attorneys fees and litigation costs.

Section 1. This bill shall expire and have no force and effect on the 31st day of December, 1970, or such period as the Congress may determine by law or, if no such period is so determined, as the Congress determines by law or, if no such period is so determined, as the Congress determines by law.

Section 2. Repeal or revocation

3. Amendments to

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(b) The order authorizing the interception is insufficient on its face, or
(c) The interception was not made in conformity with the provisions of this title,
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ARTICLES DRAMATIZE NEED FOR WIRETAP LAW - REP. POFF


Rep. Poff, Chairman of the House Republican Task Force on Crime, told his House colleagues that he wrote Attorney General Ramsey Clark, "A constituent called me to ask if I have read the articles in the September 1 and September 8 issues of Life Magazine. I have done so," Poff reported. He asked the Attorney General, "If you have not, I urge you to do so."

He stated that the constituent wanted to know whether the magazine articles were factual "and if so, why something hasn't been done..."

Anticipating a possible Justice Department response, Poff explained that much of the information appears to come from electronic surveillance. Under present law, wiretap evidence and evidence traceable thereto is tainted...

"If this is your answer," Rep. Poff wrote, "and if the wiretap tapes and log entries in the possession of Federal investigators do in fact document the crimes charged in the magazine articles, then I have a question of my own. Does this not fully justify legislation legalizing electronic surveillance of organized crime conspiracies by law enforcement officers acting under court orders in the nature of a search warrant?" He concluded, "Your reply will be helpful in answering the mail I am beginning to receive on the same subject."
BILLS FILLS VOID SAYS TASK FORCE CHAIRMAN  

Chairman Richard H. Poff (R-Va.), Chairman of the House Republican Task Force on Crime, said in a speech on the floor of the House today that the latest FBI Uniform Crime Report "gives a diagnostic picture of the crime rate today," and said that the crime rate is higher than it was "a generation ago." Poff also said that those who shrug off the increase in major crime by saying that the increase in major crime is not higher than it was a generation ago, "are wrong."  

Poff stated that the McCollum proposal "reflects the foresight and planning" needed in Congress today, "while the Supreme Court knocked out New York's ruling this morning." Poff continued, "The Justice did not rule out court-authorized wiretapping, as the Supreme Court ruled Monday, as the most beneficial guideline similar to those contained in the McCollum proposal."  

On Sunday, the House Republican Task Force on Crime issued a report of legislation to control organized crime, including a provision to make federal law enforcement agencies the principal investigating agencies in the investigation and prevention of organized and certain specified crimes."  

HILL FILLS VOID SAYS TASK FORCE CHAIRMAN  

Mr. GERALD R. FORD (at the request of Mr. Franks of Wisconsin) was granted permission to extend his remarks at this point in the Record and to include extraneous matter.)  

Mr. GERALD R. FORD Mr. Speaker, under leave to extend my remarks, I include policy statements of the Republican Task Force on Crime dated June 13, June 18, and June 23, 1967.  

REPUBLICAN TASK FORCE ON CRIME  
June 18, 1967  

BILLS FILLS VOID SAYS TASK FORCE CHAIRMAN  

Representative Richard H. Poff (R-Va.), Chairman of the House Republican Task Force on Crime, today called the Task Force endorsed bill authorizing limited court supervised bugging "necessary to fill the void created by Monday's Supreme Court decision in the Berger Case."  

Poff stated that the McCollum proposal "reflects the foresight and planning" needed in Congress today, while the Supreme Court knocked out New York's ruling this morning. Poff continued, "The Justice did not rule out court-authorized wiretapping, as the Supreme Court ruled Monday, as the most beneficial guideline similar to those contained in the Task Force Report of Sunday, June 13."  

"We will be able to adjust the bill with little difficulty," Poff stated, "Some language adjustments are needed but we have stayed within the limits of the 6th Amendment and do not conflict with yesterday's ruling."  

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Chairman, offered support for a Resolution introduced Friday by Senators Frank Moss (D-Utah) and Joseph Tydings (D-Md.). Rep. Richard H. Poff (R-Va.), Task Force Chairman, offered support for a Resolution introduced Friday by Senators Frank Moss (D-Utah) and Joseph Tydings (D-Md.), which would immediately establish a Joint Committee on Crime.  

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"We're not concerned with whose name appears on a particular Resolution," Poff stated. "Crime shades through party lines. It is obviously a bi-partisan problem requiring immediate action. The June 5 Task Force Report, which今天我们公布了的联合委员会的报告是《组织犯罪调查》。这是一部关于犯罪的全面调查，包括对犯罪的描述、影响和影响。如果我们的屋，共和党的任务小组的犯罪，如果可能的话，可以为彻底解决犯罪问题。" Rep. Poff concluded.  

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Mr. GERALD R. FORD (at the request of Mr. Zuck) was granted permission to extend his remarks at this point in the debate and to include extraneous matter.

Mr. GERALD R. FORD, Mr. Speaker,

Under leave to extend my remarks. I include policy statements of the Republican Task Force on Crime dated June 30 and July 11, 1967.

[From the Republican Task Force on Crime, June 30, 1967]

POFF AND Hruska Join in Fight on Crime

U.S. Representatives Richard B. Poff (R-Va.), Chairman of the House Republican Task Force on Crime, and Senator Tom H. Hruska (R-Neb.) today proposed to Congress three bills through which anti-trust legislation and an omnibus "criminal Procedure Act" would help reduce the nation's spiraling crime rate through new anti-trust legislation and an omnibus "criminal Procedure Act." Several House Republicans joined them in introducing a three-bill package legislative measure.

The two anti-trust measures would prohibit the use of illegally acquired funds or the illegal income derived from syndicated crime for restraint of trade. They were intended to activate the antitrust laws and several other anti-trust provisions in legitimate concerns. "Thinning out in life and greed, organized crime has a gigantic earning power," Poff stated. "This earning power has created a reservoir of wealth unmatched by any legitimate financial institution in the nation. Receipts from illegal gambling alone have been estimated at up to $5 billion a year.

Both Poff and Hruska noted that the "package of bills is intended to give law enforcement authorities new and sharper tools" for the enforcement of the criminal laws without any of the神圣 rights which mark us as a free people. But the Congress to act," Poff concluded.

The new anti-trust legislation and an omnibus "criminal Procedure Act" would be planned both long-range and short-range. My concern is that action begin now, he said.

The two anti-trust measures would pro­vide for the(a) prohibition of any of the practices of combination or conspiracy to hold down prices, to exclude from legitimate competition, or to control commerce.

(2) A bill prohibiting the investment of funds illegally acquired from specified criminal activities in a legitimate business concern, and prohibiting the investment of funds illegally acquired from specified criminal activities in a legitimate business concern.

The omnibus bill to improve criminal procedure in such areas as searches and seizures, gathering of evidence, double Christianity, appeals for suppression orders, witness immunity, perjury definition, and obstruction of investigations.

The first two bills in the package are aimed at organized crime. Organized crime, which crosses state lines and employs the resources, vehicles and廊坊s of legitimate business, is a national problem. As such, My package contains three bills:

(1) A bill prohibiting the investment of funds illegally acquired from specified criminal activities in a legitimate business concern;

(2) A bill prohibiting the investment of funds illegally acquired from specified criminal activities in a legitimate business concern;

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Organized Crime

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Circuit Court of Appeals upheld the indictments as an appropriate use of the articular laws, and convictions were subsequently sustained. In the case of United States v. Pennsylvania Railroad Company (50 F.2d 191, 2d Cir., 1930), the defendant was charged under the Anti-Trust Act with the violation of trust laws by coercive methods in the garbage collection business. He was convicted and the court sustained the conviction.

The civil information provisions of the anti-trust laws were used to enjoin a conspiracy to set yellow grease by coercive methods, and the use of the law for this purpose was sustained on appeal.

Unton trade by coercive methods is a violation of the trust laws and is sufficient without amendment as set forth in the complaint.

National Farmers Organization alleging such an entry may be made even without amendment.

The omnibus bill undertakes to amend the Posts Office Act by the Gentleman from Illinois, Mr. V. M. Monopoly, the Narcotics Acts, the National Drug Law Enforcement Act, and the Narcotics Act of 1914. The omnibus bill contains what has come to be known as the post office act, and enforcement tool which has been drawn, and the post office act is the subject of the discussion. The omnibus bill undertakes to write a new post office act into the statute books. The omnibus bill contains what has come to be known as the post office act, and the omnibus bill contains what has come to be known as the post office act.

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In the context of this bill, I can only say that I have listened to the James King, Robert McCreery, Robert Taylor, Henry F. Smith III, and Chambliss, Walter.

In reply, as to the omnibus bill, this package of bills is intended to give law enforcement authorities new and sharper tools for the task. It is hoped that the omnibus bill would prevent criminal procedure Improvements.

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In reply, as to the omnibus bill, this package of bills is intended to give law enforcement authorities new and sharper tools for the task. It is hoped that the omnibus bill would prevent criminal procedure Improvements.
The House Republican Task Force on Crime today called on the Attorney General "to utilize every legal investigative tool available" to combat the nation's spiraling crime rate.

The Task Force charged that the Attorney General's June 1967, regulations "strictly limiting legal electronic surveillance" have no other effect than the "ham-stringing" of Federal agents in their day-to-day conduct of organized crime investigations. No need for the Attorney General's regulations has been shown. They, in fact, further evidence that the Attorney General is fighting a war of retreat against organized crime," the group charged in a prepared statement.

"We view his regulations as inevitably discouraging the use of sound, acceptable, and legal investigative techniques in combating organized crime. He now sits in judgment as to what may or may not be necessary in an investigation thousands of miles from his Washington office. An agent in the field places his life or personal safety in jeopardy during investigations...Time, obviously, may be vital -- delay deadly," the Task Force asserted.

"The cumbersome, time-consuming, inter-agency procedural structure the new regulations erect is likely to intimidate and frustrate the most diligent investigator. So long as adequate safeguards against illegal practices exist, investigating ought to be left to investigators."

The Task Force declared, "We urge the Attorney General to reexamine and revise what is to us an incredible retreat in the war against criminal activity."
STATEMENT OF THE HOUSE REPUBLICAN TASK FORCE ON CRIME

The House Republican Task Force on Crime believes that it is a necessary and proper function of the Attorney General and the Department of Justice to operate within the framework of existing law in conducting its investigations into and prosecutions of criminal matters, be it organized crime or any other type of crime. By this we mean they should not go beyond the law but at the same time they should utilize every effective investigative tool available to them inside the law.

In June, the Attorney General promulgated and issued to the Department of Justice and to other departments and agencies of the federal government (for example, the Bureau of Narcotics of the Treasury Department) a set of regulations expressly designed to, in the language of the regulations, "strictly limit legal electronic surveillance." These regulations have no other practical effect than the "ham-stringing" of Federal agents in their day-to-day conduct of organized crime investigations. We view them as yet another manifestation of the fact that the Attorney General is fighting a war of retreat against organized crime and that it is only a matter of time before his federal forces will be in a full scale rout.

The limitations in his regulations go far beyond wiretap and third-party bugging. They go far beyond the strict limitations placed upon these practices by the Supreme Court in the Berger case. They reach even transmitters and recording devices used by one of the parties to a conversation, a Narcotics agent who is about to make a purchase or a Treasury agent who is about to be bribed. This technique was specifically sanctioned by the Supreme Court as recently as last November in the Osborn case, and it is a technique most frequently employed in organized crime investigations. To be sure, these regulations do not actually forbid the use of transmitters and recorders under those circumstances, but they do create a labyrinth of procedure, inventory control and just plain red tape which culminates in the obtaining of advance approval from the Attorney General before any use may be made of such devices. And if that advance written approval has been or will be denied or simply delayed in just one single instance, then that is just one less case the government may be able to bring.

Frequently an agent in the field places his life or personal safety in jeopardy during the investigation of organized crime cases. Necessarily, he must deal clandestinely with people who are armed and dangerous. Under those circumstances it is usually mandatory -- from a safety consideration alone -- that what transpires be overheard instantly by other agents nearby. The same thing may be said of informants, particularly narcotics informants, for whose protection there ought to be at least some concern. Informants are even now difficult enough to find and cultivate;
they will be altogether unavailable if they are to be abandoned to their own wits in dangerous situations. Further, potential witnesses in organized crime cases are, for a variety of reasons, sometimes difficult to corroborate. What is overheard by a transmitter may be preserved by a recorder and later become probative, competent and, most important, accurate corroborative evidence in the prosecution.

Quite apart from the fact that we seriously question the authority of the Attorney General to meddle in this fashion in the purely investigative affairs of other departments and agencies of the federal government, we view his regulations as inevitably discouraging the use of sound, acceptable and legal investigative techniques in combating organized crime. It is proper, of course, for him to advise other departments and agencies of the federal government as to the existing law with respect to the use of investigative tools. But as the ultimate authority, under his own regulations, he now sits in judgment as to what may or may not be necessary in an investigation thousands of miles from his Washington office. Time may be vital -- delay deadly. He cannot possibly know the facts better than the agent in the field, even after he has required the agent to justify his request in considerable written detail. The cumbersome, time-consuming, inter-agency procedural structure the new regulations erect is likely to intimidate and frustrate the most diligent investigator. And where authority to employ a device is denied, agents may understandably decline to expose themselves to danger, informants will refuse to cooperate, and crime will go unpunished because witnesses are not corroborated.

No need for the Attorney General's regulations has been shown. On the contrary, he has himself informed us that as far as federal agencies are concerned, electronic surveillance by all illegal means has been a thing of the past since July 1965. If that is true, then the regulations are without a logical purpose. When legal investigative techniques are available, their use ought to be encouraged and the decision to use them ought not be subjected to unwarranted inter-agency interference. In short, this Task Force believes that, so long as adequate safeguards against illegal practices exist, investigating ought to be left to the investigators. In the war against crime they are the people on the firing line; they are doing the work; they are taking the risks.

We call upon the Attorney General to reexamine and revise what is to us an incredible retreat in the war on criminal activity. As the chief law enforcement officer of this country he should move vigorously by all means within the law to enforce the law.
Representative Ford:

Immediate Release

The War at home -- the war against crime -- is being lost. The Administration appears to be in full retreat. The homes and the streets of America are no longer safe for our people. This is a frightful situation. Our people will no longer tolerate it. In the past six years the population of the United States has increased by 9% while crime has risen by 62%. The end is not in sight.

The Republicans in Congress demand that this Administration take the action required to protect our people in their homes, on the streets, at their jobs. To this end, we have proposed -- and vigorously pushed -- bills which will provide the Administration with whatever tools it needs to do the job. We will continue to press this Administration and its top-heavy majority in Congress relentlessly, day after day after day.

There can be no further Administration excuse for indecision, delay or evasion.

When a Rap Brown and a Storybody Carmichael are allowed to run loose, to threaten law-abiding Americans with injury and death, it's time to slam the door on them and any like them -- and slam it hard!

In the 89th Congress, Republican efforts produced:

Reasonable extension and improvement of the Law Enforcement Assistance Act, to assist local and state law enforcement officers;

New thinking regarding means to improve probation and parole service and defeat of Administration efforts to remove supervision of probation officers by Federal judges;

Creation of a Commission to fully revise and reform our Federal criminal laws.

Room 5-124 U.S. Capitol—(202) 225-3700
Consultant to the Leadership—John B. Fisher
Mr. Ford:

In the 90th Congress, Republican efforts have resulted in:

- The rewriting through imperative amendments of the Administration's crime control bill, to further strengthen the hand of state and local governments in crime prevention, detection and prosecution;
- Passage by the House of an Anti-Riot Bill, for prosecution of those who use the facilities of interstate commerce with intent to incite a riot;
- Passage in the Senate of a bill to strengthen and clarify the review by Courts of Appeal of criminal sentences of Federal courts;
- Introduction of a bill, the Criminal Activities Profits Act, to prohibit the use of illegal funds in legitimate business;
- Introduction of a bill providing for electronic surveillance control, in order that the right of individual privacy might be fully protected while the national security is equally preserved;
- Introduction of an Omnibus Criminal Procedures bill, to strengthen the hand of law enforcement officers and judges;
- Introduction of a bill to establish in Congress a Joint Committee on Organized Crime.

These are only a few of the actions already taken by the Republicans in Congress for the protection of our people against organized crime, group violence, and individual crime.

In addition, there has been created a House Republican Task Force on Crime and a Republican Coordinating Committee Task Force on Crime. Each has been hard at work.

Finally, the 25 Republican governors across the nation have activated their "Action Plan", to inaugurate a new era of creative state leadership to meet the national crisis of social injustice and lawlessness.

No one has a right to shout "Fire!" in a theatre. No one has a right to incite riot, looting, destruction and murder. There is no such thing as the right to act against the public safety by any one, anywhere, any time.

Our people are frightened by the rampant crime of all types that is overwhelming the nation. The Congress can, if it follows Republican leadership, provide the tools for fighting crime that the Administration must use. We demand that the Congress and the Administration act -- now!
STATEMENT BY SENATOR DIRKSEN  

August 29, 1967

Not a day passes without hundreds of reports of individual crimes against our people. Not a week passes without evidence of the vicious successes of organized crime from coast to coast. Never in our history have our people been so threatened. Never before has civil discipline been so lax. Never before has leadership been so lacking.

The law must be enforced. The law must be obeyed. The law must be respected. The great failure of our society is its inability to maintain law and order.

Respect for the law is the duty of the people. The enforcement of the law is the responsibility of the Administration. The means it requires for the purpose is the responsibility of the Congress.

We demand that this Congress, with its overwhelming Democratic majority, take immediately the steps we have proposed for Administration use.

We demand also that the Administration:

Apply without further delay the major recommendations of its own, hand-picked crime Commission;

Cease to restrict our law enforcement officers in their proper use of the investigative tools they have at hand;

Furnish our law enforcement officers with the investigative tools they still require and which Republican-proposed legislation would provide;

Establish, as Republicans have long urged, a National Law Enforcement Institute, for research and training in prevention and prosecution of organized and individual crime and for the dissemination of the latest techniques in police science.
Finally, as presented in our Appraisal of the State of the Union in January of this year and earlier, we remind America's judges to uphold the rights of the law-abiding citizen with the same fervor as it upholds the rights of the accused.

By unanimous resolution, the recent Conference of Chief Justices, attended by jurists from 45 states, reasserted this principle and necessity. We applaud their action and commend it without reservation to every judge in the land. The protection of the good citizen is paramount and compelling. I submit that the strengthening of a good society is more important than the creation of a so-called "Great Society".

On an earlier day, in his war against an international criminal, a redoubtable Englishman besought the United States to "Give us the tools and we'll finish the job". In this hour, the Republicans in Congress are prepared to provide this Administration with whatever tools it now needs to grind organized and individual crime into the dust that our people might be safe.

We demand that it delay no longer.

We demand that it finish the job.
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Sen. Dirksen

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WASHINGTON, D.C. - The House Republican Task Force on Crime today introduced legislation which would amend the McCulloch Electronic Surveillance Act to bring it within the framework outlined by the Supreme Court in the Berger case, and recently supported by the Judicial Conference of the United States. The Task Force credited Notre Dame University Professor G. Robert Blakey with drafting the amendments.

The GOP crime group called upon the President to instruct the Attorney General "to withdraw his opposition" to use of court approved electronic surveillance in the investigation of organized crime by federal and state law enforcement officers. Calling the Judicial Conference of the United States support for wiretap legislation "most significant", they stated, "There is no longer a basis for reasonable controversy over the necessity or constitutionality of this legislation.

"The time has come to end the debate. Now it is time for action," the Task Force declared.

With respect to the Judicial Conference, the Task Force noted that it "is a body of unparalleled prestige" headed by the Chief Justice of the United States Supreme Court. Judicial Conference membership includes the chief judges of all the Federal Circuit Courts and selected judges of certain Federal District Courts. Their report "represents the considered judgment of a purely judicial body" whose members are "in no way spokesmen for law enforcement."

The GOP statement continued, "Their stated position, volunteered and unsolicited, can only be interpreted in one way. They recognize the need for electronic surveillance in order to effectively fight crime. Moreover, they recognize that law enforcement can be given this tool within the limitations of the Constitution."
On Tuesday, September 26, the Judicial Conference of the United States formally proclaimed its approval of legislation which would authorize court-approved electronic surveillance during both Federal and State criminal investigations involving organized crime.

The House Republican Task Force on Crime believes that this is one of the most significant statements that has ever been issued on the subject during the many years that it has been debated. The Conference is a body of unparalleled prestige. It is headed by the Chief Justice of the United States Supreme Court. Its membership includes the chief judges of all the Federal Circuit Courts and selected judges of certain federal District Courts.

The Conference report represents the considered judgment of a purely judicial body. The members are in no way spokesmen for law enforcement. Their stated position, volunteered and unsolicited, can only be interpreted in one way. They recognize the need for electronic surveillance in order effectively to fight crime. Moreover, they recognize that law enforcement can be given this vital tool within the limitations of the Constitution.

The impact of this report is staggering. As the totally voluntary act of an eminently responsible group, it undoubtedly reflects the deep concern with which its members view the menace of organized crime and the problems of combating it. It utterly destroys whatever was left of the Administration's position against the court supervised use of electronic surveillance. It underscores anew the virtual unanimity of knowledgeable opposition to that position.

It is our understanding that the Judicial Conference had some reservations about some of the technical aspects of bills that have already been introduced. The point to be made is simply that they are clearly in accord with the spirit and purpose of such legislation.

Early in this session of Congress, Rep. William McCulloch (R.-Ohio) introduced legislation designed to strike the delicate balance between the individual right to privacy and the legitimate need for society as a whole to be protected from criminal acts. The McCulloch bill was essentially
prohibitory; yet at the same time it preserved to law enforcement carefully limited authority to employ effective and proven investigative techniques with court approval and supervision. This Task Force has been most active in urging the enactment of this legislation.

In June, the Supreme Court decided the now famous case of Berger v. New York. At the time we felt the language of Berger was a blueprint for a statute which would meet Constitutional demands and an invitation to the Congress to fashion such a statute. It appears that we were correct.

It is the suggestion of the Judicial Conference that such electronic surveillance legislation be drafted with a specific eye towards the Berger decision. This has been done. Today Rep. McCulloch and Rep. Richard H. Poff (R-Va.), Chairman of this Task Force, introduced in the House legislation incorporating amendments to the McCulloch bill which we feel accomplish precisely what the Judicial Conference suggests is Constitutionally attainable.

In large part, the amendments are the work product of a highly qualified and respected legal scholar, Professor G. Robert Blakey of the faculty of Notre Dame University Law School. Professor Blakey's credentials in this field of the law are unquestioned. He was a consultant on organized crime to the President's Crime Commission. He has practical knowledge of the legitimate needs of law enforcement; he is nonetheless abundantly sensitive to individual rights and liberties.

There is no longer a basis for reasonable controversy over the necessity or Constitutionality of this legislation. The time has come to end the debate. Now is time for action. We call upon the President to instruct the Attorney General to withdraw his opposition. It is not too late for this. If that is done, there will be no basis for partisan conflict and we predict that Republicans and Democrats alike, in both Houses of Congress, will unite to speedily enact legislation which is both eminently reasonable and vitally necessary.
FOR THE SENATE:
Barone M. Dirksen
E. Dirksen
of Illinois
of Illinois
Thomas H. Kuchel
of California
of California
Ronald B. Hickenlooper
of Iowa
Margaret Chase Smith
of Maine
George Murphy
of California
Milton R. Young
of North Dakota
Hugh Scott
of Pennsylvania

PRESIDING:
The National Chairman
Ray C. Bliss

FOR THE HOUSE:
Gerald R. Ford
of Michigan
Leah C. Atwood
of Illinois
Melvin R. Laird
of Wisconsin
John J. Rhodes
of Arizona
H. Allen Smith
of California
Bob Wilson
of California
Charles E. Goodell
of New York
Richard H. Peilig
of Virginia
William C. Kramer
of Florida

THE REPUBLICAN LEADERSHIP
OF THE CONGRESS

Press Release

Issued following a Leadership Meeting

October 26, 1967

BY THE REPUBLICAN LEADERSHIP:

IMMEDIATE RELEASE

The demonstrations that have taken place in Washington and
across the nation in recent months have given the American people
increasing and even frightening concern for the future. We share
that concern, since never before in our history has lack of
confidence in America's leadership been so evident.

We believe, very strongly, that the hour has now passed when
firmness must continue to yield to tolerance in dealing with these
violent few. They are unwilling to demonstrate peacefully. They
are unwilling to debate without violence. They are permitted, never-
theless, to disturb the public peace, to endanger their fellow-citizens
in their lives and property, and to undermine the very well-being of
the nation itself by giving aid and comfort to our enemies.

We are well aware, as all Americans must be, of the Constitutional
rights of freedom of speech and peaceful assembly which are so great
a part of our treasured heritage. We are equally aware, however,
that there is no right to act against the public safety by anyone,
anywhere, any time -- for any reason.

This nation had its origin in consent. We have always believed in
unlimited criticism -- in time of war and in time of peace. Free
speech -- without violence -- must always be permitted and approved.
But lawlessness and violence can never be condoned. Our country
has prospered and survived as a democracy, in great part through
peaceful, even if at times heated, discussion among men of good-will.
Its future will be equally dependent upon the maintenance of this
great tradition.

(con't)
It is our conviction that it is the malcontent, the misguided and, yes, the malicious, who form the greatest part of these demonstrations. Fortunately, they represent only a very small fraction of our population. That there may be many others who share their views on particular issues is very possible. But it is these, and these alone, who see fit to breach the public peace, break the nation's laws, defy established authority, and destroy public property.

These wretched few can no longer be tolerated. They must be held in check hereafter and, when necessary, be brought to justice, legally but firmly by the scruff of their collective necks. The safety and the peace of mind of all decent, hard-working, law-abiding millions of other Americans must be preserved.

The first duty of those in authority -- in Washington and in every community throughout the land -- is the preservation of public order and the firm enforcement of the law. The rights and the privileges of those countless millions of good Americans who obey the law and keep the peace must be given priority above all others, at all times. Tolerance of marchers and demonstrators is all very well -- up to the point at which they defy the law and endanger the public safety. We call upon those in authority everywhere to enforce the law, with our full backing, in the public interest. We urge them to do so without undue concern hereafter as to the protests and whinings of these law-breakers, who have no regard whatever for the good of the community and who in our view, seek only publicity and selfish personal privilege.

We repeat, there is no right to act against the public safety by anyone, anywhere, any time -- for any reason.

It is the conviction of the Republican Leadership of the Congress -- and, we believe, of all good Americans everywhere -- that the law must be enforced and the safety of our people preserved. We pledge our utmost efforts to this end.
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We believe, very strongly, that the hour has now passed when firmness must continue to yield to tolerance in dealing with these violent few. They are unwilling to demonstrate peacefully. They are unwilling to debate without violence. They are permitted, nevertheless, to disturb the public peace, to endanger their fellow-citizens in their lives and property, and to undermine the very well-being of the nation itself by giving aid and comfort to our enemies.

We are well aware, as all Americans must be, of the Constitutional rights of freedom of speech and peaceable assembly which are so great a part of our treasured heritage. We are equally aware, however, that there is no right to act against the public safety by anyone, anywhere, any time -- for any reason.

This nation had its origin in dissent. We have always believed in unlimited criticism -- in time of war and in time of peace. Free speech -- without violence -- must always be permitted and approved. But law-breaking and violence can never be condoned. Our country has prospered and survived as a democracy, in great part through peaceful, even if at times heated, discussion among men of good-will. Its future will be equally dependent upon the maintenance of this great tradition.

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EXCERPTS from an
Address of Rep. Carl Albert, Majority Leader, U.S. House of Representatives, before the annual meeting of the Cotton Producers Association in Atlanta, Georgia, November 20, 1967

WHY VIETNAM?

Undoubtedly, two weeks ago, most of you through your newspaper or television became aware of the so-called Peace March whose participants erupted in violence in our national Capitol while attempting to close down the Pentagon. These people were ostensibly expressing their right to dissent—a right our Republic does not question. No doubt, there were many well-meaning citizens among them who have honest differences of opinion with the Administration, but in my judgment, we would be naïve to think that these marchers included only those who have a distaste for war. The group certainly was basically organized by international communism, and the marchers included every communist and communist sympathizer in the United States who was able to make the trip. It is passing strange that on the very day this protest was made in Washington, similar demonstrations took place in all communist countries, in Latin America, Europe, and even in Australia whose troops are in battle in Vietnam. Of course, the common denominator, the common organizer of all these events is the communist world wide apparatus. It is a strange coincidence that counter demonstrations in support of the struggle for liberty in South Vietnam did not occur in various countries as they did in the United States.

Mr. Speaker: The distinguished majority leader of the House, Mr. Albert, charged Monday night in Atlanta, Georgia, that the massive anti-Vietnam demonstration staged at the Pentagon Oct. 21 was "basically organized by international communism" and that "the marchers included every communist and communist sympathizer in the United States who was able to make the trip."

Mr. Speaker, this statement apparently is based on the kind of information given orally to Republican leaders of the House by the President at a White House meeting after the Pentagon demonstration. I presume the same information was made available to the Democratic leaders. I subsequently urged that the White House make public the information it has on the true nature of the so-called peace demonstration at the Pentagon. As a result, the Attorney General of the United States visited me in my office and argued against release of the information.

I believed then and I believe now that the American people should be given full information on the degree of communist participation in the anti-American policy demonstration so that the people may judge just how deep or widespread anti-Vietnam War sentiment is in this country.

If the evidence in the hands of the Executive Branch of our government indicates manipulation of the peace movement in this country by Hanoi, then the propaganda impact of such demonstrations will be lessened and perhaps destroyed. This would be a highly beneficial result, indeed.

Mr. Speaker, one of the national news magazines has quoted the Secretary of State as saying that the release of this information would trigger a new wave of McCarthyism in this country. I dislike taking issue with the distinguished Secretary of State, but I believe the American people are now mature enough to receive such information and to react without hysteria.

Mr. Speaker, in view of the fact that the distinguished Majority Leader of the House has made charges of a most serious nature regarding the communist role in the demonstration at the Pentagon, I urge that the President order a
full report made to the American people on the extent of communist participation in organizing, planning and directing the disgraceful display which took place at the Pentagon last Oct. 21. Such a report will be most helpful and constructive to all Americans. In addition, such a disclosure would be beneficial to the well-intentioned Americans who participated in this demonstration not knowing who had organized the demonstrations at the Pentagon and elsewhere throughout the free world.

###
SUMMARY OF THE POSITIONS OF THE
HOUSE REPUBLICAN TASK FORCE
ON CRIME
First Session, 90th Congress

The Research and Planning Committee of the House Republican Conference has created a number of Task Forces to offer to Members information, analysis and recommendations for action on specific issues of substantial national importance. The House Republican Task Force on Crime, created on March 27, 1967, is one of these. Rep. Richard H. Poff of Virginia was named Chairman of the group and Rep. Robert Taft, Jr. of Ohio, Deputy Chairman. Twelve other Republican Congressmen with broad and varied backgrounds in the problems of law enforcement, crime and delinquency were appointed to complete the Task Force membership.

It is the specific function of the Crime Task Force to study the myriad questions raised by the alarming upward trend in crime during recent years, to draft or endorse legislation to improve law enforcement and citizen respect for the law, and, by focusing public attention upon the problems and proposed solutions, to act ultimately as a catalyst in the legislative process in order to produce the tools necessary to reverse the trend.

During the First Session of the 90th Congress, the Crime Task Force has worked towards these goals by developing formal policy positions concerning specific anti-crime measures that are or should be the proper subject of Congressional legislation. Task Force statements supporting seventeen separate legislative proposals were published on thirteen occasions between May 11 and December 11, 1967. Each defines a position of the Task Force adopted only after careful study and discussion of a specific crime problem and the proposed legislative solution to it. In eleven instances the anti-crime measure which was the subject of such a statement was legislation proposed and introduced by the Task Force as a whole along with other Republican members of Congress.

The following is a brief summary of the anti-crime legislation which the Task Force has proposed or endorsed during the First Session, categorized according to the general area in which each most properly falls:

-more-
I. ORGANIZED CRIME

1. Electronic surveillance—a bill which outlaws all wiretapping and electronic eavesdropping except by law enforcement officials under Court approval and continuing Court supervision during national security investigations and investigations of certain organized crime type cases. The Task Force believes that enactment of this legislation would be the single most important step in combating organized crime. The McCulloch-Ford bill (H.R. 13275, October 3, 1967), co-sponsored by the Task Force, follows the blue-print for such legislation fashioned by the Supreme Court in the Berger case.

2. Witness immunity—a bill to expand the power of the Government to compel the testimony of hostile witnesses by granting them immunity from prosecution when they plead the Fifth Amendment during the investigation, and during the trial of certain organized crime cases. Title II of the Criminal Procedures Revision Act (H.R. 11267, June 29, 1967), co-sponsored by the Task Force contains this provision.

3. Loan-sharking—a bill (H.R. 14373, December 11, 1967) which would make it a federal crime to lend money at rates of interest prohibited by State law whenever such a loan interferes with or affects interstate commerce or whenever any part of the loan transaction or efforts at collection crosses state lines. In addition to the Chairman and members of the Task Force, this bill is sponsored by the Minority leader, the ranking Minority member of the Committee on Banking and Currency and the ranking Minority member of the Committee on the Judiciary.

4. Obstruction of investigations—a bill which would make it a federal crime to interfere with or obstruct investigations by federal agents by the intimidation of potential witnesses. Legislation of this nature was passed by the Congress and enacted into law during the First Session. It was first proposed by Rep. William Cramer (R.-Fla.), a Task Force member, in 1960, and is contained in Title I of the Criminal Procedures Revision Act.

5. False Statements—a bill which makes the rules of evidence in perjury prosecutions less rigid and more realistic. This is contained in Title II of the Criminal Procedures Revision Act and was recommended by the Katzenbach Crime Commission.

6. Profits from Criminal activities—a bill which makes it a federal crime to invest money which has been earned from illegal racket activities in legitimate businesses. This is the Criminal Activities Profits Act (H.R. 11268, June 29, 1967) co-sponsored by the Task Force.

7. Funds unreported for tax purposes—a bill which makes it a federal crime to invest money which has not been reported for income tax purposes in legitimate business. This is H.R. 11266, co-sponsored by the Task Force, and principally aimed at organized crime.

-more-
8. Joint Congressional Committee on Organized Crime—a bill creating a permanent bi-partisan Committee of both Houses of Congress to investigate organized crime and report its extent, impact and effect to the American public. This is H.R. 6054, first proposed by Rep. Cramer.

II. INVESTIGATIONS AND PRE-TRIAL PROCEDURES

1. Motions to suppress—a bill creating in the Government a limited right to appeal to a higher Court the granting of a defendant's motion to suppress confessions and other evidence. H.R. 8654, proposed by Rep. Thomas Railsback (R.-Ill.), a member of the Task Force, is such a bill and such a provision is contained in Title I of the Task Force sponsored Criminal Procedures Revision Act. The bill has passed the House.

2. Searches incident to arrests—a bill to codify, and make less confusing, the existing law of search and seizure where lawful arrests are involved. Title I of the Criminal Procedures Revision Act contains a provision to this effect.

3. Searches pursuant to warrants—a bill to permit the issuance of search warrants for property which constitutes evidence of the offense in connection with which the warrant is issued. This is in conformity with a recent Supreme Court decision (Warden v. Hayden). It is the subject of H.R. 8653, proposed by Rep. Railsback, and contained in Title I of the Criminal Procedures Revision Act.

4. Execution of search warrants—a bill to permit the issuance of search warrants authorizing the officer executing it to enter the place to be searched without announcing his identity and purpose where the Judge or Commissioner has determined that physical evidence sought is likely to be destroyed or when danger to the officer exists. This is one of the provisions of the Criminal Procedures Revision Act, patterned after H.R. 8652, sponsored by Rep. Railsback.

III. THE POLICE

1. Survivorship and disability benefits—a proposal to provide Federal survivorship and disability benefits for local police and non-federal law enforcement officers who are killed or injured while assisting federal officers in the apprehension of, for example, bank robbers, kidnappers and AWOL military personnel. The Survivorship program originally proposed was broadened to include a disability program in a bill introduced by Chairman Poff and endorsed by the Task Force. This legislation passed the House this year.

IV. THE COURTS

1. Bail reform—a proposal to re-examine and amend the Bail Reform Act of 1966 to allow the Courts more discretion in granting or denying release on personal recognizance to defendants who are found to be a danger to the community or in revoking the release of those who have committed other crimes after release.
2. Federal Magistrates—a bill to abolish the present U.S. Commissioner system and to replace it with a lower-tier of judicial officers, U.S. Magistrates, who are empowered to handle minor trials and otherwise perform routine Court functions that presently occupy the time of Federal judges that ought to be devoted to more serious matters. S. 945 proposed by Senators Tydings (D.-Md.) and Scott (R.-Pa.), is such a bill.

V. DISTRICT OF COLUMBIA


2. Appropriations and personnel—proposals to increase the authorized strength of the District of Columbia Police Department, to increase the staff of the District Bail Agency and to provide for personnel to supervise the activities of defendants released on personal recognizance prior to trial.

At the close of the First Session, the Crime Task Force had several other matters under active study and consideration. It is expected that formal statements reflecting a clear-cut policy position of the Task Force will be issued across a wide spectrum of anti-crime proposals during the early months of the Second Session.

From time to time during the First Session, individual members of the Task Force have made speeches on the floor of the House concerning current and topical matters in the crime area. In addition to its 13 formal position papers, on a number of occasions where the content of an individual member's speech reflected the position and views of the Task Force as a whole, the Task Force has brought the speech to public attention in a news release. Among the views thus promulgated are the following:

1. That there is no conflict between the position of the Crime Commission calling for measures to strengthen rehabilitation and that of the F.B.I. emphasizing the need to strengthen deterrence. Neither disputes the other and both are right;

2. That Attorney General Ramsey Clark is mistaken when he says that the crime level has risen only "a little bit" and that organized crime is but a "tiny part" of the entire crime picture:

3. That the Life Magazine articles on "The Mob" indicate that organized crime is far from a "tiny" problem and that much of the material contained therein, obviously obtained by electronic surveillance, also refutes Attorney General Clark's statement that use of these devices is neither effective nor highly productive;

- more -
6. That the statistics offered by the Department of Justice in defense of their organized crime program are virtually meaningless when one considers the very small percentage (2.6% or 0.4% per year) of the estimated total number of top level racketeers who have been convicted since 1961;

5. That formal support for electronic eavesdropping legislation has been recently announced by the Judicial Conference of the United States, the National Association of Chiefs of Police and the Association of Federal Investigators, among others, and that the Attorney General now stands virtually alone in his opposition to it; and

6. That Dr. James L. Goddard of the Food and Drug Administration was ill advised to equate marijuana with alcohol and thus legitimize, glamorize and popularize the possession and use of an unlawful commodity by our nation's youth.

During the First Session individual members of the Task Force proposed anti-crime legislation in their own right which has not yet been the subject of a Task Force study. Among these are bills offered by Rep. Cramer and Rep. MacGregor (R.-Minn.) establishing a National Institute of Law Enforcement, a bill co-sponsored by Rep. Railsback in the area of gun control, and an interrogation bill offered by Task Force Deputy Chairman Robert Taft, Jr. (R.-O.)

CONCLUSION

Attendance at Task Force meetings has averaged 80% of the membership. All members have given generously of their time and talents. The staff, both professional and volunteer, under the able leadership of the director, Mr. Brian Gettings, has performed effectively, devotedly and tirelessly. The Republican Conference, the Committee on Research and Planning and the Republican leadership have advised and assisted the Task Force in every possible way. For its part, the Task Force has taken steps to maintain continuing liaison with ranking Republican members of all legislative committees.

To repeat, the Task Force conceives its mission to be two-fold: (1) to conduct the research necessary to alert the people to the nature and enormity of the problem of crime in America; and (2) to propose and promote specific legislative solutions to the problem. The criticism and counsel of all Republican Members of the House are earnestly solicited.

Respectfully submitted on behalf of the
HOUSE REPUBLICAN TASK FORCE ON CRIME

by: Richard H. Poff, Chairman
PRESS RELEASE

For Release: PM's Tuesday
Contact: Dec. 5, 1967
225-6931

WASHINGTON, D.C. - The House Republican Task Force on Crime

Tuesday unveiled plans for a "comprehensive legislative" attack on the three major money makers of organized crime, gambling, narcotics trafficking and loan-sharking. They pegged the "take" from these racket activities at "nothing less than $10 billion a year--$50 for every man, woman and child in America."

Federal statutes specifically aimed at those offenses "are largely inadequate", the GOP Crime Task Force charged, and they said "no legislation of significance in these areas has been enacted since 1961."

In a prepared statement, the Task Force outlined its plans for a program "aimed directly at the three most lucrative racket activities. In some instances we will modernize old proposals; in others, we will make recommendations to fill the gaps in existing laws; in still others, we will propose new laws where none now exist," they said.

Because "organized crime cannot be met with programs whose impact will not be felt for twenty years, immediately effective solutions are required," the Crime Group said, and these are "laws and law enforcement."

The Task Force reiterated its support for legislation which would permit court supervised electronic eavesdropping and which would broaden witness immunity procedures, but said that "pending Congressional action on these bills", the enactment of their new program would "greatly aid the Executive Branch" in the war against organized crime.

Rep. Richard H. Poff (R.-Va.), Task Force Chairman, indicated that the first part of the program would deal with "loan-sharking" and that the legislation would be introduced "hopefully in a day or so."

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Gambling, narcotics trafficking, and loan sharking account for the great preponderance of the illegal dollar loss to the American public that is being channeled today into the pockets of racketeers.

The President's Crime Commission indicated that illegal gambling provided organized crime with a net profit of no less than seven billion dollars a year. With respect to loan sharking, the lending of money at higher rates than the legally proscribed limit, they found that it was organized crime's second largest source of revenue and noted that many officials "classify the business in the multi-billion dollar range." The Commission further stated that the illegal heroin trade alone is three hundred fifty million dollars annually. This does not take into account the trade in marijuana and hallucinogens like LSD, part, if not all of which is also controlled by organized crime.

In light of these reliable estimates, it seems fair to place the "take" of these three illegal activities at nothing less than ten billion dollars a year, or fifty dollars for every man, woman and child in America. This is approximately one-half of the entire cost of the war in Vietnam for the fiscal year 1967, almost the exact amount of the federal budget deficit of $9.9 billion for the same year, and half again the $6.3 billion the President originally said his 10% surtax on incomes would produce in the first year. We note the Crime Commission's finding that "if organized crime paid income tax on every cent of their vast earnings, everybody's tax bill would go down...." We do not suggest that all the money that is thus being poured into the coffers of organized crime could or even should be diverted to the Government. Rather, it is our purpose in citing these figures to dramatize the staggering sums that are being siphoned from the American public at the very time when it is being asked to make financial sacrifices to combat inflation, cut the budget deficit, and pay for the increased cost of the war.
The organized criminals of today are generally not the creatures of poverty and despair although surely they principally feed upon the victims of poverty and despair. Organized crime cannot be met with programs whose impact will not be felt for twenty years. It requires immediately effective solutions, laws and law enforcement. Part of the responsibility for enacting the laws lies with the United States Congress; part of the responsibility for enforcing these laws lies with the Executive Branch of the Federal Government.

This Task Force finds that existing federal statutes specifically aimed at gambling, narcotics trafficking and loan-sharking are largely inadequate. The Anti-Racketeering statutes of 1961 have been effective to some degree in this regard but experience has shown that even they are but a partial solution. No substantive legislation of significance in these areas has been enacted since then. It is our intent to propose to the Congress in three stages beginning shortly a comprehensive legislative program aimed directly at these most lucrative racket activities. In some instances we will modernize old proposals; in others, we will make recommendations to fill the gaps in existing law; in still others, we will propose new laws where none now exist.

This Task Force remains committed to the proposition that the enactment of legislation permitting court-supervised electronic eavesdropping would constitute the single most important step the Congress could take in the war against organized crime. In our view, the enactment of a broader witness immunity procedure would also be highly significant. We nonetheless realize that more than even these statutes are necessary if it is to be a full-scale war that we will fight and win. Pending Congressional action on the eavesdropping and immunity bills, we believe that the enactment of the program we propose will partially fulfill the Congress' responsibility in the war and will greatly aid the Executive Branch in discharging its part.
GOP CRIME GROUP OFFERS
"ANTI LOAN-SHARK" BILL

PRESS RELEASE
For Release: Monday, AM's
Contact: Dec. 11, 1967
225-6931
B. Barber, Jr.
Washington, D.C.--As the first of three steps in its "comprehensive
legislative attack" on the major sources of income for organized crime, the
House Republican Task Force on Crime today introduced a bill specifically
aimed at "loan-sharking."

Last week the GOP Crime Group announced plans for a legislative program
directed at gambling, narcotics trafficking and loan-sharking, "the three
major money makers of organized crime," whose "take" they estimated at
"nothing less than $10 billion a year."

Calling "loan-sharking", or the lending of money at illegal rates of
interest, "a source of racket income second only to gambling...in the
multi-billion dollar a year range," the Task Force cited findings by the
President's Crime Commission that typical loan-shark victims are marginal,
small businessmen and wage earners in mass employment industries. They
said that the classic rate of interest charged was "20% a week."

The Task Force pointed out, among other things, that "Congressional Committee reports
are filled with testimony concerning small businesses which have been taken over lock,
stock and barrel by the syndicate which got its first foothold through a loan shark."

Despite this and the fact that loan-sharking is clearly part of organized crime on a
national level, "no federal statute exists which deals directly or effectively with it."
the Crime Group continued. "In our view this constitutes a serious gap in the law."
The GOP bill makes it a federal crime to lend money at illegal rates of interest whenever such a loan interferes with or affects interstate commerce, or whenever any part of the loan transaction or efforts at collection cross state lines. It is based upon the loan for a charge prohibited by State law. "If there is no initial violation of State law, there is no violation of Federal law," a Task Force spokesman said.


Among the benefits that will result from the new law is increased jurisdiction for federal agents to investigate loan-shark allegations," the Task Force explained. And, they added "the mere thought that they may now be involved in a federal crime might be enough to drive many loan-sharks out of business, without anything more."
According to the President’s Crime Commission, “loan-sharking”, the lending of money at illegal interest rates, is a source of revenue for organized crime, second only to gambling. The annual “take” from loan-sharking has been estimated by many knowledgeable law enforcement officials to be in the “multi-billion dollar range.”

The Commission noted that gamblers borrow to pay their losses and addicts borrow to purchase narcotics. They also found that the same men who take bets from or sell policy slips to employees in the mass employment industries, on the docks for example, lend them money to pay off the gambling debts or to meet household expenses. Small businessmen borrow from loan sharks when legitimate credit channels are closed to them and in this regard, Congressional Committee reports are filled with testimony concerning small businesses which have been taken over lock, stock and barrel by the syndicate after it got its foothold through a loan shark.

The Crime Commission determined that interest rates vary from 1 to 150 percent a week but that the classic 6 for 5, or 20 percent a week, was most common with small borrowers. They observed that the loan shark is usually more interested in perpetuating interest payments than in collecting principal and that force or threats of force of the most brutal kind are used to effect interest collection, eliminate protest when interest rates are raised and prevent the harassed borrower from reporting the activity to enforcement officials.

Despite the wealth of documentation concerning the evils of loan sharking and its clear relation to organized crime on a national level, no federal statute exists which deals directly or effectively with it.

Two federal statutes have been used from time to time against loan sharks, but they are applicable only where actual collection methods amount to provable extortion. These statutes are generally anti-racketeering statutes aimed at extortion, among other things. At the time they were enacted, Congress did not have loan sharking specifically in mind. In our view, this constitutes a serious gap in the law for the very practical reason that while extortionate collection may be implied in any loan shark situation, in the overwhelming majority of cases extortion simply cannot be proved.

The dock worker who borrows from the well-known neighborhood loan-shark to pay for family sickness may not be told and does not have to be told precisely what will happen to him if he doesn’t pay on time. The clothing store operator who borrows to keep up with legitimate creditors during slack seasons may not be beaten up by the polite yet menacing hoodlums who inquire as to the status of payments. He too knows what the message is.

These are the typical situations—the threat merely implied but nonetheless real and effective simply because the syndicate lurking in the background is known to be involved. Under existing federal law, extortion could not be proved in either situation.
The House Republican Task Force on Crime, as the first step in its legislative program against the major sources of income for organized crime, has drafted and introduced in the House of Representatives, a bill specifically aimed at loan sharking. It is intended to expand federal jurisdiction over this activity and to make it a federal crime to lend money at illegal rates of interest, wherever such a loan affects or interferes with interstate commerce. It is thus a two-part bill which approaches loan sharking from two well-established bases of federal jurisdiction. Both parts amend the existing anti-racketeering statutes which we have previously noted.

The first part amends Section 1951 of Title 18, United States Code, which deals with robbery and extortion which interferes with or affects interstate commerce. Loan-sharking would be added as a federal crime under these circumstances, and as a result, an illegal loan to a business which ships its goods from Chicago to Detroit might be the subject of a federal prosecution.

The second part amends Section 1952 of Title 18, which deals with several racketeering activities that are federal crimes when any part of the transaction crosses state lines. Loan-sharking is added to these, and as a result, a telephone call from New York to Miami or travel from New Jersey to Pennsylvania might be the subject of federal prosecution.

Both violations are based upon the lending of money for a charge or rate of interest prohibited by the laws of the State where the loan is made. If there is no initial violation of State law there is no violation of Federal law. Subsequent threats to enforce collection of the loan need not be proved so long as the loan itself is illegal.

There is an abundance of precedent for this legislation and we feel it will go a long way towards drying up a principal source of revenue for organized crime. For one thing it will provide hitherto lacking jurisdiction, except where a potential tax evasion case is present, for federal agents to investigate loan-shark allegations. Further, federal prosecutions will inevitably result but even where they don't, evidence will be turned over to local law officers for prosecution. Finally, the mere thought that they may now be involved in a violation of federal law, might be enough to drive many loan-sharks out of the business without anything more. This, in itself, will be a significant accomplishment.

December 17, 1967

Honorable Richard H. Poff
Chairman
House Republican Task Force on Crime
U.S. House of Representatives
Washington, D.C.

Dear Dick:

As we approach the close of the 1st session of the 90th Congress, I want to express to you as Chairman of the House Republican Task Force on Crime the sincere appreciation I feel for the fine work you and all Task Force members have done this year. I have just had an opportunity to review the summary of performance, and the record is truly outstanding. You have made specific and positive proposals for legislation dealing with the prevention and control of crime in America and have stimulated legislative action which otherwise would never have been taken.

Conspicuous among Republican contributions to the legislative successes of the House in the field of crime control were the interstate anti-riot bill authored by Bill Cramer of Florida, the bill introduced by Tom Railsback authorizing prosecution appeals in suppression of evidence orders, the bill granting disability benefits as well as survivorship benefits to local police officers wounded or killed in pursuit of federal law-breakers, the McClory amendment to the crime bill to establish a National Institute on Law Enforcement and Criminal Justice, and the Bill Cahill bloc grant amendment to the crime bill and the juvenile delinquency bill.

I would be interested to have your estimate of the prospects for a genuine crackdown on crime in 1968. Specifically, do you think that the President's recent statements on crime, particularly yesterday's aimed at the Congress, represents a true change of direction? If so, how does the Attorney General fit into this picture?

Wishing you a happy Holiday Season, I am

Very truly yours,

Gerald R. Ford, M.C.

December 17, 1967

Honorable Gerald R. Ford
Minority Leader
U.S. House of Representatives
Washington, D.C.

Dear Jerry:

Your letter concerning the Task Force is most gracious. I know all members would want me to express their appreciation not only for these kind words but for the leadership and assistance you have given so faithfully in connection with all our projects.

I will do my best to reply responsively, candidly and yet briefly to your questions. Actually, all three questions are intimately interwoven into one, viz., will there be any escalation in the Administration's war on crime in 1968?

(more)
My answer depends upon many imponderables and unpredictables. There is nothing uncertain about the need for escalation; the crime problem is bigger than ever before, growing faster than ever and neglected more than any other. In fairness, it should be said that so far as the President is concerned, neglect has been more unavoidable than purposeful. The President has been necessarily preoccupied with other grave domestic problems and with the tragic war in Vietnam. While it may be that the President's recent statements concerning the crime problem foreshadow a deliberate, methodical campaign in the election year to blame Congress for the problem, I doubt that it is accurate to say that his statements represent any change in philosophical approach.

What is imponderable and unpredictable is how, in your words, the Attorney General fits into the picture. During his short time in office, Attorney General Clark, formerly attached to the lands division of the Justice Department, has shown himself to be something less than a "crime fighter." It was he who persuaded the President to veto the District of Columbia crime package last year and, in the year since, major crime in the District has increased by 34%, a rate more than twice that of the nation at large. It was Clark who issued instructions to all Federal investigative agencies strictly limiting the use of on-person transmitters with remote recorders, an evidence-gathering technique repeatedly and presently sanctioned by the courts. It was Clark who opposed and still opposes legislation conformed carefully to the Constitutional mandates of the Supreme Court which authorizes wiretaps by police officers investigating specific crimes under court warrant and continuing court supervision; persists in his negative posture in the face of endorsements by his three immediate predecessors in office, the Judicial Conference of the United States and every major national organization of law enforcement officials. It was Clark who allowed the whole hot summer of 1967 to pass without even calling public attention to the existence of a Federal crime statute making it a Federal crime to travel from one state to another with the intent to promote or incite arson. It was Clark who delayed until last weekend even a minimum administrative and organizational effort to deal with the mass violations of Selective Service laws, and then he was content simply to establish a new unit which functionally can do little more than can already be done under traditional procedures.

More recently, a syndicated columnist reported sharp disagreement between the President and his Attorney General on how to proceed in the matter of Stokely Carmichael.

From the foregoing, you will see that what is unpredictable is how long Mr. Clark will fit into the picture at all. I am sure that you have heard as I have heard speculation that, as the election grows nearer, if the nation's chief law enforcement officer continues to rest on the oars, Clark may go the way McNamara and Goldberg are going and others may go.

In summary, I think that beginning early next year there is likely to be a Presidential crusade to blame Congress for the crime crisis. And there will doubtless be some surface escalation of the war on crime, a political pageant, with or without Ramsey Clark.

Sincerely,

Richard H. Poff, M.C.
EXECUTIVE DIRECTOR'S
OUTLINE

A. Proposed Functions of the Task Force
1. Introduce and sponsor anti-crime legislation.
2. Adopt and promulgate positions where Congressional legislation may be inappropriate.
3. Conduct studies and prepare reports in support of the above.
4. Publicize the functions and recommendations of the Task Force.
   a) Press releases
   b) Direct correspondence

B. Areas of Study (by subcommittee)
1. Crime prevention and control
   a) Riot and civil disobedience
   b) Firearms control
   c) Police operations
      1) federal grants and subsidies
      2) national academies
      3) citizen complaint and review boards
      4) use of women
   d) Causes of crime
      1) poverty and social disadvantage
      2) white collar crime and crime among the affluent
      3) disrespect for rights of others
   e) Effect of the courts on growing crime rate
      1) the District of Columbia as an example
      2) selection of judges

2. Investigation, Pretrial Procedures and Constitutional Rights
   a) Stop and frisk laws
   b) Miranda and its predecessors
   c) Discovery, a two-way street
   d) Codification of law of search and seizure
   e) Appeals from pre-trial suppression orders
   f) Model Penal Code (for D. C.)
   g) Federal jury selection
   h) Bail projects--success of federal program
   i) Handwriting and voice identification

3. Juvenile Delinquency
   a) Youth offender acts
   b) Model Juvenile Code (for D. C.)
   c) Constitutional rights of juveniles
   d) The rehabilitation process
      1) facilities for incarceration
   e) Causes of delinquency
      1) begins in the home--inadequate discipline and supervision, children not taught to respect the rights of others.
4. Organized Crime
   a) Educate the public as to the nature, scope and dangers of organized crime (logs, studies, etc.)
   b) Wiretapping and eavesdropping
      1) necessity
      2) utility
      3) constitutionality
   c) Immunity for witnesses
   d) Federal effort must be emphasized
      1) O. C. & R. section of Justice Dept. should be a Division
      2) as such should have a section to advise states
      3) own investigative staff--team approach
      4) problems with Tax Division
   f) State Crime Commissions--support formal commissions with real powers
   g) Joint Congressional committee on O, C,
   h) Grand Juries

5. Federal, State and Local Cooperation
   a) Safe Streets Act
   b) Federal grant programs in general
   c) Cooperation of federal investigative agencies with those of the states
   d) Role of federal government as advisor to the states
   e) Habeas corpus from state convictions
   f) Limitation on Supreme Court in ruling on state criminal convictions

6. Probation, Correction and Rehabilitation
   a) Uniform sentencing
   b) Appeal of sentences
   c) Uniform procedures for revocation of parole and probation
   d) Model correctional system (Federal)
   e) Composition of parole boards