

Birch Bayh

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Bayh Ends Quest for Nomination

By William Claiborne
Washington Post Staff Writer

NEW YORK, March 4— Sen. Birch Bayh of Indiana ended his quest for the Democratic presidential nomination today, saying he "just got so tired of being everybody's second choice."

Bayh announced that he is "suspending" his campaign, but he refused for the time being to endorse any other of the liberal candidates who will run in the April 6 New York primary, most notably Rep. Morris K. Udall of Arizona or former Sen. Fred Harris of Oklahoma.

During the Massachusetts Primary, in which he finished seventh with only 5 per cent of the vote, Bayh frequently referred to Udall as his "second most favorite candidate."

Today, however, Bayh said it would be "premature" to endorse any of the remaining Democratic contenders, adding, "I don't want to throw my weight around."

He said, "As we get closer to the nominating process . . . I will have a personal responsibility to make my position known."

Bayh becomes the third Democrat to abandon the run for the presidential nomination. Sen. Lloyd M. Bentsen Jr. of Texas and former North Carolina Gov. Terry Sanford dropped out

in January after poor showings.

Another Democrat, Sargent Shriver, said today in Chicago that he is reassessing his candidacy. Asked at a news conference if he was considering withdrawing, Shriver said, "I haven't got any final statement to make on that subject, but I'm here to look into that. . ."

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Bayh stressed at a news conference that he is "suspending" active campaigning, rather than withdrawing outright.

When asked to distinguish between the two, he said, "I would still like to have the Democratic nomination for President . . . I don't know what the future holds, and I want to keep my options open."

At another point, he said, "I'm not prepared to crawl under a rock and say the future of Birch Bayh is over."

He added that he plans to take an active role in the selection of our Democratic nominee."

With his dismal showing in Massachusetts, one of the nation's most liberal states, and his third-place finish in New Hampshire the week before, it had become clear to Bayh that he had failed to build anything resembling the coalition of liberal activists and progressive labor voters that he hoped would give him the nomination.

Bayh acknowledged that his campaign strategy had been to reach full momentum in the New York primary after making strong showings in the New England contests.

But with more than \$900,000 already spent and the campaign in debt by \$160,000, Bayh said it would be "unrealistic" to expect even his strong New York campaign organization to win a successful primary race.

"The Massachusetts results, in my judgment, totally diminished our ability to raise enough money for the New York primary," Bayh said. He said he would continue applying for

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funds in order to help pay off debts incurred so far.

However, he said, "I don't know how one can actively raise funds for an inactive campaign." Bayh has received \$405,000 in federal campaign funds, including \$43,000 granted today.

Bayh's departure leaves Sen. Henry M. Jackson of Washington and Udall, who ran first and second in Massachusetts, as the clear front-runners in New York, although it is uncertain what the reform, liberal wing of the party will do in the weeks ahead.

Also qualified for the New York primary are former Gov. Jimmy Carter of Georgia and Gov. George C. Wallace of Alabama.

Bronx Borough President Robert Abrams, titular head of the New Democratic Coalition, the reform group, said leaders will meet over the next several days to discuss an endorsement. Bayh won 59.9 per cent of the coalition vote at its convention last December.

Jackson is still considered to be out front in New York. The Washingtonian has a heavily financed campaign here and also has a strong appeal to New York's large bloc of Jewish voters because of his consistent support of Israel.

Bayh

When asked whether he favored a stop-Jackson movement, Bayh said, "I don't like to be part of a stop-everything movement unless it is a stop-Wallace movement, and I don't think that will be necessary."

Udall, moving quickly to pick up Bayh support in New York, talked to Abrams today and is to meet with him and other New York backers of Bayh Friday afternoon. Udall also placed calls to AFL-CIO President George Meany, United Auto Workers President Leonard Woodcock and other labor leaders.

In the next two days, he is to phone personally a list of 120 influential Democrats and his staff will call 2,000 more. Udall's press secretary, Richard Stout, reported, as part of his "Operation Outreach"—designed to bring traditional Democratic backing into his fold.

Udall telephoned Bayh Wednesday night in advance of the Bayh withdrawal, Stout reported, but did not ask Bayh for his endorsement, Stout said.

Yesterday, Udall said that "while I am disappointed that Birch Bayh was not yet ready to endorse my candidacy . . . the release of his campaign organization should enable the Udall campaign to pick up significant strength in the key state of New York, and I am going to ask for their support."

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Post 3/5/76

How Bayh's Race Deteriorated

By CHARLES MOHR

Special to The New York Times

WASHINGTON, March 3—

The rapid deterioration of Birch Bayh's campaign for the Democratic Presidential nomination seemed a bewildering puzzle today to many of the ambitious politicians and committed young people who had backed it. To other onlookers it provided lessons in the inexact science of politics.

News

Analysis

When the 48-year-old Indiana Senator announced his intention of running in late October, his chances seemed reasonably promising and no one dismissed him as less than a thoroughly "serious" and credible candidate.

However, Mr. Bayh ran a shaky second in the Iowa Democratic precinct caucuses, a weak third in the New Hampshire primary election and disastrous seventh in yesterday's Massachusetts primary.

Although Mr. Bayh delayed a formal announcement of his intentions until he holds a news conference tomorrow in New York, sources close to him said he would almost certainly withdraw as an active candidate.

Senator Bayh brought many assets to the Presidential contest. He is an effective parliamentarian with a nearly spotless liberal record, known as a longtime friend of organized labor. In three Indiana Senate races he had mastered the precarious skill of winning in a constituency more conservative than he was himself.

Premise & Candidacy

The basic premise of his candidacy was that he was the "most electable" Democrat aspirant with appeal to a broad spectrum from left-wing activists to crusty old pragmatists.

As it became apparent that this tactic was not working, Senator Bayh began saying that his "late start" had placed him at a serious disadvantage com-

pared with such early entrants as Jimmy Carter, former Governor of Georgia and representative Morris K. Udall of Arizona.

Other factors, however, seemed more important.

For one thing, Mr. Bayh's good looks and springy energy were offset by his disappointing speaking style and platform presence, which has may have been the worst among the major candidates. He was folksy and colloquial — but seldom "Presidential" — in tone. At times he lapsed into outright malapropism and borderline incoherence. At one point Mr. Bayh carefully studied videotapes of himself—and then went out and did exactly what he had been doing before.

His inability to stir, delight, or even amuse, his audiences was a clear contradiction of the contention that he was the most electable Democrat.

Secondly, Mr. Bayh spent nearly \$200,000 of his campaign treasury for broadcast advertisements to tell the voters of New Hampshire and Massachusetts that "I am a politician." He was gambling that he could thus discredit with faint ridicule and televised candor Mr. Carter's nonestablishment, non-Washington image. Surveys by Mr. Bayh's own staff indicate that the gamble backfired.

'Emotional Issue'

Thirdly, Senator Bayh was almost certainly hurt more than any other candidate by the "emotional issue" of abortion and gun control because of his senatorial role in blocking constitutional amendments to ban abortions and in promoting limited firearms control legislation.

Another problem was that Mr. Bayh was what is nowadays called a "low intensity" candidate who engendered little fervor. A thorough pragmatist himself, he naturally tended to attract pragmatists. They liked him, but did not love him; and he was always a

bit short of committed volunteer manpower to do organizational work. Moreover, many top labor leaders on whom he had counted adopted a wait-and-see attitude—an attitude Mr. Bayh himself probably would have taken had he not been in the race.

No politician can copyright an issue. But Senator Bayh found himself bracketed on the left and the right by men saying much the same things about such problems as full employment, monetary policy, "breaking up the oil companies," and reordering national priorities to emphasize social goals.

He recognized the problem and made as a central argument of his campaign a contention that "I am the only one who has shown he can fight and with the tough battles." But, after citing his role in blocking the confirmation of two conservative Supreme Court nominees, his own list of battle ribbons dwindled to such marginal police actions as "reducing those big fat subsidies" for corporate and hobby farmers.

That seemed to leave audiences dangling. And it seemed to symbolize what was possibly the most important problem of all. This was a vague air of both tactical and ideological improvisation that seemed to mark the Bayh campaign from announcement day onward.

No one could question Mr. Bayh's capacity for hard work and long hours. But he seemed to have started running hard without fully charting his course, preparing an answer to every inevitable question or preparing for contingencies.

By the last day of the Massachusetts race, he was saying little on the issues, searching for hands to shake in a state too large for handshaking and spending an hour and a half to race across the state to make a five-minute radio interview in Worcester and then speeding to Lawrence for a beano game.

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NY Times 3/4/76

Bayh drops out of race; Shriver reassessing

By William Claiborne
The Washington Post

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Bayh announced he is "suspending" his campaign, but refused for the time being to endorse any other liberal candidates who will run in the April 6 New York primary, most notably Rep. Morris K. Udall of Arizona or former Sen. Fred Harris of Oklahoma.

During campaigning for the Massachusetts primary, in which he finished seventh with only 5 percent of the vote, Bayh frequently referred to Udall as his "second most favorite candidate."

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Bayh acknowledged that his campaign strategy had been to reach full momentum in the New York primary after making strong showings in New England.

Bayh becomes the third Democrat to abandon the run for the presidential nomination, leaving seven major candidates in the race. Sen. Lloyd Bentsen of Texas and former North Carolina Gov. Terry Sanford dropped out in January after garnering little support.

Another Democrat, Sargent Shriver, said yesterday in Chicago that he is reassessing his candidacy. Asked at a news conference if he was considering withdrawing, Shriver said, "I haven't got any final statement to make on that subject, but I'm here to look into that..."

(According to United Press International, Harris said he had no intention of quitting the race despite poor showings in the New Hampshire and Massachusetts primaries.

("I've come to New York to say we're in the fight to stay," said Harris at an afternoon news conference in his cramped Madison ave. campaign headquarters.)

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THURSDAY, FEBRUARY 19, 1976

Bayh's Campaign in New England Puzzles Observers

By CHARLES MOHR
Special to The New York Times

MANCHESTER, N. H., Feb. 18—There are characteristics of Senator Birch Bayh's campaign for the Democratic Presidential nomination that make it difficult for observers to assess his strength with voters in the approaching New Hampshire and Massachusetts primary elections.

The Indiana Senator says he is trailing former Georgia Gov. Jimmy Carter and Representative Morris K. Udall of Arizona, but leading former Oklahoma Senator Fred R. Harris and R. Sargent Shriver in New Hampshire, which will vote next Tuesday. Mr. Bayh conceded to reporters Monday that "we have to finish third" in New Hampshire to remain a viable candidate.

In his own personal performances, in the response of the public and in the morale of his organization, the Bayh campaign seems to vary from day to day—sometimes from hour to hour.

'What a Dreamboat!'

His looks and personal vitality appear to be strong assets with voters. When a woman announcer at a dogsled racing championship at Laconia this week got her first look at him, she squealed over the public amplifier, "Oh, what a dreamboat, what a beautiful piece of man." Thrusting the mike into his hand, she said he could

speak as long as he liked at what was a nonpolitical event.

Mr. Bayh, however, tends to play his charm at full volume all of the time. In a handshaking tour of the Laconia business district a bit later even battle-hardened TV cameramen winched when Mr. Bayh said to a little boy standing by his mother, "Say, son, is that your sister there?"

Mr. Bayh's speaking style and deftness in handling questions from the public range from a rough, but effective, level to occasional cuteness.

Little Train That Could

Last night for the second time in a month he told an audience of elderly people that, in pondering President Ford's curtailment of social programs, he was reminded of "the little choo choo" in a children's book that said, "I think I can, I think I can, I think I can, I think I can."

"I want to get rid of a President who tells us what we can't do and get one who tells us what we can do," Mr. Bayh said.

Mr. Bayh may also at any moment digress from a generalized discussion of energy policy into a discussion of the need for better efficiency in boilers "so we won't lose so much [energy] up the stack." This tendency to ramble appears to be based on a grasp of the minute details of almost any problem he discusses. But the transitions can be so jerky as to leave his listeners behind.

Mr. Bayh's speaking style is a less prominent question in recent days, however, because he is giving very few speeches. In two full days of New Hampshire campaigning this week he made brief remarks to live audiences on only two occasions.

Reportedly on the basis of his private polls and his own instincts, Mr. Bayh has put the emphasis on "personal contact" as the voting approaches in New Hampshire and Massachusetts, particularly on handshaking at factory gates and on tours of industrial plants.

He is constantly telling people that his late October entry into the race gave such rivals as Mr. Carter and Mr. Udall a great advantage in personal exposure in this sparsely populated state.

Mr. Bay displays indefatigable energy. He usually starts at about 6 A.M. at a factory gate and may end his day around midnight hundreds of miles away at another plant entrance or a bowling alley. His schedule almost never contains breaks for meals.

But while Mr. Bayh himself is in nearly perpetual motion, at least some members of his local organization seem unsure what direction the campaign is taking.

"I have a feeling that it's all there to be taken, but that nobody is doing it," said a Bayh supporter. "Maybe if one candidate said, 'I will go to An-

gola,' or something, he would take off."

Part of Mr. Bayh's energy is directed at a relentless pursuit of endorsements, and numerically he is well ahead on this score. In both New England states he has lined up a large list of labor union officials. On Sunday he got the blessing of more than 40 New Hampshire state representatives and yesterday he raced to Boston to appear with nine activist women who backed him because of his strong and effective work for women's rights. This morning he got the endorsement of the Mayor of Manchester, N.H.

The endorsements are numerous, but by and large they have so far been of middle and even lower level political and labor figures. Their impact on New England voters is uncertain. A source in the Bayh organization admitted that some of the labor officials did not appear to have done much effective work to help the Senator and his campaign.

Mr. Bayh has built his national campaign around an assertion that he is highly electable and a man who can rebuild the tarditional Democratic coalition. The third-place finish he is predicting here would, observers believe, permit him only to survive and hope for better things in Massachusetts. But a strong second or a first place would propel him into a position of considerable strength, his staff asserts.

Hoosier Bayh Joins Presidential Race

INDIANAPOLIS (AP) — Sen. Birch Bayh of Indiana threw his down-on-the-farm liberalism into the race for the 1976 Democratic presidential nomination Tuesday, promising leadership of compassion, trust and positive thinking.

His voice strained noticeably by laryngitis, Bayh, 47, told an overflowing, shoulder-to-shoulder crowd of about 2,500 in the Indiana House of Representatives that he was embarking on his campaign for his party's presidential nomination "to restore moral leadership in the White House."

His first try never reached the official stage. Bayh withdrew in October 1971 when his wife, Marvella, underwent surgery for breast cancer. She has since recovered.

Bayh's long-expected announcement Tuesday spotlighted his Midwestern background and his political success as a liberal in a conservative state.

At his family farm in the western Indiana community of Shirkieville, Bayh told a crowd of about 1,000 persons he

never had a burning desire to be president.

"I felt closer to God and more fulfilled here in the fields than anywhere else in my life," he said, but then added, "I get angry when I see it (the country) operating on only half of a cylinder."

Shirkieville, a strip-mining and farming community of about 40 persons, had prepared a huge reception, complete with a sign which read "From the Farm House to the White House."

Later, at a noon luncheon in Indianapolis for organized labor and party workers, Bayh said, "A cow should never forget how it was when she was a calf. I don't intend to change, but I intend to change the country."

He called for closing tax loopholes, breaking up multinational oil companies and reforming the Federal Reserve System to end high interest rates and tight money policies which he said threatened the nation's economic recovery.

At a news conference after his announcement, Bayh said he foresaw no problem unifying a factionalized Democratic party that now has nine announced candidates for the presidential nomination but no clear frontrunner.

Bayh's actual declaration of candidacy was delivered from the rostrum in the House of Representatives in Indianapolis where Bayh started his political career 22 years ago. In 1962, he was elected to the U.S. Senate, upsetting three-term Republican Sen. Homer E. Capehart.

He said he planned to enter New Hampshire's first-in-the-nation presidential primary, set for Feb. 24.

Bayh said he also would enter the New York primary, but was undecided on other states except Indiana on May 4, where he could face a crucial battle with Alabama Gov. George Wallace.

Bayh said he has raised between \$125,000 and \$150,000 for his campaign. A complete list of donors will be filed this week to qualify for federal matching funds, he said.

Sen. Bayh's Backers Cite His Risk-Taking, Coalition-Shaping

But He Slips Into Banalities And Blurs Stance at Times; How Now on Gun Control?

By NORMAN C. MILLER

Staff Reporter of THE WALL STREET JOURNAL
INDIANAPOLIS — One of Sen. Birch Bayh's big political assets in Indiana, remarks one of his associates, is that voters think of him as "a fine young man."

He means that the Senator's straight arrow image and folksy friendliness have taken the edge off his liberalism, and that has helped Mr. Bayh win three Senate elections against tough Republican opponents in this conservatively inclined state.

Now the 47-year-old Mr. Bayh, who looks a dozen years younger than his age, is getting ready to play for bigger stakes; he plans to declare his candidacy for the Democratic presidential nomination later this month. But on the national stage, the Senator's boyishly gregarious style is something of a problem for him.

"Beneath the Cornpone"

A considerable number of Sen. Bayh's fellow liberals question whether he emphasizes style at the expense of substance, whether he may be just a clever but essentially cosmetic campaigner lacking a firm grasp of major economic and foreign policy issues. "I like Bayh as a person, but I'm always left with the impression that he is a little too much like a high school debater who scores points without getting into things deeply. . . . I sense a lack of depth," says a veteran liberal in Washington who has followed Mr. Bayh's 13-year career in the Senate.

The questions raised about Sen. Bayh's substance are disputed strongly by some who have worked closely with him in hard legislative fights. "Beneath his cornpone is a lot of substance, a lot of smarts," says a liberal Democratic Congressman. "I know some liberals think otherwise, but that's just because they don't know him."

While compiling a conventionally liberal voting record, Sen. Bayh has mostly limited his involvement in issues to those handled by the Judiciary Committee on which he serves. Within this limited sphere, he has been a leader. And his proponents contend his record demonstrates an ability to build broad coalitions on difficult issues and also shows he has the guts to take political risks for his convictions.

As a consensus-shaper, Sen. Bayh was the moving force in the Senate for the 25th Amendment providing for filling vacancies in the vice presidency and for presidential succession. He also managed the amendment providing for equal rights for women, which still awaits ratification by three-fourths of the states.



As a risk-taker, Sen. Bayh was a leader of liberal Senators who in 1969 and 1970 defeated President Nixon's nominations of Clement Haynsworth and G. Harrold Carswell to the Supreme Court. (His stance, though initially risky in Indiana, ultimately won Sen. Bayh so much applause that he began campaigning for the presidency until his wife's cancer surgery forced him to withdraw in 1971.) Sen. Bayh also has long pushed bills to bar sales of cheap handguns, and lately he has been a leader of liberals opposing constitutional amendments to restrict abortion and busing to desegregate schools—all politically perilous issues.

Gun Control and School Busing

Yet if he has taken risks for the sake of his principles, Sen. Bayh also has resorted to the tricks a clever politician uses to blur controversial positions. During a tough election campaign last year, he courted Indiana hunters by playing down his advocacy of controls on small handguns and emphasizing a long list of broader gun-control measures he had voted against. Similarly, with Indianapolis in the midst of a school-busing controversy in 1974, Sen. Bayh authored a measure that he promised would "end (the) metro busing plan." (A federal judge since has ordered limited busing anyway, although the plan hasn't gone into effect because of appeals.)

Attacking the Oil Companies

In dealing with issues with which he has limited experience, Sen. Bayh has a tendency to slip into banal generalities. For example, in a recent foreign policy speech, all he said about detente was that it "is a worthwhile goal" but also "has its limitations." His central proposal was for a presidentially sponsored "foreign policy dialogue encompassing all segments of our nation" in order "to meld a truly new foreign policy that Americans can understand."

Like all the Democratic hopefuls, Sen. Bayh sees the economy as the cutting issue, and he is eagerly trying to establish his credentials. Thus, he is holding hearings in the Senate Antitrust Subcommittee on his bill that would bust up the major oil companies.

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"I'm tired of the oil companies determining the price of everything we use that's made from petroleum," he declares. "I want to break up the monopolistic control they have from the time they punch a hole in the ground to putting gas in the tank."

In line with other Democratic liberals, Sen. Bayh espouses a policy "based on finding a job for everyone able to work." But he isn't one to lay out a batch of programs purporting to accomplish the objective. Instead, he is more cautious than many liberals advocating massive jobs subsidies to partially cut unemployment. "There's not enough public tax dollars to provide a million more jobs," he says.

Instead, Sen. Bayh maintains that taking an enthusiastically optimistic President can help get the economy moving, thereby generating more jobs and doing good things. A basic problem now, he sees it, is that "energywise, economic and environmentalwise, we have become obsessed with the problems."

"I think attitudes determine how we will respond," Sen. Bayh says. "One thing a President can do is provide a positive note and emphasize the positive things about our country, instead of (providing) vetoes and all the other negative things" he attributes to President Ford. "There are irreconcilable issues, but the test for a President is to maximize those issues that are reconcilable," he continues. "We need a President who can tell us what we can do."

Once a specific policy is determined, Sen. Bayh vows he would "knock some heads" and "kick some rear ends" to carry it out. For example, he maintains that as President he wouldn't tolerate it if Arthur Burns, the conservative Federal Reserve Chairman, pursued a tight money policy threatening development of more jobs. "If Arthur Burns weren't willing to (go along)," Sen. Bayh says, "I'd create a structure to do an end run around him."

"Smooth-Talking Man"

Some Democrats find this sort of talk simplistic and unsatisfying. Massachusetts State Rep. Mark Lawton came away from a recent meeting in Boston with Sen. Bayh complaining that the Senator was "just a nice-looking, smooth-talking man, and I want more than that." Mr. Lawton had tried to get details of Sen. Bayh's views on energy problems and found that "he didn't give me any answers. It was all baloney."

But most of the 20 other Democratic legislators at the same meeting reacted favorably to Sen. Bayh, who displayed a rather tempered liberalism discussing several issues. "One of the things a President has to avoid is being all things to all people, to give every interest a little hush money," the Senator told the group, because that way there can be "no progress."

Instead of pushing programs across the board, Sen. Bayh suggested, it would be better to concentrate resources in few areas, like comprehensive child care for the poor, so that "we could make a significant difference over the next generation."

Invoking Symbols

"I was impressed with his sincerity and frankness," State Rep. Kevin Burke said later. "He understands the problems."

Indeed, during two days of meetings in Boston with a cross-section of Democrats—officeholders, group leaders, former

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Sen. Bayh's Backers Cite as Assets His Risk-Taking, Coalition Making

George McGovern workers, blacks, labor leaders—Sen. Bayh clearly did himself a lot of good in a state that will hold a key primary next March 2. In Massachusetts and elsewhere as he starts his campaign, the Senator is able to invoke symbols to identify himself with most segments of the Democratic Party.

With liberal women, he cites his sponsorship of the Equal Rights Amendment and opposition to anti-abortion measures. With blacks, he cites his leadership in important civil rights fights. With labor, he cites his

strong union support in Indiana ranging from the liberal United Auto Workers to centrist AFL-CIO unions. With McGovernites, he cites his "capacity to be for most all the programs George McGovern was for and to keep winning in a state he lost by a record majority."

It is this last point, suggesting the Bayh potential of forging a center-left coalition, that makes some Democrats think the Senator has a good chance for the presidential nomination. In a factionalized party, Sen. Bayh, at least on the form charts, looks like a candidate who may be able to pull most of the party's factions together.

This factor alone has a strong appeal to Democratic activists thirsty for victory. Thus, Massachusetts State Rep. Burke concludes, "I think Bayh can appeal to all segments of the electorate and win . . . I'm ready to sign up with him."

Bayh Searches For Formula To Set His Campaign Apart

By ROBERT SHOGAN
The Los Angeles Times

LOWELL, Mass.: Indiana Sen. Birch Bayh decided last October to try for the Democratic presidential nomination because he thought no one already in the race was getting anywhere.

Since plunging in, Bayh appears to have gained ground on some of his rivals. But, as a campaign swing through Massachusetts and neighboring New Hampshire demonstrated, Bayh remains just another face in the crowd of candidates as far as most Democrats are concerned.

"The ordinary Democrat thinks of a field of eight, nine, 10 or 11 candidates," William Geary, chairman of the Lowell Democratic City Committee, told Bayh at a meeting of potential supporters. "People are confused."

"I WISH I COULD say Birch Bayh stands head and shoulders above all the others on the issues," Bayh replied. "But three or four of us stand for much the same things." What sets him apart, Bayh contended, "is that none of the others has had the same chance I've had to get things done."

It is a familiar formula that has worked well for Democratic presidential candidates dating to Franklin D. Roosevelt. But it rests heavily on faith in government's ability to solve problems.

In the wake of Vietnam and Watergate, and in the midst of recession, that faith appears to have been eroded sharply. Polls suggest — and many politicians have come to believe — that voters are casting about for a fresh approach.

NO ONE KNOWS EXACTLY what this is, although some think it should represent a

break with the way things have been done in Washington. Joseph Fitzpatrick, who is Bayh's campaign co-ordinator in Lowell, told a reporter that former Gov. Jimmy Carter of Georgia, who has no ties to Washington, had considerable appeal because he seemed somehow to be "different."

It may be that Bayh's credentials as a diligent senator and his earnest, farm-boy manner eventually will overcome the vague public mood of discontent. Bayh claims to be confident that things will work out this way.

Certainly, Bayh's record in the Senate cannot help but impress Democratic liberals, who take such an active part in the primary election process.

And Bayh's rapport with organized labor is stronger than that of any other declared candidate, with the possible exception of Sen. Henry M. Jackson (D-Wash.).

BAYH'S STRENGTH, according to Chris Spirou, his New Hampshire campaign chairman, is his "acceptability," not only to unions but to groups all across the Democratic spectrum.

"I'm concerned that the next Democratic nominee doesn't have to spend his time after the convention either apologizing to or courting the rest of the party like George McGovern was forced to do," Spirou said.

But, the going is slow. Bayh's relatively late start adds to his difficulties. At breakfast one day in Dover, N.H., Leo Lessard, Bayh's co-ordinator in that city, told the candidate that it was hard to find Democratic workers who had not already signed up to support someone else.

"We've got a lot of work to do," Lessard said. "You should have come in earlier."

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BAYH

Here's -leading liberal Democrats

By William Brader

Of four liberal candidates for the Democratic presidential nomination, the leading contender at this point appears to be Sen. Birch Bayh of Indiana.

Bayh really is engaged in two campaigns: one against his fellow liberals and one against three moderate-to-conservative Democratic opponents.

The other liberals are former Sen. Fred R. Harris of Oklahoma, Rep. Morris K. Udall of Arizona and Sargent Shriver. They and Bayh are perceived as the only candidates who express fundamental opposition to the conservative anti-Washington philosophy President Ford has called the New Realism.

The three nonliberals are Gov. George C. Wallace of Alabama, Sen. Henry M. Jackson of Washington — and former Gov. Jimmy Carter of Georgia.

Carter — more amorphous than conservative, actually — has emerged for the moment as Bayh's most threatening opponent, and the Carter problem is a difficult one. The Georgian is not yet a suitable target for head-on attack, which leaves Bayh the option he is following: to run on his record.

It's an impressive record, for those Democrats who would like to see a revival of the old New Deal coalition of labor, minorities and intellectuals who felt the federal government could and should solve the nation's social problems.

Bayh has remained faithful to the traditions of that coalition, and his reputation as a vote-getting politician is enhanced by the fact he has nevertheless been elected three times to the Senate since 1962 in a state that is generally viewed as conservative turf.

The 48-year-old candidate grew up on an Indiana farm, graduated from Purdue University and earned a law degree at Indiana University. He was elected to the state legislature at the age of 27 and served in it for eight years before moving on to Washington. He made a tentative bid for the 1972 presidential nomination but dropped out after his wife Marvella was operated on for cancer.

Bayh has been an effective legislator and played a major role in the drafting and passage of constitutional amendments on presidential succession, the 18-year-old vote and sex discrimination. (He floor-managed the Equal Rights Amendment, warding off efforts to water it down.)

He has been a consistent supporter of civil rights legislation.

Politics '76 PROFILES

Third of a series on
Democratic presidential
candidates.

not only for blacks but also for other minorities from Latinos to homosexuals. And he led the successful opposition to President Nixon's Supreme Court nominations of two Southerners accused of racist and anti-labor taint, Clement F. Haynsworth Jr. and G. Harrold Carswell.

Bayh has been a friend of labor and has a warm rapport with union leaders who sat out the 1972 presidential election because of their disgust with George McGovern. That support presumably increased when Jackson supported the 1974 fair trade bill and lost his standing as labor's favorite son. But Bayh also can rebut charges he is in labor's pocket by such examples as his opposition to the Lockheed loan and SST.

Bayh has introduced legislation to break up the vertical control of the big oil companies, supports tax reform that would benefit the small taxpayer, and would restructure the Federal Reserve Board to end its high-interest, tight-money policies.

Bayh faults the Ford administration for downplaying unemployment — and favors the creation of federal jobs to reduce unemployment. Last December he beat out other liberals to place first in a vote by the New Democratic Coalition in New York, falling short by less than 1 per cent of the 60 per cent vote he needed for NDC endorsement.

That was a psychological boost. But in a way, the hairbreadth margin that prevented his endorsement was symbolic of Bayh's image problem. His style strikes some reporters as sophomoric and corny, too down-on-the-farm. And to some saltwater journalists from the East Coast, at least, he looks and acts too young to be President. Carter's youthful appear-



SEN. BIRCH BAYH

ance comes across as boyish charm. Bayh's comes across as callow immaturity. It summons up an image of Pat Boone, or Dick Van Dyke. Nice guys, but could they run the country?

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Bayh leads among liberal Democrats

Continued from Page 5

And beyond that, as a former aide put it: "He has this quality of just missing. Whatever people want, he seems to just miss having it. You can't complain about his program or his performance maybe, but his total impression is like a student who always gets A-minus. He's the not-quite, not-yet candidate."

Bayh might overcome this, if he can sell the political philosophy he summed up when he said his life has been dedicated to "the use of government power to solve people's problems." That is probably the basic issue in the 1976 campaign, and that is Bayh's main plank. He may have to walk it, if Ford read the mood of the nation correctly in his State of the Union message and the people have decided their tax dollars are wasted on reforms that don't work: that you can't make a Camelot out of cities like Chicago or Detroit.

Bayh is betting that the liberal cause is not dead; that he can find some acceptable middle ground between the false optimism of the New Frontier social managers and the pessimism of the New Realists: less radical than Harris, less compromise-prone than Udall, more specific than Shriver.

But to win the bet, he'll need a new strategy. The original one was to concentrate on knocking off his liberal rivals in the early caucuses and primaries — before the New York primary on April 6 — and then to take on Jackson and Wallace in New York and the remaining states.

What Bayh hadn't counted on was the surprise ascendancy of Carter in the Iowa caucus on the opening day of the 1976 voting, when Carter came in No. 1 and put Bayh in second place by a 2-to-1 margin. What he hadn't counted on was surging speculation that the field by the New York primary might be narrowed to Carter-Jackson-Wallace, with all four liberals bumped from the race.

So it will still be important for Bayh to look good in New Hampshire on Feb. 24, and in Massachusetts on March 2. But of equal importance to him now is a primary in which he will not be entered, March 9 in Florida.

Carter and Wallace will meet there in a crucial encounter, along with Jackson. The liberals will stand on the sidelines to

watch what happens. Bayh will make a show, at least, of cheering for Carter.

Bayh can't do otherwise, because Wallace is supposed to be the bad guy, but Bayh knows that Wallace is unacceptable to the Democratic Party leadership — which will do all in its power to stop him, and especially so if he comes out of Florida a big winner. But a Carter victory in Florida could make the Georgian unstoppable.

Bayh was sitting at the same table with Carter on a Meet the Press television show, with Wallace absent. And he said he could not support Wallace as the Democratic nominee, because Wallace symbolizes the politics of division and polarization and hatred. He did not say anything bad about Carter. In fact, he said: "One of the reasons I didn't go into Florida, frankly, is that I didn't want to muddy the water for Gov. Carter. I want him to beat George Wallace down there."

WEDNESDAY: Sen. Henry M. Jackson of Washington.

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Americans OK detente: Pravda

MOSCOW (AP) — Pravda reassured the Russians Monday that most Americans favor a relaxation of international tensions despite attempts to undermine detente and make it a "political football" in the 1975 presidential election.

The Communist Party newspaper said a recent Lou

ducted while such candidates as former California Gov. Ronald Reagan, Sen. Henry M. Jackson (D-Wash.) and Alabama Gov. George Wallace were "blowing up suspicion toward the Soviet Union," showed the "overwhelming majority" of Americans refuse to "follow the operation and their

Stressing his Experience

By Jules W. ...
 MANCHESTER, N.H. — The portable screen, showing a close-up of the candidate talking earnestly to the audience, goes blank. The lights are turned up in the darkened cafeteria of West High School, and Alderman Al Zion, holding a hand microphone with a long cord, stands in front of the screen and, like some Yankee Ed McMahon, proclaims: "Ladies and Gentlemen, the next President of the United States, United States Senator Birch Bayh."

From the rear of the room, dressed in his dark-blue sincerity suit and a sober mien, strides the senator from Indiana. He takes the mike from Zion, lets some of the cord out behind him, and begins to tell the crowd why they should vote for him in the New Hampshire primary Feb. 24.

What he tells them, and is telling similar audiences in his new Johnny Carson format, is that Birch Bayh — he frequently refers to himself in the third person — for all his boyish looks, is the candidate of experience, the candidate who has been there.

"Why Birch Bayh?" he asks, noting that all the Democratic presidential hopefuls are saying basically the same things on the economy, energy, jobs and other issues of major concern to the residents of New Hampshire this year. And he gives them the answer: Birch Bayh is the one "who has fought the tough battles" in the Senate for the past 13 years.

He methodically ticks off his record: leadership in the Senate confirmation fights that kept Nixon appointees Clement F. Haynsworth Jr. and G. Harrold Carswell off the Supreme Court; leadership in the fight to extend the Voting Rights Act against the

years; leadership in passage of the constitutional amendments lowering the voting age to 18, revamping presidential succession, extending equal rights to women; leadership in putting a reasonable ceiling on farm subsidies.

As he speaks of his own record and what he perceives as a leadership quality that can inspire the country "to believe again," Bayh eschews many of the cutesy, personality-kid tricks that have been his trademark for years. He has, for now at least, cleaned up his act, and is more effective for it.

He remains at times the heartstring-puller who is not reluctant to invoke love of country and the land, both in the film that sets the stage for his walk-on and in his mingle-with-the-audience monologue. But he is buttressing all he says now with his Senate record, and in question-and-answer sessions after his monologue, with more straight talk.

Bayh acts his age — 48 last week — only with considerable self-discipline. No red-haired little boy within his reach is yet safe from having his mane playfully rumbled by Bayh, nor can the senator resist bear-hugging folks who say nice things about him.

He told an audience in Nashua about sitting outside an all-night hamburger joint with his son and traveling companion, Evan, last summer and having a long "father-son conversation" about whether he should run for President.

"Well, Dad," he quoted 20-year-old Evan as saying, "I love you and I really don't care if you're ever President. But if you believe everything you've always said around the dinner table about responsibility . . . you'd have to think you'd make a difference, so you ought to give it your best shot."



SEN. BIRCH BAYH
 . . . cites his record

long stretches of issue discussion and proposals: to cut the White House staff by one-third; to send foreign policy options to Congress to encourage better cooperation; to enact tax reform closing corporate loopholes; to revamp the federal reserve system and loosen interest rates; to break up multinational corporations. He is making a conscious effort now to live up to his experience.

Riding between New Hampshire stops in his Secret Service-driven limousine, Bayh talks about his new style and format. Over the Christmas holidays, he says, he met with his staff to examine his performance, the pluses and minuses, and the new approach came out of that.

He watched himself on videotapes and didn't like everything he saw. "Maybe I joked when I shouldn't have joked," he says.

Mainly, he had trouble getting comfortable with the task of telling people why he should be President. At an Americans for Democratic Action candidates' forum in Minneapolis last fall, he tried

to talk about his record "and it fell flatter than a lead zep-pellin," he says.

"But I sat back and listened to the staff kick it back and forth, and it came out that the one thing Birch Bayh has that nobody else has is I've taken on the tough battles and won them." The best way to cope with public cynicism, he reasoned, was to lay out his record — "Here's a fellow who has walked this road before."

The approach of stressing Washington experience is definitely not in harmony with the prevailing 1976 campaign strategy of running against Washington — the strategy of former Gov. Jimmy Carter of Georgia, of former Gov. Ronald Reagan of California, even somewhat incongruously, of President Ford. But it is Bayh's strength and he is going to it, amid indications that some of his other perceived strengths may not be all they are cracked up to be.

In last week's Iowa precinct caucuses, when Bayh ran a distant second to Carter, labor support he banked on to make up for a late start there did not come through sufficiently, and he suffered a black eye in the perception of the outcome.

Actually, he insists, he went into Iowa not hoping to beat Carter, the early strength candidate, but to run ahead of those candidates he sees as competing for the same liberal Democratic constituency — Rep. Morris K. Udall of Arizona, 1972 vice presidential nominee Sargent Shriver and former Sen. Fred R. Harris of Oklahoma. He achieved that, but because some of his aides got overly optimistic and talked about overtaking Carter, he notes, that objective got lost in the postmortems.

Here in New Hampshire, he says, he is running against the same group and not against

Carter. But he clearly is irritated that Carter has gotten a jump without — as Bayh sees it — the kind of close scrutiny of his Georgia record and of what he says on the stump that is a warranted.

Concerning charges that Carter dissembled on the abortion issue in Iowa by saying he was against a constitutional amendment barring abortion but would support a "national statute restricting abortion," Bayh says:

"His handling of the issue is either intentionally or unintentionally uneducated or duplicitous. Anybody who is smart enough to be President of the United States is smart enough to know you can't have a statute to deal with that."

(Carter has said he favors a "general law" that would support education and family planning, the use and availability of contraceptive devices as a means of preventing pregnancy, and better adoption procedures as a means of discouraging abortion.)

Bayh says this explanation does not square with what Carter said in Iowa. "I'll probably lose some votes on this," Bayh says, "But I'll be darned if I'm going to mislead people into believing they can accomplish something that can't be accomplished. If you're going to make people believe you're going to do something about abortion, you better be for a constitutional amendment. If not, you better keep your mouth shut and stop demagoguing it."

As the 1976 presidential campaign gets down to serious business, so does Birch Bayh. He is beginning to play hardball in New Hampshire, and in taking the boy out of the country, the realities may be taking a lot of the country out of the boy.

NY TIMES JAN 30
**Bayh Accuses Carter of Raising
'False Hopes' of Abortion Foes**

By WARREN WEAVER Jr.

Special to The New York Times

WASHINGTON, Jan. 29—Senator Birch Bayh charged today that Jimmy Carter, the former Georgia Governor who is also seeking the Democratic Presidential nomination, was raising "false hopes" among opponents of abortion by suggesting that there was a legislative solution to the problem.

"I understand at one time he said he was for a statute to restrict abortion, one like the Georgia statute," Mr. Bayh said. "That was the statute the Supreme Court declared unconstitutional. Who are we kidding?"

"I'm not prepared to hold out false hopes to people," the Indiana Senator said. "Perhaps he's not as familiar with that issue as I am. To suggest that we can do by statute something the Supreme Court has said we can't do is holding out false hopes."

Mr. Carter's victory in the first round of Iowa Democratic caucuses last week has been attributed in part to support from Roman Catholic voters who believed he was sympathetic to their campaign to overturn the 1975 Supreme Court decision permitting abortion in all but end-of-term pregnancies.

Troublesome Issue

Mr. Bayh told reporters at a breakfast meeting that he had become the target of anti-abortion protest at his campaign stops because "they look at me as solely responsible" for the defeat of anti-abortion amendments last September in the Senate Judiciary subcommittee that he heads.

Conceding that abortion was "probably" the most troublesome issue that he currently faces, the Senator said he was "personally" opposed to it but also opposed any constitutional amendment "that would impose personal views on other people" in such a sensitive area.

After 15 months of hearings, the Bayh committee defeated two proposed amendments that would have barred abortion except when required to save the life of the mother. The votes were 5 to 2.

Thereafter, the issue never reached a vote in full committee or on the Senate floor.

The abortion issue, the Senator said, is being "demagogued and degraded, in the worst political sense" by some supporters of such amendments who he said were "trying to make it an issue devoid of legitimate dissent, beyond the

point where you can discuss it reasonably."

At some of his political appearances, Mr. Bayh reported, self-styled "right to life" groups have called him a "murderer," played "taps" for unborn children and appeared wearing surgical gowns stained with imitation blood. The issue could have considerable political significance in the Feb. 24 and March 9 primaries in New Hampshire and Massachusetts. Both states have Roman Catholic populations large enough to influence an election in which relatively few eligible voters participate.

Senator Bayh said today that he thought Representative Morris K. Udall of Arizona was the current front-runner in New Hampshire and Sargent Shriver was ahead in Massachusetts. He said he hoped to "do well" in the first two or three primaries and then "take on" Senator Henry M. Jackson of Washington in New York on April 6.

By that time, he predicted, Mr. Carter may be out of serious contention. "The bloom is going to be off the rose" when the Georgian is subjected to scrutiny on "inconsistencies" between his record and his campaign pronouncements, Mr. Bayh said, calling such inconsistency "worse than being on the wrong side of an issue."

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ABORTION DISPUTE TROUBLING BAYH

Senator Is Target of More
Picketing on Issue Than
Any Other Candidate

By CHARLES MOHR
Special to The New York Times

WASHINGTON, Feb. 11—Al-
though the "abortion issue"
could hurt several Presidential
aspirants, and may have helped
former Georgia Gov. Jimmy
Carter to his initial victory
in Iowa Democratic caucuses, it
is a peculiarly personal and
persistent problem for Indiana
Senator Birch Bayh.

Mr. Bayh, who is seeking
the Democratic nomination, has
been the target of more picket-
ing demonstrations and hostile
questioning about abortion
than any other candidate, per-
haps more than all the others
combined.

It is also possible that his
attempts to disarm his critics
by telling them that he shares
their aversion to abortion is
only making his problem worse.

One newsletter published by
the anti-abortion movements
said last week that "Bayh
remains the principal bête noire
of the entire anti-abortion
movement."

Ray White, executive director
of the National Right to Life
Committee in Washington, said
in an interview, "Bayh has be-
come the focal point of the
issue."

Committee Action Cited

This is not so much because
of what Senator Bayh says
while campaigning as it is be-
cause the Senate Subcommittee
on Constitutional Amendments,
of which he is chairman, voted
last fall against clearing any
of several proposed constitu-
tional amendments to overturn
a 1973 Supreme Court decision
legalizing early abortions.

Since then the newsletters
and other material that heavily
influence the opinions of abor-
tion opponents have made Mr.
Bayh the main target of abuse,
attention and criticism.

An anti-abortion spokesman
in Indiana last fall called the
Senator "one of the most hated
men in America."

According to Mr. White and
others, Senator Bayh also suf-
fered because remarks he made
earlier about disliking abortion
personally and recognizing the
fetus as "human life" had led
many anti-abortion persons to
think he might support such
a constitutional amendment.
"There is a feeling among pro-
fessors," said Mr. White, "that
he probably deceived them."

While one recent New Hamp-
shire speech by Mr. Bayh was
disrupted by a youth playing
"taps" on a bugle, the Senator
met no overt demonstration
in four days of campaigning
early this month. But he gets
questions about the issue at
almost every stop, and some
are abusively worded.

A typical answer by the 48-
year-old Senator given at a
Manchester, N.H., high school
was, "I am the only Senator
who held 15 months of hearings
on abortion and I came to the
conclusion I wanted to op-
pose abortion because really
we are talking about life."

But Mr. Bayh continued by
saying that he was not pre-
pared to impose his own moral
standards on others through
a constitutional amendment.

No 'Clear Distinction'

To another audience he said,
"You can't make a clear dis-
tinction of right and wrong
on that."

Some of Mr. Bayh's national
staff seem pleased and believe
he is handling the problem ef-
fectively. But some New Hamp-
shire Democrats think such
words only tend to infuriate
dedicated anti-abortion people.

Mr. Carter may have in-
creased his support in the Iowa
caucuses because of remarks
that he favored a "national
statute" restricting abortion.
But, because he opposes a con-
stitutional amendment, he may
now risk some of the kind
of backlash from anti-abortion
forces previously suffered by
Mr. Bayh.

Gov. George C. Wallace of
Alabama is the only major Dem-
ocratic candidate who favors
an anti-abortion constitutional
amendment.

Like Mr. Bayh, Sargent
Shriver, the former Peace Corps
director, and Senator Henry M.
Jackson of Washington say
they deplore and dislike abor-
tion but do not favor a consti-
tutional amendment.

Gov. Milton J. Shapp of
Pennsylvania vetoed a bill in
1974 to curtail elective abor-
tions. The veto was overridden.

Representative Morris K.
Udall of Arizona has been say-
ing that abortion is a matter
of individual conscience and
that he supports the Supreme
Court decision limiting curbs
on abortions.

Fred R. Harris, the former
Senator from Oklahoma and
a man who likes short answers,
usually tells questioners before
they can even fully finish their
question: "I think the Supreme
Court was right."

Bayh Asks Aid for Troubled Cities

NY TIMES 10-24

By MAURICE CARROLL

In search of anointment as the "official" liberal in the New York Presidential primary, Senator Birch Bayh proposed yesterday a big Federal spending program to aid troubled cities, while his supporters distributed a rating sheet to counter opposition assertions that his record is not as liberal as it should be.

Mr. Bayh, Democratic Senator from Indiana, officially declared his candidacy earlier in the week. He will compete with former Senator Fred Harris of Oklahoma and Representative Morris K. Udall of Arizona for designation on Dec. 6 by the New Democratic Coalition, the liberal wing of the New York party.

The dedication and support produced by endorsement by the coalition are uncertain, but such endorsement does have a psychological effect of some importance.

"If he captures it, it's the beginning of a ripple effect," said Mr. Bayh's New York campaign chairman, Bronx Borough President Robert Abrams.

Abrams Confident

"We're operating from the assumption that he's going to take it," added Mr. Abrams, turning to campaign logistics after Mr. Bayh had covered the ideological and by sketching a five-point program of Federal aid and denouncing President Ford for "a new program of polarization" in declining to support urban aid.

The President's campaign strategy, he said during a news conference in the Drake Hotel, seemed to be "to play off the urban suffering and fiscal problems in New York City against the rest of the country."

Mr. Bayh said that, short term, he would vote for Federal insurance for city borrowing.



The New York Times

Senator Birch Bayh at news session yesterday.

Supporters of Senator Harris have circulated a critical study of Mr. Bayh's voting record. "The Senator will stay away from that negative attitude," said Mr. Abrams. He distributed a three-organization rating charge that found Mr. Bayh's record "equal or superior to that of his principal opponents on the critical issues of concern to liberals."

On the ratings of the Committee on Political Education, Mr. Bayh and Mr. Harris each had 92 per cent, and Mr. Udall 89 per cent. The Citizen's Organization for a Sane World rated Mr. Bayh at 83 per cent, and Mr. Udall at 76 per cent, and did not rate Mr. Harris. The Americans for Democratic Action rated Mr. Udall 81 per cent, Mr. Bayh 79 per cent and Mr. Harris 7 per cent.

Mr. Bayh said he intended to run convention delegate slates in all 39 of the state's Congressional districts.

For the long term, he asked total Federal assumption of welfare costs, national health insurance, counter-cyclical revenue-sharing, a "massive" new Federal housing program and Federal capital and operating money for urban mass transit.

He declined to put a price tag on the two major items—welfare and health insurance—but suggested that former President Richard M. Nixon's plan to replace welfare with a negative income tax "made a lot of sense." That plan foundered on the combined opposition of conservatives and organized New York welfare recipients who thought that a federal standard would cut the level of New York benefits.

Ma vella Bayh — 'hummingbird' energy

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By Louise Sweeney

Staff correspondent of The Christian Science Monitor

Washington

One of Marvella Bayh's close friends steams off at the reporter who's interviewing her: "The press has built a Shirley Temple image of her, and I wish they'd stop that."

Life has not been the Good Ship Lollipop for Marvella Bayh, the wife of Democratic presidential candidate Birch Bayh of Indiana. As the friend suggests, she has battled more than one tragedy, "but she's managed to fight back. She's a survivor."

The friend ticks them off: the auto accident Marvella came through; the plane crash involving her husband, herself, and their close friend, Sen. Edward Kennedy; the personal problems surround the suicide-murder of her father and his second wife; her own comeback from an illness diagnosed as a life-or-death situation. "She survived all those things," the friend says, "and when I pick up something and read that someone is surprised she has strong opinions or disagrees with others, I'm disappointed [in the story]. She is actually a very strong person."

Profile

The Shirley Temple image may spring from the way Marvella Bayh looks, rather than the way she looks at life. She is small, fragile looking, with perfectly styled soft blonde hair, wide eyes, porcelain skin, a determined smile. She has a little-girl voice, high-pitched, with scarcely a whisper of the Oklahoma twang she took elocution lessons to remove at the age of 3. During our interview she wears brown trousers, a red-and-brown print silk shirt, taupe-tinted glasses, and an all-business expression. We talk in her blue-and-white toile sitting room, where a young woman who sometimes acts as an aide sits in, taking notes as Marvella dispatches things to be done, messages, doors, and phones to be answered. She talks fast, moves constantly, is a small bright creature in blurring motion, like a hummingbird.

Why would she like to be First Lady? "I think you're assuming the wife wants to be in the White House; you're assuming I'm a candidate for the White House. I'm not. My husband wants to be president and because he wants that, I want that for him." If she became First Lady she says crisply, "I would not fill my days with teas."

Her husband is asked if she wants to move into 1600 Pennsylvania Avenue. "Not particularly," he admits, adding, "she'd be very good at it [being First Lady]." He phones to talk about his wife, says "she's very human, painfully honest as a critic, a perfectionist like I've never seen, a hard taskmaster on herself. She has a high degree of self-discipline and an amazing amount of will power. . . . She's not only my wife but she's my best friend and closest and wisest political confidant." He recalls their first encounter — at a National Farm Bureau debate in high school. "She won the contest, and I won the girl."



Marvella Bayh — Candidate Bayh's 'wisest political confidante'

Mrs. Bayh told an interviewer a couple of years ago "Birch is my career," but in the past year her career has changed. Although she always has been regarded in political circles as a powerful force in his campaigns, she is not campaigning any more. "My role has changed a great deal in the last year because now I'm working. I'm doing my own thing which I never did before." Since 1974, when she served as national cochairman for the Cancer Society crusade, she has continued to work nationally for that cause. She is also a television bicentennial reporter on a weekly NBC program here and has free-lanced two magazine pieces.

"By the time I write my speeches and travel and do my weekly television show here and keep the home fires burning completely without him — 'cause he's here like two nights a month — that's my contribution to the campaign . . . keeping home base running without him around. . . . I would be terribly unhappy if I weren't so frantically busy myself. . . . And of course I miss him, we talk every day on the phone at least once. We talked three times yesterday on the phone. But it does help, the fact that I am busy, and I am thoroughly enjoying it. At the age of 42 I'm doing my own thing. I was 41 years old before I

ever paid into social security, because I married while I was in college, and I went right from daddy's care to Birch's care."

Marvella Bayh was born an only child on a farm in Enid, Oklahoma, grew up in the shade of grain elevators, attended Oklahoma State University, married Birch Bayh, received her BS in education at the University of Indiana where he got his law degree. She says she waited until their only son, Birch Evans Bayh Jr., went off to college this year to start her own career. But there is also another factor: "any time a person faces a life-or-death situation . . . you realize that you better not put off any more things that are terribly important to you . . . you really put your priorities in order."

Her friends are fiercely loyal to her, this woman who is so full of tense energy, who loves the poems of Walt Whitman, the paintings of Monet, who never forgets even the most obscure birthday, who loves to dance ("when the work is done") and gets her exercise on long daily walks. Her friends talk of her sense of humor and her painstaking thoughtfulness, but one adds with a sigh, "I'd like to see her relax and enjoy what she's doing more."

12/15

Chicago Tribune, Wednesday, July 23, 1975

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Friends say Bayh's set to join Presidency race

Chicago Tribune Press Service

WASHINGTON—Sen. Birch Bayh, who for weeks has been poised like a diver at the end of the board testing the spring and eyeing the water, is said by friends to be ready to take the plunge.

The 47-year-old Hoosier is expected to announce within two or three weeks that he is joining the race for the Democratic Presidential nomination, according to some of those close to him.

An aide to another Democratic Presidential candidate said he, too, has been informed that Bayh is ready to announce and already has been seeking advice from professional campaign consultants.

Altho in a recent interview Bayh declined to say he had made up his mind, he is known to have conferred with a number of party and labor leaders, including AFL-CIO President George Meany.

Bayh
file

BIRCH BAYH AND S-31

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Most Americans are not aware that a bill now in committee in the Senate has the potential to turn this country into a police state. As detailed in the accompanying pamphlet, Senate Bill #1 contains repressive provisions on demonstrations, the death penalty, wiretapping, conspiracy, sedition, police entrapment, marijuana, "national security," and the right to dissent.

On January 15, S.1. was introduced on the Senate floor. Birch Bayh was one of its eleven sponsors. He did nothing at the time to suggest that he did not support the bill as it stood.

On March 14, Bayh addressed 1000 delegates of the California Democratic Council. As he talked about how nasty Gerald Ford is, the audience began to chant, "Senate Bill 1! Senate Bill 1!" Bayh protested that he had only sponsored the bill to be in a better position to amend it, but was booed and heckled by the audience and was unable to finish his speech.

In Massachusetts, in New Jersey, and elsewhere in his campaign travels, Bayh was confronted about his sponsorship of S. 1. Finally, on August 19, he withdrew his sponsorship, and announced that he would propose a set of 11 amendments to the bill. But even if all Bayh's amendments passed, S. 1. would still threaten our democratic rights. Bayh continues to support the S. 1.'s reinstatement of the Federal death penalty. His amendments do not affect S. 1.'s resurrection of the McCarthy-era "Smith Act", which put people in jail just for belonging to a group that called for revolution. Bayh's 11 amendments hardly scratch the surface of the repressive measures in S. 1.

Trying to amend repression out of S.1. runs the risk that some amendments might fail while the bill as a whole would pass. When people working for the American Civil Liberties Union and Ralph Nader got together to devise amendments to S. 1., they came up with a list of over 2,600 and decided that it made more sense to simply oppose the entire bill. Law Professor Vern Countryman of Harvard and Thomas Emerson of Yale have called S. 1. "inherently unamendable."

Popular pressure forced Bayh to drop his sponsorship of S. 1. Only popular pressure will force him to take a strong stand against it.

app. R-H NEW AMERICAN MOVEMENT

Bayh Vows to Bar Concorde from U.S.

By THOMAS A. JOHNSON

Senator Birch Bayh took his campaign for the Democratic Presidential nomination to the edge of Kennedy International Airport yesterday where he promised Rosedale homeowners that he would press for legislation to bar the Concorde supersonic jet from landing in this country.

"I tried in July to stop the Concorde, but that effort failed by only two votes," the Indiana Senator said. "I pledge to you that I will try again and succeed."

Mr. Bayh, who is the chairman of the Senate Transportation Appropriations Subcom-

mittee, remarked that he was "disturbed by the inescapable conclusion that Secretary Coleman's decision was heavily influenced by secret representations made by the Nixon Administration to foreign governments that—somehow or other—Concorde would be granted landing privileges here."

The Senator told an audience of jostling newsmen, Secret Service agents, civic leaders and homeowners that "as a result of the decision, less than a month from now some 97,000 New Yorkers will be subjected to shattering noise eight times a day."

"As usual," he declared, "the

interests of the average citizen have been disregarded in favor of vague rhetoric about commerce and trade and foreign policy. The rhetoric has won, and the average man and woman have lost — because the average American is not going to be one of those paying \$1,200 to jet back and forth to London."

Joining the Senator at the corner of 232d Street and 147th Avenue for about an hour were Representative Bella S. Abzug, Democrat of Manhattan; State Senator Karen Burstein, Democrat of Queens-Nassau, and Robert Abrams, the Bronx Borough President.

The Bayh entourage, followed closely by photographers, rang doorbells and talked to residents along 232d Street between 147th Avenue and the swampy dumping area that borders the airport for about half an hour.

The Senator later went to Hartford, where, in a meeting called by the Senate majority leader, Joseph I. Lieberman, he said he did not know what President Ford "has against cities."

"He spent a month and a half running against New York City," Mr. Bayh added, "as if he thought if he ran hard enough against New York, most of the people would vote for him."

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Politic
Bayh

The HOOSIER DAY

10-27-75 *Indy*
By Donald D. White

IT IS OFFICIAL. Indiana has a presidential candidate off and running for the nomination.

Sen. Birch Bayh returned to his native state to make the long expected announcement from the podium of the Speaker's chair in the House of Representatives. Slightly less than two years ago on the same platform he called a press conference to announce his candidacy for a third term in the U. S. Senate. He has learned in the interim.

First question asked two years ago after lengthy prepared remarks were delivered, was: "When are you going to announce?" No mention had been made in the presentation. This time, the second sentence of the prepared remarks said: "It is to restore moral leadership in the White House of this land that I am today declaring my candidacy for the Presidency of the United States." Seven paragraphs of the short text started with: "I am running for the presidency to..."

Confusion was the order of the long, fouled up day, with no one sure who was doing what. Those members of the press corps making the entire circuit, starting with breakfast on the Shirkieville farm and other stops in Bloomington and South Bend, were well cared for. It was obvious the Eastern Press Corps traveling in three chartered buses, had priority over the local press.

As of the evening before the announcement, no one had bothered to check on possible needs or coverage of the extensive radio network. Eastern television cameramen stood on the highly polished desk tops of Representatives for better shots of the capacity crowd.

Guards blocked every entrance to the House chambers checking credentials but were unable to tell visitors who was issuing or where credentials were available. Closed circuit television provided coverage for the crowd jammed into chairs outside of the Governor's office, and Bayh stopped after his announcement to address the second crowd.

Parking was at a premium. It was the day some 374 new lawyers were being sworn in at the State House, sandwiched around Bayh's announcement. Proud families and friends had to battle the Bayh audience.

One of the two overworked State House elevators, had been blocked off more than one hour in advance of the Bayh announcement with a "private elevator" sign. Crowds were riding down to the basement to reach upper floors on the second, seldom functioning lift.

As the time passed for the start, one newsman observed it was not unusual. He said: "Bayh was always late starting House sessions when he was speaker. Some 28 minutes later, Bayh, accompanied by his wife and Indiana University student son, approached the podium.

The crowd at the Shirkieville farm was

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estimated at "over 1,000" with cars parked on fields already sown in winter wheat. The tenant farmer was said to observe "they had been parked on the Senator's share of the crop." Weather was ideal, with many commenting they should be in the fields completing the harvest of soybeans.

Following the tradition of White House press conferences, it has been the custom for the senior press representative to call a halt to proceedings by standing and saying: "Thank you, Sen. Bayh." Edward Ziegner, political editor of the Indianapolis News, usually serves as the senior, and twice made the announcement.

It was Birch Bayh's day, enjoyed completely by his family. He was reluctant to see it end, and both times interrupted the call for an end by "just one more introduction."

The chambers, halls, balconies, and rotunda were packed by an enthusiastic, partisan crowd. More "Bayh Staff" identifications filled the space than "Bayh-Press" credentials. Wondering how our Senator could maintain such a large staff, the answer became apparent with introductions. One was the Minority leader of the New Hampshire House of Representatives, arranging financial support and backing for the campaign in his state. Another man and wife were making arrangements for entry into the New York primary.

Bayh indicated he had met the requirements for federal candidate funds in more than 20 states of nearly \$150,000. He indicated the money and his time would be used "judiciously" to try and build up impressive primary records in selected states, essential to becoming viable as a candidate.

Hopefully, his staff will develop the precision of the George Wallace crew in arrangements before too many more events.

Dom
~~1-19-73~~

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Judges' Opposition Discounted

Bayh, Hart Push Bill for Prosecutor

By Mary Russell
Washington Post Staff Writer
Sen. Birch Bayh (D-Ind.) a chief sponsor of a bill to have the U.S. District Court appoint a Watergate special prosecutor, said yesterday he will push for the legislation despite the fact that two District Court judges have come out against it.
District Court Judge Gerhard A. Gesell, in his Wednesday ruling that former Watergate Special Prosecutor Archibald Cox was illegally fired, called proposed

legislation to have the court appoint a prosecutor "not unfortunate."
"The courts must remain appoint a prosecutor "most prosecutorial," Gesell said.
Chief Judge John J. Sirica agreed. "I do not know of any judge who thinks it's a good idea," Sirica said.
Bayh said yesterday the judges' comments "don't help us, but they don't hurt us either. I don't care if they're for it or not. We'll pass a bill and I'm sure they'll administer it only."
Sen. Philip Hart (D-Mich.)

said, "Those of us who believe this bill is constitutional intend to continue to persuade our colleagues to pass this bill."
Hart made the comment in answer to testimony of Henry S. Ruth, deputy to Leon Jaworski, the new special prosecutor.
Ruth told a Senate Judiciary hearing, "If I were a senator I would give very serious consideration" to the feelings of Judges Gesell and Sirica before going ahead with the bill.

1973
Don

53 Back Bayh Bill On Probe

Measure Tells Sirica to Pick Cox Successor

By Spencer Rich
Washington Post Staff Writer

More than half the Senate sponsoring a bill directing new Watergate special judge to name a prosecutor independent of the President.

The legislation, backed by 53 senators and introduced by Birch Bayh (D-Ind.) differs sharply from the arrangement announced by President Nixon at his press conference last night.

The Senate bill specifies that the new prosecutor would be selected by Chief Judge John J. Sirica of the U.S. District Court here, would be totally independent of any direction from the executive branch, and could be fired only by Sirica.

Under the President's intentions, a new special prosecutor will be named by the acting Attorney General and will be under the general supervision of the Justice Department. The President will retain the legal right to dismiss him.

Bayh, in a statement after the President's press conference last night, said he considers Justice Department appointment of a special prosecutor who can be fired by the President "totally inadequate" to insure an independent and thorough investigation. He said he will press for passage of the Senate bill, as well other key sponsors.

The same point was made earlier in the day by Sen. Philip A. Hart (D-Mich.), one of the leading sponsors. Hart said he was backing the independent prosecutor bill in the full knowledge that Mr. Nixon probably would name a new prosecutor of his own.

branch supervision and the right to be dismissed by the President was not adequate to assure the American people that there will be a full, searching investigation of the Watergate break-in.

A number of Republicans and Democrats on Capitol Hill reacted angrily to the firing last Saturday of Watergate Special Prosecutor Archibald Cox by acting Attorney General Robert H. Bork under directions of President Nixon.

The President's decision to allow the acting Attorney General to name a new prosecutor appears certain to set off a battle in Congress over the character of the prosecutor's powers and his relationship to the President and the Justice Department. Many Republicans will rally behind the President's plan, arguing that it will assure an adequate investigation, and that the independent prosecutor isn't needed.

But Hart, Bayh and other leading sponsors of the bill are gearing up for a major effort to push the measure through within the next few weeks.

Among the cosponsors were five of the seven members of the Watergate committee and seven Republicans including Maryland's Charles McC. Mathias.

Under the bill, both the prosecutor and his deputy would be appointed by Judge Sirica. They would have a full congressional mandate to investigate the Watergate break-in, the allegations of "dirty tricks" during the 1972 election campaign and all related matters.

The prosecutor would be entirely free of presidential control and could be dismissed only by Sirica, and then only for "willfully" violating the provisions of the bill or committing extraordinary improprieties.

Bayh told the Senate that allowing the President to name a new prosecutor in Cox's old spot, and giving the President power to fire the new incumbent, would be an unacceptable alternative and wouldn't help stem the national erosion of confidence in the President and the process of justice.

California to hope the Judiciary Committee will bring the bill out in 10 days to two weeks.

The new prosecutor must be free of any White House control, Tunney said, to prevent the President from removing a prosecutor who gets too close to the White House door.

In a statement from Brussels where he is fulfilling a speaking engagement, Sen. Edward M. Kennedy (D-Mass.) like Bayh and Tunney a member of the Judiciary Committee said the prosecutor must be court-appointed and "totally, completely and unquestionably free from White House influence," because "it is the influence, interference and other actions of the White House and the President which have carried the nation to the brink of a constitutional crisis."

Senate Majority Whip Robert C. Byrd of West Virginia, also a member of the Judiciary Committee and a cosponsor of the independent prosecutor bill, said he prefers the independent prosecutor bill to any plan to let the President appoint a new prosecutor who would be subject to presidential authority or ouster.

Sen. Philip A. Hart (D-Mich.), the senior Democratic liberal on the Judiciary Committee and the leader of the bloc sponsoring the independent prosecutor measure, was absent yesterday but reissued an earlier statement saying that the deans of 20 law schools had endorsed the constitutionality of the bill.

Most of the 51 senators sponsoring the bill yesterday are Northern Democrats. The seven Republicans are Mathias, Clifford P. Case (N.J.), Mark Hatfield (Ore.), Jacob K. Javits (N.Y.), Richard S. Schweiker (Pa.), Robert W. Packwood (Ore.) and Lowell Weicker (Conn.).

Weicker is the only Republican on the select Watergate committee to cosponsor the bill, but all four committee Democrats are sponsors: Chairman Sam J. Ervin Jr. (N.C.), Herman E. Talmadge (Ga.), Daniel K. Inouye (Hawaii) and Joseph M. Montoya (N.M.).

Sen. James L. Buckley (Cons.-R-N.Y.), taking a different tack, favors having the President appoint a special prosecutor, subject to Senate confirmation. (Under law, a special prosecutor appointed by the Justice Department, as Cox was, doesn't require confirmation.) Buckley said this would help restore public confidence in the investigation, even though he is confident the Justice Department could handle the job well.

In both the House and Senate, there had been broad support in recent days for the appointment of a new prosecutor to replace Cox, but most Republicans have backed the idea of having the President make the appointment and retain the power to fire the new man.

Most Democrats have favored making the new prosecutor a court appointee entirely independent of the President.

In the House, 112 Democrats and 14 Republicans, according to an Associated Press survey, have sponsored legislation calling for appointment of a special prosecutor of one form or another.

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possibilities - Bird Bayh

June 4 (noon →)

~~Handwritten notes~~
~~Handwritten notes~~
Kent State
Marietta
Marion ✓
Springfield ✓
Lima? ✓
Findlay? ✓

5 (all day)

? Bowling Green State
Kent State
Marietta
Marion ✓
Springfield ✓
Lima? ✓
Findlay? ✓

6 (→ approx 8 PM)

? Bowling Green State
Teachers Review
Lebanon
~~Kent~~
Lebanon

at Center
Toldo
Cherlag
noon

~~Baby~~ Bayh

Domenic Montalto 9th

Think Carter will be in Toledo on 4th

Larry Goodman 9th N.A.

Dawn Smith will check
~~Baby for Co~~

Bah's

202-224-5623-

Bayh - Ask for

{ 202-224-7780 } *
* Ted McLaughlin }

1. Butler Co. Dinner June



Can do June 4, 5, 6 →



{ after lunch 4th -
* { 6th Sunday - all day -
and 1/2 the night →



Must have a proposal by Mon or Tues
rough outline →

J.L. 4th - 6th

Toledo ^{after pm} 4th

Dayton ^{from noon} 4th

6th Portsmouth
~~Youngton & Colander~~

7th Portsmouth to Columbus

Am 27th - Cincy

after PM " - Louisiana

PM " - Cleveland

Am 28th - Skon

after " - Youngton/Warren

late after " = Stubberville

~~& Liverpool - May 26 6:30pm Dinner~~

Mianisburg 8th

June 5

All Day Afternoon

Market

Buy at Downs number

7988

June 5
Lebanon

Birch Bayh

Colden
Yamb

9th Friday

BIRCH BAYH in '76

Ca
Bayh-
General

COMMITTEE FOR BIRCH BAYH IN '76 • POST OFFICE BOX 1500 • WASHINGTON, D.C. 20013

January 1976

Statement of Senator Birch Bayh

on

S.1, Criminal Justice Reform Act

I am opposed to Senate Bill 1 in its present form and have pledged that, unless every single one of its repressive provisions is removed, I will do whatever is necessary to ensure its defeat. I have made this pledge because I deeply believe that if S. 1 were enacted in its present form, the civil liberties of the American people would be gravely undermined and our system of government endangered.

My opposition to S. 1 is not an opposition to the concept underlying the bill - that our criminal laws should at long last be codified in a systematic and uniform manner. For only through such a codification can we expect that our often hopelessly inconsistent and ambiguous criminal laws will be made comprehensible and fair to every citizen.

However, as important as that goal is, it cannot be allowed to blind us to the content of S. 1 - a codification bill that changes the law even as it codifies it. It is clear that the great dangers of S. 1 are the numerous provisions which change existing law in an attempt to remove or lessen Constitutional protections and freedoms and to attach criminality to conduct presenting no real harm to society. For example, if S. 1 were enacted in its present form:

1. an American Official Secrets Act would be instituted: the government would be able to keep from the public any information about its affairs that it deemed appropriate for the national security;
2. the "Ehrlichman defense" would be sanctioned: government officials could avoid conviction for illegal conduct if they believed the conduct had been required or authorized by their superiors;
3. much higher maximum sentences would be authorized;
4. parole and probation would be extremely difficult to obtain;
5. nearly any kind of protest demonstration could be subjected to severe penalties;
6. the protection of the Miranda warnings would be virtually eliminated;
7. almost unrestrained power to wiretap would be given to the FBI;
8. effective controls over handguns would be prohibited;
9. any marijuana possession would be severely punished; and
10. the insanity defense would be made virtually impossible to prove.

As someone who has been deeply involved with preserving our Constitution and improving our criminal justice system, I have not been able to watch silently as S. 1 moves forward. As soon as the bill was introduced, I worked to have the repressive provisions removed. Because of my efforts, the bill's proponents agreed to a dozen changes in the bill. Some of these included changes which would substantially narrow the scope of the Federal riot and sabotage statutes, would reduce the penalties for certain non-violent offenses, would clarify the coverage of the treason, obscenity and juvenile delinquency offenses, and would shift the burden of proof in rape cases from the victim to the assailant.

Unfortunately, many of the most significant changes I wanted were not accepted by the proponents of S. 1. In order to build public support for these changes, and to aid in the long overdue process of informing the public of S. 1's dangers, I announced last summer what changes I would require as a condition of voting for S. 1. Those changes included eleven of my own amendments, as well as a number of amendments introduced by other Senators in their respective areas of expertise: Senators Kennedy and Mathias - wiretapping; Senator Tunney - insanity defense; Senator Burdick - sentencing and parole; Senator Philip Hart - drug abuse; and Senator Abourezk - confessions and line-ups.

The amendments that I introduced cover a wide range of subject matters; the most important of them would do the following:

1. remove totally the Official Secrets Act provisions;
2. reduce substantially the coverage of the conspiracy provisions;
3. eliminate completely the offense of criminal solicitation;
4. reduce the penalties for summary contempt of court and for refusal to testify before Congress;
5. remove unnecessary bars to demonstrations concerning matters before a court; and
6. remove unconstitutional restraints on statements and actions dealing with military affairs.

If my amendments, and the amendments of other Senators I've referred to, are adopted, I believe the codification process should move forward. If any one of these amendments is not adopted, I firmly believe S. 1 must be defeated and I will do whatever I can to guarantee that defeat. This was my position when I announced my amendments; that remains my position.

October 1975

Statement of Senator Birch Bayh
on
Foreign Policy

The time has clearly come for a new American foreign policy -- a policy that reflects an awareness of the post-Vietnam world. As our first priority, we must move beyond Secretary Kissinger's preoccupation with great power politics and face up to the larger issues that endanger our planet and its population such as nuclear proliferation, the degradation of the environment and world hunger. The Kissinger policy of balance of power simply will not provide us with the right framework for dealing with the problems that beset mankind.

Global demand for food is now outrunning global food production. The population explosion has continued unabated. We are facing the Malthusian nightmare. But it will be worse than Malthus imagined because at least some of the starving nations will have nuclear weapons.

Fourteen countries which do not now possess nuclear weapons presently operate nuclear power reactors, and the prospect of a dozen nuclear weapon nations in the near future is becoming increasingly real. The danger of nuclear war arises much more from this proliferation of weapons than from possession of enormous atomic arsenals by the U.S. and U.S.S.R.

Problems like the deterioration of the world's environment, depletion of natural resources, and the growing needs of the underdeveloped world for capital, are ours as constituents in a global community. Their solution must become our central concern in a new international role for the U.S. in world affairs. The question is, after all, not whether the United States will play a role in international relations, but what kind of role it will play. We will have the opportunity to make that choice in 1976.

Our role in meeting global needs will, of course, be limited by our resources. Even in times of plenty, the United States alone does not possess the means to end world poverty or to finance the development of the poor nations. Moreover, our ability to achieve the worthiest goals through bilateral relationships has become increasingly limited. The great challenge before us is to provide leadership within the world community in developing international mechanisms and institutions that reflect the growing importance of the developing world and can cope with the problems that plague our planet.

We should continue to explore all possibilities with the U.S.S.R. toward limiting armaments and easing world tensions. However, we must make certain that in future dealings with the Soviet Union, detente benefits our interests and principles as well as those of the U.S.S.R. and that we do not compromise our philosophical commitment to human freedom. It must be made clear that while we seek to normalize relations and avoid confrontation, the United States stands for the implementation of the Helsinki agreement requiring the Soviet Union to provide its people with fundamental civil liberties.

The United States has a long-standing commitment to peace in the Middle East. The possibilities of a confrontation between the superpowers in this volatile region of the world are great, and our efforts to help the parties reach a peaceful solution of their differences must be maintained. Our commitment to the preservation of Israel and the integrity of its borders must likewise be maintained. A strong and secure Israel is the best guarantee of peace in the Middle East. Although we should be extremely cautious in sending Americans to foreign soil at any time, we must be able to distinguish between civilians performing a neutral early-warning function for the preservation of peace and armed advisers propping up a government as it repressed a rebellion. It is significant that both Israel and Egypt have turned to the United States for help. As a power that can generate trust among the parties, it is essential that we continue forward toward a final peace settlement.

Unfortunately, a foreign policy that has been embodied in one man who can be at only one place at one time, has often led the United States to neglect its most important allies - Japan and the nations of Western Europe. A new Democratic administration must put our relationships with these nations on a firm footing. Western Europe and Japan must be brought more fully into the decision making process and treated as partners in meeting common dangers and solving world problems. And as these nations share in making policy, it will be essential that they share proportionately in the burdens created by that policy. American commitments should always carry with them reciprocal responsibilities. In the area of defense, for example, we should expect a much greater contribution from both Europe and Japan. Common interests are at stake, and the costs of protecting them should be fairly apportioned.

It is a great irony that although we were the first nation in the world to throw off the oppressive yoke of Colonialism, we are frequently perceived today as the adversary of those nations emerging from colonial domination. It must be our purpose to prove to these new nations that we are not a strong nation intent on running roughshod over their interests, but rather a strong nation, guided by a fundamental sense of human decency and a concern for their self fulfillment.

We cannot dispel cynicism if we continue to consider covert operations a legitimate intelligence function which they clearly are not. If we insist upon further imposition of an unjust, imperialistic treaty upon Panama, or if we continue to support corrupt military regimes which repress desires for progress and freedom. We must begin to focus on the problems of developing nations and to live by the moral rhetoric we so often expound. When we do, the possibilities of American foreign policy will become limitless.

Certainly, there will be costs and risks for the American people in a new foreign policy. Living up to responsibilities always imposes burdens, and it is essential that these burdens be widely discussed in Congress and by the public. If we learned anything from our experience in Vietnam, it is that the people, in the end, bear the costs of policies established by their leaders. If the people have not given their informed consent to foreign policy, that policy will inevitably fail.

We cannot create a new foreign policy directed to the needs of a modern America and a modern world overnight. It will take time, a long time, to overcome the world's cynicism about America's true intentions.

However, we must now begin a public dialogue directed at the planetary issues before us. Hopefully, through the electoral process, that kind of dialogue will lead to a new internationalism - global both in vision and in its concern for human needs, but informed by a constant awareness that we do not seek to imprint a "made in America" solution to the world's problems.

BAYH FOR PRESIDENT:



Moving Ahead For '76

Bayh Wins Straw Poll

By James Morice
Special to The Washington Post

ST. LOUIS, Aug. 23—Indiana Sen. Birch Bayh, who has yet to formally announce his candidacy for the Democratic nomination for President, easily won a preference poll conducted among delegates to the Young Democrats national convention today.

More than 800 delegates gathered here for the five-day convention, which drew many of the Democratic candidates for President.

Bayh, who appeared before the delegates Thursday, received 138 of the 611 ballots cast. His closest competitor was former Georgia Gov. Jimmy Carter, who also spoke to the convention, with 86 votes.

Rep. Morris K. Udall of

53; former Gov. Terry Sanford of North Carolina, 49; Sen. Lloyd M. Bentsen of Texas, 44; former Sen. Fred R. Harris of Oklahoma, 37, and 1972 vice presidential candidate R. Sargent Shriver, 33.

Bentsen and Shriver also addressed the convention.

Sen. Henry M. Jackson of Washington polled 29 votes, one ahead of Sen. Edward M. Kennedy of Massachusetts, whose name did not appear on the ballot. Kennedy has said repeatedly that he will not seek the nomination.

Alabama Gov. George C. Wallace received 17 votes, next to last among the 10 candidates whose names appeared on the ballot.

Wallace was followed by Gov. Milton J. Shapp of Pennsylvania with 16 votes; Sen. Robert C. Byrd of West Vir-

About Birch Bayh

In his dozen years in the Senate, Birch Bayh has compiled an outstanding liberal record, a record which is all the more impressive in light of the fact that his home state of Indiana is one of the most conservative in the country, delivering the largest plurality of any state for Nixon in 1968 and 42 percent of the vote to Wallace in the 1972 Democratic primary.

Bayh came to national prominence when he led the successful efforts to block the appointments of Haynsworth and Carswell to the Supreme Court and the unsuccessful drive to defeat Rehnquist's nomination. He has been a leader on other critical issues as well, most notably equal rights for women, civil liberties, gun control, tax reform and other economic issues. Bayh has not been afraid to stand alone, witness most recently his vote as one of only seven Senators to oppose confirmation of Rockefeller as Vice President.

In 1971 after mounting a vigorous and well regarded campaign for President of the United States, Bayh withdrew from the race before the primaries when his wife, Marvella, underwent surgery for cancer. She has since completely recovered and has been actively campaigning for the Equal Rights Amendment around the country. Marvella has also organized projects to help other women cope with the aftermath of cancer.

Birch Bayh enters the 1976 presidential race with untiring energy, commitment to issues, and capacity to lead and accomplish. All of this makes him the best hope to defeat Gerald Ford in 1976.

"Bayh enters the crowded presidential field with several assets—a solid liberal reputation, a substantial base among labor unions, a telegenic personality, a respected political career during which he has been credited with several legislative coups, and a name that while not famous is better recognized than that of most of his competitors."

—Marianne Means
Syndicated Columnist
July 24, 1975

What They're Saying About Birch Bayh.



Jack Anderson
With Les Whitten

BAYH VS BIG OIL

WASHINGTON.

Sen. Birch Bayh, in one of the most audacious acts since David challenged Goliath, will attempt to break up the economic power of the big oil companies. He is preparing for a bruising battle. A private memo, intended for his eyes only, warns that "the oil industry is beginning to mobilize" and that he "can expect fierce opposition."

But the Indiana Democrat believes the only way to bring competition back to the domestic oil industry is to strip the big companies of their control over all stages of production from the oil well to the gas pump. He has drafted legislation which would prohibit the majors from engaging in more than one of the four segments of the industry: production, transportation, refining, or marketing.

Here's how Bayh's bill would work, according to a confidential analysis: "In the case of the big eight—Exxon, Shell, Texaco, Amoco, Socon, Mobil, Gulf and ARCO—which have major interests in all four segments of the industry, each company would have to decide which area it wanted to remain in and divest

itself of all interest in the other three areas."

The analysis, prepared by staff aide Howard Paster, contends that the oil industry is "essentially non-competitive." The major companies control oil fields, transmission lines, tankers, refineries and service stations. In other words, as Paster puts it in his memo, they "control the oil from the time it comes out of the ground until it is pumped into the gasoline tank." Reduced to statistics, "the 20 largest oil companies control more than 75 per cent of production, refining and marketing and more than 90 per cent of pipeline capacity."

This gives the oil giants the power to manipulate prices. The Senate memo cites "the infamous July 4 gasoline price increases" as an example. Although the increases were strictly legal, "the oil companies were able to prevent competition from holding the increases in check by limiting refinery operations during May and June and thus creating a supply-demand imbalance for gasoline immediately prior to the peak driving season," the memo charges. "If the same companies did not control the flow of crude," the memo contends, "the re-

finery operations and the retailing of gasoline by such a highly anti-competitive maneuver would not have been possible."

The memo also cites "the refusal of the major oil companies to sell lower-priced domestic crude to independent refineries until forced to do so" by the Federal Energy Administration. "By trying to limit the independent refineries to higher-priced domestic and foreign crude, the majors sought to use their market control to destroy competition."

Bayh believes he has a good chance of pushing his bill through the Senate. The oil barons are also beginning to get a little worried. "The industry originally did not get excited; however, that is changing," the memo advised. But it warned: "We can expect fierce opposition, not only in the hearings but also in the media and through the shareholders."

"One uncertainty," adds the memo, "is the extent of the inevitable Administration support for the industry." Bayh responded to this statement by scribbling in the margin: "We can't win this one on the Hill alone." But as consumers dig deeper into their pockets to pay gasoline prices and heating costs, they may raise a howl that will be heard on Capitol Hill. Then the Bayh bill may have a real chance.



Evans and Novak

THE ADVENT OF BIRCH BAYH

WASHINGTON.

Not having campaigned nationally since 1971 and without even formally announcing his candidacy yet this year, Sen. Birch Bayh of Indiana has suddenly emerged as the liberal with the best chance of winning the Democratic Presidential nomination in the primaries and thereby averting a convention deadlock.

Key figures on the party's dominant left wing have come to view Bayh as their best hope because of his potential popular appeal, his dynamism on the campaign stump and his acceptability across the Democratic spectrum. Equally important, Bayh today is organized labor's favorite candidate, uniquely enjoying substantial support among both old-line and leftist unions.

That Bayh could become credible indeed was strongly suggested by two minor developments carefully scrutinized by party insiders:

First, Bayh dominated last month's national Young Democrats convention in St. Louis, winning the straw poll of his coat and going on the floor to talk with delegates, he eclipsed his wooden opponents.

The second development, outwardly even more obscure, particularly impressed party pros. A statewide poll of New York Democrats, conducted by the state committee, gave Bayh an unexpectedly high 11 per cent (surpassed only by 25 per cent for Sen. Henry Jackson, who has been campaigning heavily in New York; and 14 per cent for the familiar Gov. George Wallace).

Besides Bayh's longtime auto-worker support in Indiana and backing among other UAW regional directors, UAW general counsel Steve Schlossberg enthusiastically boosts Bayh. Considerable staff support among the communications workers, machinists and government employees makes Bayh the early choice on labor's left.

But unlike Sen. McGovern in 1972 and Udall this year, Bayh effectively competes with Jackson for old-line labor. He is acceptable to AFL-CIO president Meany and was one of four presidential possibilities (along with Jackson, Sen. Lloyd Bentsen and Sen. Humphrey) invited to address next month's AFL-CIO convention.

(Excerpts from Sept. 12 column)

I am interested in working for Senator Bayh.

Please tell me how I can help.

I know that a campaign costs money. Here is my contribution for \$_____. Checks should be made payable to New York Committee for Birch Bayh. (Tax deductible up to \$25 per individual; \$50 per couple; all contributions will be receipted.)

NAME _____
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HOME PHONE _____ OFFICE _____

SEPT. 5, 1975

Bayh Seeks to Curb Oil Firms' Power

By Jack Anderson
and Les Whitten

Sen. Birch Bayh (D-Ind.) will attempt to break up the economic power of the big oil companies.

He is preparing for a bruising battle. A staff memo warns that "the oil industry is beginning to mobilize" and that he "can expect fierce opposition."

But Bayh believes the only way to bring competition back to the domestic oil industry is to strip the big companies of their control over all stages of production from the oil well to the gas pump.

He has drafted legislation that would prohibit the majors from engaging in more than one of the four segments of the industry—production, transportation, refining and marketing.

Here's how Bayh's bill would work, according to a confidential analysis:

"In the case of the big eight—Exxon, Shell, Texaco, Amoco, Socal, Mobil, Gulf and ARCO—which have major interests in all four segments of the industry, each company would have to decide which area it wanted to remain in and divest itself of all interest in the other three areas."

The analysis, prepared by staff aide Howard Paster, contends that the oil industry is "essentially non-competitive." The major companies control oil fields, transmission lines, tank-

ers, refineries and service stations.

In other words, as Paster puts it in his memo, they "control the oil from the time it comes out of the ground until it is pumped into the gasoline tank."

Reduced to statistics, "the 20 largest oil companies control more than 75 per cent of production, refining and marketing and more than 90 per cent of pipeline capacity."

This gives the oil giants the power to manipulate prices. The Senate memo cites "the infamous July 4th gasoline price increases" as an example.

Although the increases were strictly legal, "the oil companies were able to prevent competition from holding the increases in check by limiting refinery operations during May and June and thus creating a supply-demand imbalance for gasoline immediately prior to the peak driving season" the memo charges.

"If the same companies did not control the flow of crude," the memo contends, "the refinery operations and the retailing of gasoline by such . . . a highly anticompetitive maneuver would not have been possible."

The memo also cites "the refusal of the major oil companies to sell lower-priced domestic crude to independent refineries until forced to do so" by the Federal Energy Administration.

"By trying to limit the independent refineries to higher-priced domestic and foreign crude," the memo asserts, "the majors sought to use their market control to destroy competition."

The ultimate victims of the oil companies' action, of course, are the customers who have been pouring more and more of their earnings into the pockets of the oilmen.

Bayh believes he has a good chance of pushing his bill through the Senate. The oil barons are also beginning to get a little worried. "The industry originally did not get excited; however, that is changing," the memo advised.

But it warned: "We can expect fierce opposition, not only in the hearings but also in the media . . . and through the shareholders."

"One uncertainty," adds the memo, "is the extent of the inevitable administration support for the industry." Bayh responded to this statement by scribbling in the margin: "We can't win this one on the Hill alone."

But as the consumers dig deeper into their pockets to pay higher gasoline prices and heating costs, they may raise a howl that will be heard on Capitol Hill. Then the Bayh bill may have a real chance.

Cocaine Crackdown—A major crackdown on international narcotics is expected in Bolivia,

the source of much of the illegal cocaine that reaches the United States.

With the vigorous encouragement of American authorities, Bolivian dictator Hugo Banzer is getting serious about stopping the dope trade.

In July, Bolivian drug enforcement officers met in Cochabamba with their counterparts from Peru, Chile, Argentina, Paraguay and Brazil to map out a multinational, anti-drug campaign.

Last year, Banzer fired the police chief of Santa Cruz, who was believed to be involved in narcotics trafficking. And this past June, he purged a host of other officers from the city's police force.

From Washington, the drug Enforcement Administration has sent agents to La Paz to train and assist Bolivian officials. American authorities are also pondering the possibility of helping Bolivian farmers develop "alternative crops" to the coca leaves they now cultivate. Cocaine is derived from coca.

Ironically, the U.S. pressure on Bolivia to stop the illicit cocaine trade will result inevitably in the imprisonment of American citizens. Eighteen young U.S. citizens are already rotting in the wretched jails of La Paz. Their ranks will swell, our sources predict, when the crackdown comes.

1975, United Feature Syndicate

SEPT. 23, 1975

Sen. Bayh charges

Few companies control whole oil industry

WASHINGTON (UPI) — Big oil companies are operating as a close-knit club that inhibits production of American oil. Sen. Birch Bayh charged today.

Congress began reacting to President Ford's proposal for a \$100 billion corporation to help private industry speed development of energy resources.

Ford called Monday for creation of an Energy Independence Authority empowered to "take any appropriate financial action — to borrow and to lend — in order to get energy action" by private industry.

Bayh, in a statement prepared to open antitrust and monopoly subcommittee hearings today, said a few major oil companies now control the petroleum industry — "from the time they punch a hole into the ground 'til they put (fuel) in the hole in your gas tank."

Big companies, operating as a club, are inhibiting production of oil until prices go even higher, the Indiana Democrat charged.

Bayh joined three other Senate Democrats in introducing legislation Monday to break up America's 22 largest oil companies.

Subcommittee economist Walter S. Measday released a report saying "virtually all Gulf Coast Outer Continental Shelf production comes from a couple of dozen producers, with

the integrated major companies having the lion's share."

"A handful of companies" control production and development decisions in a "club atmosphere," Measday said, and the committee staff found 79 leases offshore from Louisiana "could be producing nearly twice as much as they are now."

Ford said his proposed corporation — taking up only "projects with private business cannot undertake alone" — would stimulate economic growth, create new jobs and "end runaway energy prices imposed by foreign nations." It would be liquidated in 10 years, after furnishing easy credit sought by industry for costly new exploration and development of synthetic fuels.

SEPT. 22, 1975

Bayh opposes dominant big oil companies

United Press International

WASHINGTON — Sen. Birch Bayh, D-Ind., today introduced legislation designed to break up the well-head to gas pump dominance of major oil companies.

Bayh announced that his bill would force any company with a major interest in production, refining or marketing to choose one segment of the industry and divest itself within three years of all interest in others.

In addition, all oil pipeline companies, regardless of size, would be required to get out of marketing, production, and refining.

The only exception — under the Bayh bill — would allow major marketers to keep or acquire refining operations as an incentive to expand inadequate refining capacities.

Bayh announced that the Senate monopoly and antitrust subcommittee will open hearings on his and similar bills tomorrow.

"This country cannot and will not be able to solve our massive energy problems, nor provide lasting cures to the serious recession and inflation that can be directly traced to oil prices, unless we recognize that the oil industry is fundamentally non-competitive," Bayh said.

Statement of Senator Birch Bayh
on
National Energy Policy

This nation must have an energy policy which is firmly based upon a much more realistic assessment of the present situation than the Ford Administration has presented.

In the area of energy prices there is a need to recognize that decontrol and deregulation of oil and gas is not only unwise, but actually impossible as long as the OPEC cartel maintains its solidarity and as long as the fundamentally noncompetitive domestic oil industry is permitted to conduct business as usual. There is not - nor would decontrol and deregulation create - a free market in oil and gas.

In the case of energy self-sufficiency, there is a need to recognize that we have devoted far too little attention and too few resources to closing the supply-demand imbalance by working to reduce demand. Specifically, we must move more forcefully to end wasteful consumption patterns -- and not just try, as the Administration has done, to fill the gap between supply and demand with new supplies.

Or, in the case of the ready willingness of some to respond to the energy problem by instantaneously doing away with years of progress in protecting the environment, there is a need to recognize that a healthy environment is no less important a national objective than adequate energy production.

With these and other essential underlying principles intact, it is possible to formulate a national energy policy that reconciles in a constructive fashion the competing interests between the energy problem and the economy, and the energy problem and the environment.

PRICING POLICY - Oil and gas prices should be kept under strict Federal controls. This is necessary because our experience with uncontrolled oil and deregulated gas demonstrates that uncontrolled energy prices rise automatically to the equivalent of the OPEC oil price. This is not a free market price; it is the administered price of the most effective international cartel in history. Moreover, the grave economic consequences of higher energy prices are intolerable. Not only would soaring energy prices fuel inflation directly through consumer and industrial use of refined petroleum products and natural gas, but also through a myriad of indirect consequences.

Higher energy prices are also recessionary. Because the demand for energy is relatively inelastic, higher energy prices rob consumers of real purchasing power and depress the entire economy. There is no justification for permitting such a huge income transfer from American consumers and industry to the multinational companies. Moreover, the price mechanism is the most regressive and inequitable way to allocate limited energy resources.

Accordingly, I support legislation to reimpose and to maintain price controls on "old" oil and to place price controls on "new" oil so that it does not sell at the administered OPEC price. In addition, while I am prepared to support a limited increase in the price of natural gas shipped in interstate commerce, such action must be accompanied by the establishment of parity between the intrastate and interstate markets to ensure that consuming states do not bear the brunt of natural gas policy. There is no justification for deregulation of natural gas prices under present circumstances.

ANTI-TRUST - As a member of the Senate Anti-Trust and Monopoly Subcommittee, I have authored legislation, which is being cosponsored by several of my colleagues on the Subcommittee, to break-up the vertical integration of the major oil companies. I have held hearings on this legislation and will hold additional hearings this fall with the goal of reporting a bill this session.

The domestic oil industry is essentially non-competitive because of a unique combination of vertical integration (with major companies controlling the oil supply from the time it comes out of the ground until it is consumed) and heavy concentration (a small number of companies dominate the industry). After careful study I am convinced that nothing short of breaking-up the major, vertically integrated companies will provide this vital industry with the competition that is now lacking.

ENERGY CONSERVATION - Much more must be done to end energy waste. Having authored a Senate amendment in 1973 to mandate a minimum fifty percent improvement in automobile efficiency, I remain committed to achieving this goal by 1980 and to do even better after that. This is a necessary step, and it can be realized without sacrificing auto pollution standards.

As important as it is to reduce the use of oil in private autos, it is equally important to provide the kind of efficient inter-city rail service and intra-city mass transit which will convince Americans to leave their cars at home. We should also seek economic incentives for more efficient use of automobiles, such as reduced toll and parking charges for cars carrying several passengers.

Industrial energy use is another area where substantial energy savings can be achieved. There is ample evidence that energy per unit of production can be reduced by an average of 25 percent. Part of this goal can be achieved through variable pricing policies which reverse the traditional practice of lower rates for large energy users. If the pricing mechanism is to be used effectively to curb consumption, it must be used here -- where it can work -- and not applied to necessities such as home heating oil. In addition, we can mandate more efficient energy practices by industry, and provide tax incentives for the capital expenditures associated with achieving this goal.

We must also deal with the problem of heat waste, a costly and unnecessary expenditure of energy. For existing homes, a simple tax incentive for improved insulation will help. Beyond that, there is every reason to mandate tough insulation requirements for all new buildings: home, commercial and industrial. Also, the significant heat waste associated with industry and with the generation of electricity can be curbed if we commit the resources necessary to capture and to reuse that heat.

ENERGY SUPPLIES - Obviously we need to seek maximum production of coal, oil and gas, consistent with economic and environmental considerations. It is equally obvious that we must step up research on new energy sources, especially solar, geothermal and fusion energy. The heavy R&D bias toward conventional nuclear power has not paid adequate dividends thus far.

The area in which we have been most lacking in foresight is in our attitude toward coal. For the long-term, coal gasification and liquefaction deserve greater emphasis. Even more important, since we can make clean and efficient use of coal right now through existing technology, we need to do much more to implement application of advanced technologies for burning coal as coal. There are several proven techniques for burning coal efficiently and cleanly, and we must insist on their adoption rather than falling prey to those who would use the energy crisis as an excuse to abandon our commitment to a clean environment.

ENVIRONMENT - The notion that our energy needs can be met only by undoing a decade's progress in restoring and protecting our environment is a myth. In every area - from auto efficiency, to the use of coal, to off-shore drilling - technology exists to achieve energy objectives without significant environmental trade-offs. It is important to bear in mind that those who seek to use the energy crisis as a lever to retreat on the environment are the same people that resisted the landmark environmental legislation of the past decade.

To pretend that our energy problem can be solved easily is foolish. But to argue that it can only be solved with great economic or environmental costs is wrong. What is required is a willingness to identify the real nature of the problem, and to insist on the necessary solutions without holding the hands of special interests.

October 1975

Statement of Senator Birch Bayh
on
National Environmental Policy

In an increasingly complex world, environmental policy must be viewed as much more than government action to protect the environment. A true environmental policy includes not only the continuation of efforts to clean the air and water and protect our land and wildlife, but a recognition that related national problems -- such as energy development and recreational needs -- are an integral part of our environment.

This is a principle which I have acted on throughout my years in the Senate. As a member of the Senate Subcommittee on Air and Water Pollution I actively supported every major air and water pollution act of the 1960's -- landmark legislation which set in motion the first national effort to reverse the unthinking contamination of our rivers, streams and air.

But environmental policy must advance simultaneously on many fronts that will contribute to -- rather than complicate -- the solution of related problems. For example:

Energy and Environment. In 1972 -- before national attention was called to the energy crisis -- I successfully authored legislation to increase by \$10 million the funds spent on research for reduction of sulfur pollution from coal. This is only the beginning of what is needed for a concerted research program that will reduce air pollution from coal, allow increased use of coal, and reduce our dependence on oil as a source of energy.

Coal can and should be an important near-term source of cheap, environmentally acceptable fuel. Considering that nearly 80 percent of America's fossil fuel resources are coal -- some 3 trillion tons of it -- and that coal mining as well as coal burning are major environmental problems, national coal policy presents a tremendous opportunity and challenge.

A national coal policy must include legislation requiring the reclamation of strip-mined lands; anti-pollution laws to control sulfur emissions; and increased funding of research and development into processes which will allow the clean burning of coal. For the future, we must hold the line on strip-mining and air pollution standards, but greatly intensify efforts to develop clean methods of burning coal.

My approach to the use of other fuels is based on the same reasoning: that environmental protection and energy demands are not competing, but complementary concerns.

I opposed construction of the Alaskan pipeline -- both because I believe that the energy needs of all our citizens would be better served by a trans-Canada route, and because of the grave environmental risks posed by the Alaskan line.

I will continue to urge that the federal government provide support for research and development into improved energy conservation methods. The more efficiently we use our natural resources, the less quickly they will be depleted or exhausted. Advanced technology also gives promise of ways to burn fossil fuels so efficiently that products previously viewed as polluting wastes can be consumed in the burning process -- creating more energy and reducing pollution.

The federal government should play a key role in undertaking basic research and demonstration programs in those areas where the private sector is as yet unwilling to become involved. At the same time, short-term conservation goals can be advanced through simple economic incentives such as tax breaks for improved home insulation.

Waste Disposal and the Environment. A future generation may well look back on these decades and call them The Age of Waste. For too long we have heedlessly pursued a course of using up

natural resources while compounding the damage to our environment by dumping waste materials onto the land and into the water.

The national response to this problem must deal with both conservation and disposal. Toward this end, I urge that government efforts to improve disposal methods be focused on recycling.

Recycling can be more than an attempt to keep the landscape clean. If we press forward, we can assure a much more efficient use of natural resources, and reduce the depletion of minerals and forests. It is a method of conservation as well as environmentally sound waste disposal.

Again, the federal government has a major role to play in advancing the development of recycling technology. Grants to states and localities implementing recycling programs are necessary to support demonstration projects. The tax laws should also be used to provide incentives to industry to use recycled materials on a large scale.

Recreation and Environment. Although environment and parks are often thought to be practically synonymous, I believe that too little attention has been paid to the recreational needs of an urbanized society, and too little attention has been paid to the impact of government programs on recreational facilities.

I know -- I worked for the creation of the Indiana Dunes National Lakeshore in 1966, the first major national park to be located near an urban area. The great and still-growing popularity of this park convinces me of the need to create more open spaces adjacent to metropolitan areas.

Additionally, I believe that the examination of major government construction projects, including the leasing of off-shore property for oil drilling, must be subjected to a far more rigorous examination of the environmental and recreational impact than has been true in the past. A prime example of this problem was the plan to build a lock and dam complex at Alton, Illinois. This year, I led a successful effort to stop construction of the project, because it would have accelerated decay of the entire Mississippi River by leading to increased dredging, soil erosion and water pollution, as well as reducing recreational use of the river.

Land-Use Planning. A comprehensive environmental policy must necessarily seek to redress the destruction of our national landscape which random development has already created in too many areas. We must do our best to encourage a creative partnership between Federal, State and local governments to ensure optimal use of our land. Federal assistance should be available to those states and localities seeking to enact meaningful programs. Communication and cooperation between governments at each level must be strengthened grants to states should be conditioned on the requirement that members of the public as well as localities be included in the development of the program. Similarly, the federal government should be required to consult with states and localities before issuing regulations.

Transportation and the Environment. An area which should be an integral part of environmental policy involves transportation. As Chairman of the Appropriations Transportation Subcommittee, I have pressed for full funding and expansion of programs which will impact substantially and directly on the environment: programs such as highway beautification, and mass transit to reduce the use of automobiles with consequent reduction of automobile air pollution. I continue to oppose the use of U.S. airspace by commercial supersonic planes -- an exercise in advanced technology which contributes greatly to noise pollution, produces structural vibrations and wastes fuel. This year, the Senate failed by just two votes to prevent the landing of civilian SST's in the U.S. unless they can meet the same noise standards as U.S. subsonic aircraft.

BIRCH BAYH in '76

COMMITTEE FOR BIRCH BAYH IN '76 • POST OFFICE BOX 1500 • WASHINGTON, D.C. 20013

STATEMENT ON FIREARMS CONTROL by SENATOR BIRCH BAYH

The Senate Subcommittee to Investigate Juvenile Delinquency, which I chair, recently concluded hearings on possible solutions to the related problems of illicit traffic in firearms -- or 'gun-running' -- and the ever-escalating number of armed assaults and robberies involving firearms -- particularly non-sporting and easily concealed handguns.

My objective in holding these hearings was to develop a workable firearms control measure which would reduce the rising tide of violent crime. My Handgun Crime Control Act provides a coordinated strategy to protect society by depriving criminals of the instruments of violent crime, and by incarcerating individuals who commit violent crimes.

My bill deals with small "belly" guns which have no sporting purposes. Some critics claim that this approach is meaningless. The facts are to the contrary: according to Treasury officials, substantially more than 75 percent of the handguns used in crime would be prohibited under the Bayh bill.

The Handgun Crime Control Act prohibits the commercial sale and distribution of all easily concealable non-sporting handguns -- including those commonly referred to as "Saturday Night Specials", which have become the favorite weapon of criminals. In 1968 the Gun Control Act established viable and workable criteria which have been used successfully to identify and to eliminate the importation of non-sporting handguns. The years following the enactment of the 1968 Act saw a reduction of more than one million imported handguns compared to the four years immediately preceding the Act. Unfortunately, as foreign sources of these weapons were reduced, domestic manufacturing and the importation of handgun parts from foreign sources for final assembly in the United States skyrocketed. In 1972 the Senate, by a vote of 68-25 passed the provisions of my bill which tried to close this loophole in the 1968 Act. Unfortunately, the House failed to act on this measure.

My approach deals forcefully with guns of crime. Such weapons were used to kill Robert Kennedy, to gun down Governor Wallace, and reportedly fired at President Ford in San Francisco.

Our extensive Subcommittee study has clearly documented that these lethal weapons, whose only purpose is to kill, are the favorites of murderers, armed robbers and gun-wielding assailants who terrorize our communities. It is this concealability that is uniquely appealing. The former director of the Bureau of Alcohol, Tobacco and Firearms (ATF) put it quite succinctly when he told the Subcommittee:

What (criminals) want are small, compact, light weapons. They want weapons with no handgrip or sights to catch in a pocket. Concealability is the prime requisite.

Let there be no mistake about it; we are talking about tens of thousands of murders and hundreds of thousands of assaults and robberies.

I must emphasize that this measure would not confiscate any guns, or require registration or licensing of any firearms or firearms owners. It does prohibit the sale of the type of handgun which, because of design, construction and weight has no particular sporting use, but which is being increasingly used by street criminals.

In addition to controlling the commercial sale of crime-related handguns, my bill addresses itself to penalties for criminals who use guns in the commission of crimes as well as the increasing problem of illicit un traffic. Under my bill, felons who use firearms to rob, rape and otherwise terrorize our citizens are subjected to an additional sentence of 5-to-15 years of imprisonment for a first offense, and a 10-to-30 year penalty for the second offense. Imposition of the additional sentence for the first offender is left up to the trial judge, but if the sentence is not imposed the reasons must be stated publicly. The Senate passed this portion of my bill by a vote of 81-12. Once again the House failed to act.

In addition to the ban on crime guns, and increased penalties for those convicted of using guns in crimes, my bill prohibits the modification of handguns to circumvent the ban. It requires that lost or stolen handguns be reported; it provides increased penalties for "gun-runners"; and it requires that cases involving the use of hand uns be handled expeditiously by the courts.

Presently, federal law does not provide a procedure to check whether a prospective purchaser is actually prohibited from owning a handgun. All a felon must do to obtain a handgun, if age 21 and a resident of the State in which the purchase is made, is sign an affidavit disclaiming a criminal record. Treasury studies have revealed that approximately 3 percent of handgun sales by dealers are made to felons. The proportion of felons purchasing from unsuspecting private sellers is estimated to be significantly higher.

To help assure that individuals and dealers are not unknowingly selling handguns to felons and other prohibited persons, my bill requires that the actual receipt of a handgun be delayed for a period of not more than eighteen days during which time Federal and local authorities will conduct a crime record check.

I am likewise concerned about the growing pattern of illicit interstate traffic in firearms of "gun-running" in violation of Federal law. Treasury Department studies presented to the Subcommittee in 1975 clearly demonstrated the serious impact that such criminal activity has had in major, particularly northern, cities. The Bureau of Alcohol, Tobacco and Firearms conducted a study to determine, among other things, the source of handguns used in street crimes. The agents found that of 2,546 traceable weapons seized in New York City, 77 percent were traced out of the State of New York. In fact, one southern State supplies five times as many of the handguns seized in New York City as did the State of New York. In Detroit, 92 percent of the traceable handguns were from sources outside the State of Michigan. Of course, the interstate traffic in handguns between unlicensed persons is illegal under existing Federal law.

This ever-increasing illegal traffic is sustained, in part, by multiple purchases of handguns. Such sales are currently unlimited. The abuses are legion. For example, we heard testimony about a case in which an individual legally purchased 136 handguns in seven months, and then sold them out of the trunk of his car in a major urban area.

In order to prohibit high volume illegal handgun traffic, my bill would not permit the purchase of more than two handguns each year except for extraordinary circumstances, such as those involving the loss, theft or permanent malfunction of a handgun.

Further, since under current law it is not illegal for a private person to sell handguns to felons and other prohibited persons, I would prohibit such intentional sales.

Lastly, since the "go-between" or intermediate purchaser is frequently a vital link in the chain of illicit handgun traffic, my bill makes such conduct a crime.

Anyone familiar with the problem of handgun crime readily recognizes the incredible complexities involved in these issues and should also recognize that we cannot hope to solve them through the imposition of simplistic solutions. My Handgun Crime Control Act, which was reported to the full Judiciary Committee on December 1, 1975, is not aimed at the legitimate sports shooter or sporting handgun, but is tough on the kinds of firearms used as instruments of terror and those people who would use them in that manner. I believe that my approach represents a workable measure which can pass the Congress, become law, save lives, and reduce crime.

BIRCH BAYH in '76

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January 1976

Response of Senator Birch Bayh
to the
Presidential Questionnaire
from the
National Women's Political Caucus

1. Abortion

In my capacity as Chairman of the Subcommittee on Constitutional Amendments, I voted against all versions of a Constitutional amendment, including a states rights amendment, which would have restricted a woman's right to choose abortion: a right which was clearly enunciated by the Supreme Court decisions of Roe v. Wade and Doe v. Bolton. At the conclusion of my Subcommittee's rejection of the proposed Constitutional amendments, I stated that this action had ended any chance for such amendments during the 94th Congress.

Despite my personal reservations on abortion, I have concluded that I am not prepared to impose that personal feeling on others. I am not a woman. I have never had to weigh the considerations which a woman must under those circumstances.

I have opposed legislative riders -- such as the Bartlett amendment -- which would have restricted the right to choose for the economically disadvantaged women by denying medicaid funds for abortions or abortifacients.

As President, I would continue to oppose any effort to overturn the Supreme Court decision. I will continue to oppose the Federal government interfering with this very personal decision. As the one most responsible for enforcing our laws, I would see that the Supreme Court decision is effectively enforced throughout the nation.

2. ERA

As the Senate author of the Equal Rights Amendment, ratification of the ERA has always been a top personal priority for me. In defending the ERA from a series of weakening amendments on the Senate floor in 1972, I faced many of the same arguments we are hearing today in opposition to ratification. I successfully defeated all weakening amendments to the ERA in 1972, and I believe that together we can defeat the opposition today. The time has come for each of us to make every citizen aware of the benefits which will come -- to men as well as women -- from the ratification of the ERA. We need to counter those who contend that recent victories for women's rights -- Title IX, equal credit legislation, the admission of women to military academies, and various Supreme Court decisions -- have eliminated the need for the ERA. We must point to those areas of law, both federal and state, which currently work to the detriment of both men and women. To this end, I have written articles, made speeches, worked with national women's organizations on the federal, state and local levels, and spent many hours talking to individual state representatives on behalf of the ERA. Through my efforts, the ERA was made the priority business of the National Commission on the Observance of International Women's Year. The Commission is now engaged in efforts to create the first national organization with the sole purpose of ratifying the ERA.

As President, I would make it clear to all members of my party -- including all governors and state representatives -- that I consider ratification of the ERA a prime objective.

3. Child Care

As the author of the first comprehensive child care legislation introduced in the Senate, I have been deeply concerned over the failure of our nation to make quality child care services available to all children. My original legislation, largely incorporated into the bill vetoed by President Nixon, placed a high emphasis on the need for parent control as well as uniform federal standards of quality in relation to any child care facility.

Since I first introduced child care legislation in 1971, the need has become even more imperative. Today more than half of the mothers of young children are employed outside the home. More than 26.2 million children under 18 have working parents. For the 6 million pre-school children whose parents are employed, this country is providing licensed day care for only one out of every six.

Regrettably, the failure of this nation to provide for comprehensive child care has so damaged the faith of many of its most ardent supporters, that they now regard the concept of developmental child care as unreachable: a utopian dream. This attitude has derived in part from the current Administration's emphasis on child care as a merely custodial baby-sitting service for welfare mothers. It has come in part from the current system of pitting various social welfare programs that receive federal monies against one another.

My administration would not reflect such an attitude. My administration would recognize that it is clearly better economics to spend \$2 billion a year on constructive programs to raise whole, functioning members of our society than it is to spend 35 times as much feeding the results of our neglect -- crime and welfare -- after the time for constructive action has passed.

4. VICE PRESIDENTIAL NOMINEE

I intend to make my selection for vice president based upon the qualities which I feel are necessary for holding the office of the President of the United States. I do not consider these qualities to have any relation to the person's sex, racial or ethnic background, or religion.

5. PRESIDENTIAL APPOINTMENTS

Because women possess one-half of the talents and abilities of the American population, I would certainly consider them, as well as other under-represented minorities, as nominees for the Supreme Court, U.N. delegate, Cabinet members, White House staff, Federal judges, and ambassadors. I am certain that I will find qualified persons from a variety of backgrounds to help make the Government truly representative. In addition, as Chief Executive, I would exert strong leadership to make the Executive Branch a model employer. The most recent Civil Service Commission statistics show progress for women being made in the mid-level jobs (grades GS-9 to 12), but the entry of women into top policy-making positions is unbelievably slow. Between 1972 and 1974, the percent of women in jobs GS-13 to 18+ only increased from 4.2% to 4.7%! It is easy to give lip service to concepts such as these, but I would vigorously implement it by my actions, policy statements, and requests for accountability. I would set the tone for appointing women to top-level jobs, and for substantially increasing upward mobility efforts.

6. ECONOMY

Minority and women workers are the most serious casualties of the current economic crisis. These groups are neither small nor insignificant. Women, blacks and other minorities add up to 46 percent of the labor force. This 46 percent of the work force suffers from disproportionately high unemployment rates as well as an earning gap of nearly 60 percent compared to wages earned by white males. This situation reflects the persistent systemic discrimination that minorities and women face in work, education, and the other major institutions of our society.

When systemic discrimination combines with economic recession, efforts to assist minority and women's employment must be doubled. Not only must we see that affirmative action hiring programs are vigorously enforced, but we must take steps to assure an end to the occupational segregation that currently prevents many blacks and women from job achievement in the craft industry, in administrative and managerial jobs, and in other strata of employment across the nation.

The most important steps we could take right now to improve the economic position of women would be:

--enforcement of laws presently on the books which are not yet taken seriously by the federal government. As the author of Title IX, I am painfully aware of the difficulty in trying to force the present administration to live up to our legislative commitment to equal opportunity, equal education, and equal employment;

--passage of child care legislation and reform of the social security system to end discrimination against women whether they work outside the home or in it;

--passage of full employment legislation, such as the Humphrey-Hawkins bill which I support. Only a federal guarantee of full employment will ensure that everyone in this society who wants to work will be assured of economic self-sufficiency and self-respect. We can be satisfied with nothing less.

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I am fully committed to the goal of equal representation of women as delegates to the 1976 Democratic National Convention. Despite the hue and cry over "quotas", I am proud of my authorship of Guideline A-2 which encouraged the full representation of women, blacks and young people as delegates to the 1972 Democratic National Convention. While those Guidelines have been amended since 1972, the present rules clearly state that an equal division between men and women on delegations does not violate the "no quota" rule, and I intend to make every effort to see that there will be as many women Bayh delegates as there are men. Rule 10B of the Democratic delegate selection rules, while primarily aimed at assuring that delegates will be bona fide supporters of the presidential candidate they purport to prefer, gives me the opportunity - which I will exercise - to make sure women candidates for Bayh delegate positions are approved. I cannot, of course, guarantee the outcome of a popular election. However, I can and will (1) encourage women to run as Bayh delegates, and (2) strongly urge my supporters to elect women as Bayh delegates in numbers equal to men.

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of benefit calculation so that a woman who has worked all her life can see the impact of her earnings reflected in the amount of benefits collected by a two-wage-earner family.

Historically the social security laws have been based on the outmoded assumption of the male as breadwinner. Statistics showing that there are over 20 million married women workers dictate that the time has come for a revision of the social security system so that it more accurately represents the vital role played by the woman worker.

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The most promising solution to the cost of health care in this nation would be the passage of a comprehensive national health insurance bill such as S. 3, the Health Security Act of which I am a cosponsor. It is clear that we must do more to provide protection for women, particularly single women, who are unable to obtain comprehensive health coverage under current programs of health insurance.

Because of my concern that women face discrimination in the area of health insurance, I introduced the Equity in Health Insurance Act during this session of Congress. This legislation prohibits private health insurers engaged in interstate commerce from refusing coverage on the basis of sex or marital status. The bill addresses a number of discriminatory practices, including the unavailability of insurance for part-time workers, discrimination against single women in access to health insurance, and complete coverage for all women particularly with regard to maternity related expenses. My bill is the first legislation which would insure that maternity expenses be treated the same as illness for insurance purposes.

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To a large degree, I feel that we can raise the funds for these important programs by restoring a full employment economy. A healthy economy would save us billions of dollars that could be spent on social and human service programs. In addition a healthy economy would mean a significant increase in Federal tax revenues which could also be devoted to these ends. Still further monies could be raised through needed tax reform and by ending waste in military spending.

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I have successfully offered an amendment to legislation revising the Federal criminal code which would correct two injustices in the treatment of rape victims: a) it would forbid the introduction of evidence of past sexual conduct of rape victims, and b) it would require evidentiary criteria for the crime of rape to be the same as for any other assault, i.e., there could be no requirement for two eyewitnesses. As President, I would seek to encourage states to reform their state laws to conform to these standards.

13. CIVIL LIBERTIES RE: SEXUAL PREFERENCE

I support legislation which would include sexual and affectional preference among those forms of discrimination prohibited by the Civil Rights Act of 1964.

14. EQUAL OPPORTUNITY

While this goal is worthy, I feel that today's major thrust for equality must be on monitoring agencies' enforcement of the laws currently on the books and expanding economic opportunity. From my personal involvement in the education field, I feel that the most good for the largest number of women will come from assuring that the Equal Employment Opportunity Commission, the Office of Federal Contract Compliance, and Office for Civil Rights in HEW have adequate resources, trained and dedicated staff, and affirmative management interested in eliminating sex discrimination.

Impact statements can serve a valuable purpose, as demonstrated by the environmental impact statements required under the National Environmental Policy Act of 1969. One good example of a socio-economic impact statement is the project being undertaken by the Interdepartmental Task Force of the National Commission on the Observance of International Women's Year. They have asked each agency to assess the impact of its programs on women. These assessments will provide valuable data, collected for the first time, as well as educating administrators throughout the Federal bureaucracy about programs' implications for and on women. As one of two Senators appointed by the President of the Senate to the IWY Commission, I support their programs. This project is similar to the "Percy Amendment" which requires the Agency for International Development to pay special attention in its bilateral assistance program to requests from countries that included women in the program planning and as beneficiaries. We must learn to consider the socio-economic implications, both short- and long-range, of the laws we pass.

15. FAIR CREDIT

I have expressed my views to members of the Federal Reserve Board on the need to strengthen the regulations implementing the Fair Credit Act of 1975. I am particularly concerned with those sections of the regulations which do not require that a creditor put in writing reasons for denying credit to women. I will actively support strengthening amendments.

As President, I will carefully watch the thirteen federal agencies which have the responsibility to enforce the equal credit regulations. I would do whatever was in my power to make sure that these agencies have the resource, staff, and commitment to assure meaningful enforcement efforts.

16. TITLE IX

As the Senate author of Title IX, I have consistently opposed efforts to weaken it, both in terms of its coverage and its enforcement. I led the fight in the Senate to strike the Casey amendment from an Appropriations bill -- a measure which would have prevented the application of Title IX to physical education classes and professional fraternities and societies. I testified before the House Education Subcommittee in opposition to resolutions of disapproval of the Title IX regulations, and also testified before the Senate Subcommittee in opposition to legislation to exempt revenue producing sports from Title IX.

I have also opposed the efforts of the Department of Health, Education and Welfare to limit its consideration of individual cases under Title IX. I introduced a resolution of disapproval in the Senate, along with 53 other cosponsors which called upon HEW to withdraw its new enforcement regulation.

Part of my concern has been the lack of commitment at the national level to meaningful enforcement of all civil rights and women's rights legislation by the current Administration. I am concerned by such examples of bad faith as the new procedural civil rights enforcement regulation and by the request for only six new positions to enforce Title IX. My administration would be one that would make it clear from the outset that the enforcement of women's rights legislation is a personal priority, and one that I expect to see carried out through all levels of the Federal Government.

October 1975

Statement of Senator Birch Bayh
on
National Environmental Policy

In an increasingly complex world, environmental policy must be viewed as much more than government action to protect the environment. A true environmental policy includes not only the continuation of efforts to clean the air and water and protect our land and wildlife, but a recognition that related national problems -- such as energy development and recreational needs -- are an integral part of our environment.

This is a principle which I have acted on throughout my years in the Senate. As a member of the Senate Subcommittee on Air and Water Pollution I actively supported every major air and water pollution act of the 1960's -- landmark legislation which set in motion the first national effort to reverse the unthinking contamination of our rivers, streams and air.

But environmental policy must advance simultaneously on many fronts that will contribute to -- rather than complicate -- the solution of related problems. For example:

Energy and Environment. In 1972 -- before national attention was called to the energy crisis -- I successfully authored legislation to increase by \$10 million the funds spent on research for reduction of sulfur pollution from coal. This is only the beginning of what is needed for a concerted research program that will reduce air pollution from coal, allow increased use of coal, and reduce our dependence on oil as a source of energy.

Coal can and should be an important near-term source of cheap, environmentally acceptable fuel. Considering that nearly 80 percent of America's fossil fuel resources are coal -- some 3 trillion tons of it -- and that coal mining as well as coal burning are major environmental problems, national coal policy presents a tremendous opportunity and challenge.

A national coal policy must include legislation requiring the reclamation of strip-mined lands; anti-pollution laws to control sulfur emissions; and increased funding of research and development into processes which will allow the clean burning of coal. For the future, we must hold the line on strip-mining and air pollution standards, but greatly intensify efforts to develop clean methods of burning coal.

My approach to the use of other fuels is based on the same reasoning: that environmental protection and energy demands are not competing, but complementary concerns.

I opposed construction of the Alaskan pipeline -- both because I believe that the energy needs of all our citizens would be better served by a trans-Canada route, and because of the grave environmental risks posed by the Alaskan line.

I will continue to urge that the federal government provide support for research and development into improved energy conservation methods. The more efficiently we use our natural resources, the less quickly they will be depleted or exhausted. Advanced technology also gives promise of ways to burn fossil fuels so efficiently that products previously viewed as polluting wastes can be consumed in the burning process -- creating more energy and reducing pollution.

The federal government should play a key role in undertaking basic research and demonstration programs in those areas where the private sector is as yet unwilling to become involved. At the same time, short-term conservation goals can be advanced through simple economic incentives such as tax breaks for improved home insulation.

Waste Disposal and the Environment. A future generation may well look back on these decades and call them The Age of Waste. For too long we have heedlessly pursued a course of using up

natural resources while compounding the damage to our environment by dumping waste materials onto the land and into the water.

The national response to this problem must deal with both conservation and disposal. Toward this end, I urge that government efforts to improve disposal methods be focused on recycling.

Recycling can be more than an attempt to keep the landscape clean. If we press forward, we can assure a much more efficient use of natural resources, and reduce the depletion of minerals and forests. It is a method of conservation as well as environmentally sound waste disposal.

Again, the federal government has a major role to play in advancing the development of recycling technology. Grants to states and localities implementing recycling programs are necessary to support demonstration projects. The tax laws should also be used to provide incentives to industry to use recycled materials on a large scale.

Recreation and Environment. Although environment and parks are often thought to be practically synonymous, I believe that too little attention has been paid to the recreational needs of an urbanized society, and too little attention has been paid to the impact of government programs on recreational facilities.

I know -- I worked for the creation of the Indiana Dunes National Lakeshore in 1966, the first major national park to be located near an urban area. The great and still-growing popularity of this park convinces me of the need to create more open spaces adjacent to metropolitan areas.

Additionally, I believe that the examination of major government construction projects, including the leasing of off-shore property for oil drilling, must be subjected to a far more rigorous examination of the environmental and recreational impact than has been true in the past. A prime example of this problem was the plan to build a lock and dam complex at Alton, Illinois. This year, I led a successful effort to stop construction of the project, because it would have accelerated decay of the entire Mississippi River by leading to increased dredging, soil erosion and water pollution, as well as reducing recreational use of the river.

Land-Use Planning. A comprehensive environmental policy must necessarily seek to redress the destruction of our national landscape which random development has already created in too many areas. We must do our best to encourage a creative partnership between Federal, State and local governments to ensure optimal use of our land. Federal assistance should be available to those states and localities seeking to enact meaningful programs. Communication and cooperation between governments at each level must be strengthened grants to states should be conditioned on the requirement that members of the public as well as localities be included in the development of the program. Similarly, the federal government should be required to consult with states and localities before issuing regulations.

Transportation and the Environment. An area which should be an integral part of environmental policy involves transportation. As Chairman of the Appropriations Transportation Subcommittee, I have pressed for full funding and expansion of programs which will impact substantially and directly on the environment: programs such as highway beautification, and mass transit to reduce the use of automobiles with consequent reduction of automobile air pollution. I continue to oppose the use of U.S. airspace by commercial supersonic planes -- an exercise in advanced technology which contributes greatly to noise pollution, produces structural vibrations and wastes fuel. This year, the Senate failed by just two votes to prevent the landing of civilian SST's in the U.S. unless they can meet the same noise standards as U.S. subsonic aircraft.

December, 1975

Statement of Senator Birch Bayh
on
School Busing and Quality Education

While it is not surprising that the busing of schoolchildren has become a highly emotional issue overshadowing the real objective of quality integrated education, it is essential that we seek to place the entire matter in proper perspective.

School busing is not an end in itself. Rather, it is a means to the important national goal of providing every child in this nation with the best available public education. For more than 20 years, ever since the historic Brown v. Board of Education decision of the U.S. Supreme Court, it has been part of our laws that segregated schools do not provide quality education and hence must be eliminated.

Unfortunately, despite the explicit decision of the Supreme Court many school districts in all parts of the country persisted in maintaining segregated schools. Often this involved busing white children past black schools, and black children past white schools. The guiding principle then was not that children should attend their neighborhood schools, but rather that they should attend schools only with children of the same color. Obviously this is unacceptable.

Ample time was provided for local school districts to desegregate their schools through means other than busing. Those means, thoroughly studied and evaluated by the Select Committee on Equal Educational Opportunity of which I was a member, include:

- Redrawn district boundaries. In the past, school district lines were often drawn to promote segregation by exploiting racial housing patterns. Redrawn boundaries could just as easily cut across racial lines and achieve desegregation without a significant increase in pupil transportation in many communities. Indeed, this approach could enable many students who are now using buses to walk to school.

- Magnet schools. This involves upgrading the facilities and quality of education in certain schools to attract students, both black and white. Bearing in mind that the overriding goal remains quality education, there is every reason to believe it can be achieved in desegregated schools if all students have equal access to quality education.

- School pairings. By identifying those schools whose student bodies can be easily merged within respective grade levels, students can often attend the school nearest their home in integrated classes.

- New construction. Very often a local school board can make significant progress by carefully locating new schools in specific sites that will guarantee integrated classrooms by drawing students from a specific radius surrounding the new school. In the past, school districts that wanted to perpetuate patterns of segregation deliberately chose to build new schools in places that ensured a segregated student body. That policy must be reversed.

- Educational parks. This is another way in which quality, desegregated education can be achieved without busing. By locating elementary, junior high, and high schools together it is possible not only to bring students of different races together but to provide more economically those special educational services that are helpful to many students yet often unavailable at isolated schools.

The significance of this listing of means of achieving desegregated, quality education is to demonstrate that there are many ways to achieve this national goal without the use of school busing.

Sadly, too few school districts have been willing to undertake these alternative means of desegregation. Instead of responding to the challenge of quality, integrated education in a positive fashion, these school districts have

tried to ignore the law, choosing instead to perpetuate patterns of segregation even in the face of prodding from the Department of Health, Education and Welfare and the courts. In those circumstances where local districts refuse to desegregate their schools and boards try to avoid their responsibility to all their schoolchildren, the courts most often end up ordering the use of busing.

It is unfortunate that local school districts have failed to take positive action to avoid the need for busing orders. Busing is the least desirable means of achieving quality, integrated education, and I would like to avoid busing whenever possible. But the fact is that many localities make it impossible to avoid busing, and in those instances where all the other techniques of desegregation rejected by local school districts, busing must be available as a last resort. Unless that last resort is available, it is painfully obvious that historic patterns of segregated education would continue indefinitely. This would subject future generations of American children to inferior education which, in turn, prevents the fulfillment of individual potential and continues the social problems of chronic joblessness, welfare, and crime.

Because busing must be available as a last resort for achieving integration in those school districts that have practiced segregation, I oppose amending the Constitution to deny this remedy to the courts and to American schoolchildren.

As I noted, there will be those instances in which local school districts will bring busing orders upon themselves by refusing to seek other means to achieve desegregation. In those instances, we are talking about school districts that have practiced, and are continuing to practice, segregation. They must bear the burden of their own inaction.

But school districts that have not practiced segregation should not be made to bear the burden of their neighbors. This is why I authored an amendment, now law, to prohibit busing across school district lines unless:

- 1) Both of the affected school districts have been found guilty of practicing segregation; or
- 2) The district line itself was drawn for the purpose of promoting segregation.

School districts guilty of violating the law, just like individuals who violate the law, must bear the responsibility for their actions. But it is entirely inappropriate to make innocent school districts bear the burden of correcting injustice elsewhere.

Subsequent to the time my amendment passed the Senate in 1974, the same principle was upheld by the Supreme Court in a busing case that arose in Michigan.

As I observed, busing is the least desirable means of achieving school desegregation. I continue to urge those school districts that have practiced segregation to recognize the need for quality, integrated education and to take steps such as those I outlined above to desegregate their schools without busing. For until they act in such a responsible fashion, busing will be a fact of life.

BIRCH BAYH in '76

COMMITTEE FOR BIRCH BAYH IN '76 • POST OFFICE BOX 1500 • WASHINGTON, D.C. 20013

January 1976

Response of Senator Birch Bayh
to the
Presidential Questionnaire
from the
National Women's Political Caucus

1. Abortion

In my capacity as Chairman of the Subcommittee on Constitutional Amendments, I voted against all versions of a Constitutional amendment, including a states rights amendment, which would have restricted a woman's right to choose abortion: a right which was clearly enunciated by the Supreme Court decisions of Roe v. Wade and Doe v. Bolton. At the conclusion of my Subcommittee's rejection of the proposed Constitutional amendments, I stated that this action had ended any chance for such amendments during the 94th Congress.

Despite my personal reservations on abortion, I have concluded that I am not prepared to impose that personal feeling on others. I am not a woman. I have never had to weigh the considerations which a woman must under those circumstances.

I have opposed legislative riders -- such as the Bartlett amendment -- which would have restricted the right to choose for the economically disadvantaged women by denying medicaid funds for abortions or abortifacients.

As President, I would continue to oppose any effort to overturn the Supreme Court decision. I will continue to oppose the Federal government interfering with this very personal decision. As the one most responsible for enforcing our laws, I would see that the Supreme Court decision is effectively enforced throughout the nation.

2. ERA

As the Senate author of the Equal Rights Amendment, ratification of the ERA has always been a top personal priority for me. In defending the ERA from a series of weakening amendments on the Senate floor in 1972, I faced many of the same arguments we are hearing today in opposition to ratification. I successfully defeated all weakening amendments to the ERA in 1972, and I believe that together we can defeat the opposition today. The time has come for each of us to make every citizen aware of the benefits which will come -- to men as well as women -- from the ratification of the ERA. We need to counter those who contend that recent victories for women's rights -- Title IX, equal credit legislation, the admission of women to military academies, and various Supreme Court decisions -- have eliminated the need for the ERA. We must point to those areas of law, both federal and state, which currently work to the detriment of both men and women. To this end, I have written articles, made speeches, worked with national women's organizations on the federal, state and local levels, and spent many hours talking to individual state representatives on behalf of the ERA. Through my efforts, the ERA was made the priority business of the National Commission on the Observance of International Women's Year. The Commission is now engaged in efforts to create the first national organization with the sole purpose of ratifying the ERA.

As President, I would make it clear to all members of my party -- including all governors and state representatives -- that I consider ratification of the ERA a prime objective.

3. Child Care

As the author of the first comprehensive child care legislation introduced in the Senate, I have been deeply concerned over the failure of our nation to make quality child care services available to all children. My original legislation, largely incorporated into the bill vetoed by President Nixon, placed a high emphasis on the need for parent control as well as uniform federal standards of quality in relation to any child care facility.

Since I first introduced child care legislation in 1971, the need has become even more imperative. Today more than half of the mothers of young children are employed outside the home. More than 26.2 million children under 18 have working parents. For the 6 million pre-school children whose parents are employed, this country is providing licensed day care for only one out of every six.

Regrettably, the failure of this nation to provide for comprehensive child care has so damaged the faith of many of its most ardent supporters, that they now regard the concept of developmental child care as unreachable: a utopian dream. This attitude has derived in part from the current Administration's emphasis on child care as a merely custodial baby-sitting service for welfare mothers. It has come in part from the current system of pitting various social welfare programs that receive federal monies against one another.

My administration would not reflect such an attitude. My administration would recognize that it is clearly better economics to spend \$2 billion a year on constructive programs to raise whole, functioning members of our society than it is to spend 35 times as much feeding the results of our neglect -- crime and welfare -- after the time for constructive action has passed.

4. VICE PRESIDENTIAL NOMINEE

I intend to make my selection for vice president based upon the qualities which I feel are necessary for holding the office of the President of the United States. I do not consider these qualities to have any relation to the person's sex, racial or ethnic background, or religion.

5. PRESIDENTIAL APPOINTMENTS

Because women possess one-half of the talents and abilities of the American population, I would certainly consider them, as well as other under-represented minorities, as nominees for the Supreme Court, U.N. delegate, Cabinet members, White House staff, Federal judges, and ambassadors. I am certain that I will find qualified persons from a variety of backgrounds to help make the Government truly representative. In addition, as Chief Executive, I would exert strong leadership to make the Executive Branch a model employer. The most recent Civil Service Commission statistics show progress for women being made in the mid-level jobs (grades GS-9 to 12), but the entry of women into top policy-making positions is unbelievably slow. Between 1972 and 1974, the percent of women in jobs GS-13 to 18+ only increased from 4.2% to 4.7%! It is easy to give lip service to concepts such as these, but I would vigorously implement it by my actions, policy statements, and requests for accountability. I would set the tone for appointing women to top-level jobs, and for substantially increasing upward mobility efforts.

6. ECONOMY

Minority and women workers are the most serious casualties of the current economic crisis. These groups are neither small nor insignificant. Women, blacks and other minorities add up to 46 percent of the labor force. This 46 percent of the work force suffers from disproportionately high unemployment rates as well as an earning gap of nearly 60 percent compared to wages earned by white males. This situation reflects the persistent systemic discrimination that minorities and women face in work, education, and the other major institutions of our society.

When systemic discrimination combines with economic recession, efforts to assist minority and women's employment must be doubled. Not only must we see that affirmative action hiring programs are vigorously enforced, but we must take steps to assure an end to the occupational segregation that currently prevents many blacks and women from job achievement in the craft industry, in administrative and managerial jobs, and in other strata of employment across the nation.

The most important steps we could take right now to improve the economic position of women would be:

--enforcement of laws presently on the books which are not yet taken seriously by the federal government. As the author of Title IX, I am painfully aware of the difficulty in trying to force the present administration to live up to our legislative commitment to equal opportunity, equal education, and equal employment;

--passage of child care legislation and reform of the social security system to end discrimination against women whether they work outside the home or in it;

--passage of full employment legislation, such as the Humphrey-Hawkins bill which I support. Only a federal guarantee of full employment will ensure that everyone in this society who wants to work will be assured of economic self-sufficiency and self-respect. We can be satisfied with nothing less.

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12. RAPE

I have supported legislation which creates a National Center for the Prevention and Control of Rape. As a member of the Senate Appropriations Committee, I have fought to make sure the Center is adequately funded. As President, I would make sure that my budget requests to the Congress reflected the priority I place on finding effective means for dealing with the crime of rape, the effect on the victim, and the rehabilitation of offenders.

I have successfully offered an amendment to legislation revising the Federal criminal code which would correct two injustices in the treatment of rape victims: a) it would forbid the introduction of evidence of past sexual conduct of rape victims, and b) it would require evidentiary criteria for the crime of rape to be the same as for any other assault, i.e., there could be no requirement for two eyewitnesses. As President, I would seek to encourage states to reform their state laws to conform to these standards.

13. CIVIL LIBERTIES RE: SEXUAL PREFERENCE

I support legislation which would include sexual and affectional preference among those forms of discrimination prohibited by the Civil Rights Act of 1964.

14. EQUAL OPPORTUNITY

While this goal is worthy, I feel that today's major thrust for equality must be on monitoring agencies' enforcement of the laws currently on the books and expanding economic opportunity. From my personal involvement in the education field, I feel that the most good for the largest number of women will come from assuring that the Equal Employment Opportunity Commission, the Office of Federal Contract Compliance, and Office for Civil Rights in HEW have adequate resources, trained and dedicated staff, and affirmative management interested in eliminating sex discrimination.

Impact statements can serve a valuable purpose, as demonstrated by the environmental impact statements required under the National Environmental Policy Act of 1969. One good example of a socio-economic impact statement is the project being undertaken by the Interdepartmental Task Force of the National Commission on the Observance of International Women's Year. They have asked each agency to assess the impact of its programs on women. These assessments will provide valuable data, collected for the first time, as well as educating administrators throughout the Federal bureaucracy about programs' implications for and on women. As one of two Senators appointed by the President of the Senate to the IWY Commission, I support their programs. This project is similar to the "Percy Amendment" which requires the Agency for International Development to pay special attention in its bilateral assistance program to requests from countries that included women in the program planning and as beneficiaries. We must learn to consider the socio-economic implications, both short- and long-range, of the laws we pass.

15. FAIR CREDIT

I have expressed my views to members of the Federal Reserve Board on the need to strengthen the regulations implementing the Fair Credit Act of 1975. I am particularly concerned with those sections of the regulations which do not require that a creditor put in writing reasons for denying credit to women. I will actively support strengthening amendments.

As President, I will carefully watch the thirteen federal agencies which have the responsibility to enforce the equal credit regulations. I would do whatever was in my power to make sure that these agencies have the resource, staff, and commitment to assure meaningful enforcement efforts.

16. TITLE IX

As the Senate author of Title IX, I have consistently opposed efforts to weaken it, both in terms of its coverage and its enforcement. I led the fight in the Senate to strike the Casey amendment from an Appropriations bill -- a measure which would have prevented the application of Title IX to physical education classes and professional fraternities and societies. I testified before the House Education Subcommittee in opposition to resolutions of disapproval of the Title IX regulations, and also testified before the Senate Subcommittee in opposition to legislation to exempt revenue producing sports from Title IX.

I have also opposed the efforts of the Department of Health, Education and Welfare to limit its consideration of individual cases under Title IX. I introduced a resolution of disapproval in the Senate, along with 53 other cosponsors which called upon HEW to withdraw its new enforcement regulation.

Part of my concern has been the lack of commitment at the national level to meaningful enforcement of all civil rights and women's rights legislation by the current Administration. I am concerned by such examples of bad faith as the new procedural civil rights enforcement regulation and by the request for only six new positions to enforce Title IX. My administration would be one that would make it clear from the outset that the enforcement of women's rights legislation is a personal priority, and one that I expect to see carried out through all levels of the Federal Government.

October 1975

Statement of Senator Birch Bayh
on
Individual Rights and Responsibilities

There is no principle more basic to the fulfillment of the lofty ideals on which our nation was founded than the protection of the rights of individual citizens. That is why I actively supported the original Voting Rights Act of 1965 and that is why I introduced the first Senate amendment, earlier this year, to extend coverage under the act to Americans of non-English speaking origin. For that same reason, I was the principal Senate author and floor manager of the proposed Equal Rights Amendment, and I am continuing to work with groups across the nation to secure ratification of the amendment.

Unfortunately, too much of our time spent in the protection of individual rights has, of necessity, been devoted to defeating those proposals that would erode our rights. It is indeed a sad commentary, after Nixon and Mitchell, that many public officials still believe that no-knock, preventive detention, and wiretapping are legitimate activities for our government. While we have succeeded in resisting some of these assaults on Constitutional rights, it is clear to me that continued vigilance is the order of the day.

For example, the worthy goal of codifying our Federal criminal code has been seriously endangered by the inclusion in this controversial legislation, S. 1, of several provisions that run directly counter to the protection of individual rights. I have proposed specific amendments to prevent the improper use of entrapment by law enforcement officials in violation of individual rights, and to protect the right to assemble, a basic First Amendment right threatened by S. 1. In addition, I am supporting a number of amendments being proposed by my colleagues on the Judiciary Committee.

Perhaps most importantly, I have proposed a series of amendments to S. 1 in the section that has become known as the "Official Secrets Act". This provision of the proposed law would infringe dramatically on the freedom of the press by setting criminal penalties for the publications of a wide variety of classified government information, including material that might have no relation to national security.

While I have supported, and continue to support the principle of codifying the criminal code, I have made it quite clear that I intend to lead the effort to defeat S. 1 unless all of the repressive provisions, including but not limited to those I have mentioned above, are removed from the bill.

It is no coincidence that the freedom of the press is protected in the very First Amendment, along with freedom of religion, and the rights of free speech, assembly and petitioning the government for a redress of grievances. In no circumstances can we permit any abridgement of these rights, for if we do we will have set in motion the undermining of the very foundation of our society--the public's access to information.

Protection of our basic rights is a constant goal, which finds different focal points in different circumstances. For example, just as we have acted to protect the rights of racial and ethnic groups, so it is that we should now act to protect the rights of gays. Specifically, the 1964 Civil Rights Act should be amended to prohibit discrimination in any form on the basis of sexual preference.

As we have had to act to protect the rights of individuals in changing circumstances, so it is that we should be careful to extend to the broadcast media--unimagined when our Constitution was drafted--the protections provided for the press in the Constitution. While simple logic demands that the Federal government regulate access to a limited number of broadcast frequencies, that

regulatory power must never be used as a tool to restrict the freedom of radio and television stations.

Still another example of how changing circumstances demand fresh action to protect our freedoms is in the areas made possible by modern technology -- data banks, buggings, surveillance.

The right of privacy is threatened directly by the amassing in sophisticated computers of vast amounts of information about the citizens of our country. While we must use computers to facilitate the delivery of government services in a wide variety of areas, we must limit access to the information on those computers, prevent the unauthorized release of stored data, permit citizens to correct inaccuracies in their computer files, and restrict the comingling of that data so that a single data bank does not become the repository of excessive amounts of information about individual citizens. I have introduced and worked actively for legislation toward these goals.

In parallel fashion, we must demand that government surveillance, through electronic and other means, does not encroach upon the rights of our citizens. Wiretapping, except in the most limited national security and criminal areas and then only with the necessary permission of the court, should not be permitted.

Another right, protected in the Constitution, but misinterpreted by many, is the right to bear arms. While that right is explicit, it is a mistaken interpretation of the Constitution to assume that this automatically means gun control legislation violates the Constitution. The right to bear arms does not deny the Federal government the responsibility to protect the public safety by requiring those who purchase weapons to wait until their applications are reviewed before they may actually receive the gun they want to buy. Nor does the right to bear arms limit the ability of government to require a license for those who want to carry handguns. Much of what we do in government involves a delicate balancing of competing rights. Unfortunately, in the case of gun control that balance has tended to tilt too far toward those who want unlimited access to weapons, at the expense of the right of all our citizens to be protected from needless violence.

The Federal government clearly has the responsibility to deal with the criminal use of drugs. Yet, it is an unwise and unnecessary exercise of that responsibility to devote the attention and resources needed in more important areas of drug abuse and crime to investigate, prosecute and incarcerate individuals for the simple possession of small amount of marihuana.

There are many important tasks facing our government. But no matter how constructive are our policies for the economy, or energy, or international affairs, or a host of other areas, unless we succeed in fully protecting the rights of all our citizens we will have a government built on a crumbling foundation. And such a government cannot stand.

We must remember that the greatest threat to our liberty does not come from abroad. It comes from within -- and that was the great tragedy and legacy of Nixon's Presidency. Richard Nixon reminded us just how fragile our liberties are when faced with a President intent on destroying them. Those basic civil liberties and human rights we cherish can be lost today or tomorrow, a law at a time, or a phrase at a time. Only constant vigilance will ensure lasting protection of the principles we hold most dear.

The Washington Star, August 9, 1975

He begins a few points to the left of center, though at least he's from the center of the country, conversant upon corn and fodder, and his liberalism has not been of the lacerating variety. As to personal glamour, though, of the kind associated with the Kennedys, he probably possesses more of it than anyone else on the scene except Senator Ted Kennedy.

So Bayh must be sized up as a rather serious candidate, as things stand at this early and hazy point, and not for those reasons alone. His Senate record has not been undistinguished; for courageous advocacy of handgun controls, and work on some other matters of substance, he deserves credit.

Bayh may no longer be the boy wonder who, at 34, dispatched the hefty Homer Capehart back to Indiana, but he is a figure to watch. And especially so if his friend Senator Kennedy really keeps out of this affair. In that event, who knows what support from the Kennedy wing, and the Corn Belt and beyond, might begin sliding very swiftly his way?

The Columbus Ohio Citizen-Journal, August 8, 1975

He is a viable candidate in a race that already has attracted a long list of Democratic hopefuls, some of whom have only token support.

Knight Newspapers by Loye Miller, August 5, 1975

Despite the abundance of candidates, Bayh is thought by party leaders to have an excellent chance of becoming a major contender.

Marianne Means, Syndicated Columnist, July 24, 1975

Bayh enters the crowded presidential field with several assets—a solid liberal reputation, a substantial base among labor unions, a telegenic personality, a respected political career during which he has been credited with several legislative coups, and a name that while not famous is better recognized than that of most of his competition.

The Concord Monitor and Patriot, Concord, N.H., July 19, 1975

Bayh is a fairly liberal Senator, but in New Hampshire and elsewhere can count on a good deal of moderate and even conservative support.

His New Hampshire supporters already include a wide range of Democrats, from young liberal legislators to members of the old-line conservative "establishment" of the Democratic Party.

The South Bend Tribune by Jack Colwell, July 11, 1975

It will be a long, long race. Betting on a winner now would be highly risky business. But it's a safe bet

that Bayh will be in the race, with the potential of out-running everybody now in the field.

Knight Newspapers by Loye Miller, July 6, 1975

Simply put, Bayh is better known than Udall, has a residue of excellent contacts from his presidential effort of four years ago (dropped in late 1971 when Mrs. Bayh underwent cancer surgery), and is on more familiar terms with politically potent labor unions and other party power bases.

Nowhere is the threat more graphically pointed up than in New Hampshire, where two substantial political workers—legislative minority leader Chris Spiro and wealthy hotelman Walter Dunfey—stand ready to begin forming a Bayh primary campaign organization.

The Chicago Tribune by Jim Squires and Jon Margolis, June 9, 1975

Washington—Later this week Senator Birch Bayh will go to New York to address a group of frantically liberal Democrats who are thinking of endorsing him for President, even though he is not an active candidate.

Whether he gets endorsed by the New Democratic Coalition or not, a lot of other Democrats are having similar thoughts about the junior Senator from Indiana—and for the same reason.

Next to a reluctant Senator Edward Kennedy, the young, attractive Bayh is looking more and more like the party's best hope to beat George Wallace. And while party officials are reluctant to admit it publicly, they need a broad based candidate who can beat Wallace more than anything else.

The Cincinnati Enquirer, June 6, 1975

Liberal Democratic groups meeting in Chicago earlier this year also focused on Bayh to pick up the torch Senator Edward M. Kennedy dropped with his declaration of noncandidacy.

The Chicago Daily News, June 1, 1975

Bayh can espouse liberal positions without the frightening evangelism of George S. McGovern or the cliches of Hubert H. Humphrey. As a candidate for the 1976 nomination, he would not suffer from the image of so many of his colleagues as New Deal retreats. Yes, Bayh would be a welcome addition to the race, perhaps the fresh breeze for which many Democrats are waiting.

The New Republic, February 8, 1975

Bayh was a big hit at Sacramento in 1971 and spent months giving members of the state committee his personal attention. He made a lot of friends here and they're still loyal. A lot of commitments to other aspirants have been made on the condition that Bayh doesn't enter the race.



BIRCH BAYH in '76



COMMITTEE FOR BIRCH BAYH IN '76

POST OFFICE BOX 1500

WASHINGTON, D.C. 20013

What They're Reporting . . .

BAYH CAN WIN

Bayh - Democrat



"When so many have lost faith in our free society, we are heading for trouble"—Sen. Birch Bayh.—Globe-Democrat Photos

Bayh Takes New Stature Into '76 Democratic Race

By Jack W. Germond
Washington Star Staff Writer

While Birch Bayh was making a brief run at the presidency four years ago, a Democratic colleague from the Senate was asked over the dinner table to assess his strengths and weaknesses.

The senator paused for a moment, sipping his coffee in mock thoughtfulness and then replied: "He's a lieutenant governor."

But today — as Bayh takes the first formal step to enter the 1976 campaign by registering a committee with the Federal Election Commission — no one in the Democratic party is brushing him off with wisecracks.

ON THE CONTRARY, the 47-year-old senator from Indiana is one of only two or three candidates in the crowded Democratic field who achieved instant status among political professionals as "serious" contenders for the nomination that will be decided a year from now.

To some extent this is just a reflection of the stature he has acquired by becoming better known to both politicians and voters. He has been identified with high visibility issues in the



SEN. BIRCH BAYH
No brushoff

Henry M. Jackson and Lloyd M. Bentsen are only a little less unacceptable than Gov. George C. Wallace.

AMONG DEMOCRATIC leftists in this early stage of the 1976 campaign, the felt need is for a candidate they can accept who also can reach across to the center of the party and particularly to the politically influential elements of organized labor, most notably the big AFL-CIO unions. At this stage no liberal meets that description.

Four of those considered

And, as Bayh himself likes to point out, the Indiana Democrat has a history of sharing political foxholes with labor, most notably in the campaigns against the Haynsworth-Carswell nominations to the Supreme Court in the Nixon years.

BAYH ALSO HAS a reputation as one of the few candidates in the field now — Carter is another — with a rapport with black leaders in the party. Udall has yet to establish such a standing.

The only other candidate now on the horizon who might duplicate Bayh's credentials is Sargent Shriver, the 1972 nominee for vice president. But there is no little skepticism among Democrats about his ability as a campaigner, as opposed to as a Kennedy in-law. And right now he is plagued by doubts about the commitment to him by those in-laws.

In registering his committee today Bayh also offered a reminder that he has links to the Kennedys, beyond his friendship with Sen Edward M. Kennedy. The chairman of the committee is former governor Matthew Welsh of Indiana, but the treasurer and operating head of the group is

BIRCH BAYH CAN WIN IN '76

Time, November 3, 1975

Recently he opened headquarters in New York, Massachusetts and New Hampshire and won endorsements from many politicians in those states. He has started a delegate drive in Iowa, a non-primary state, where he is considered a threat to the front runner, Jimmy Carter. Bayh's biggest boost will come from labor. AFL-CIO President George Meany has encouraged him to make the race. He is a favorite of the United Auto Workers.

With his labor backing, Bayh could outdistance his liberal rivals, Carter, Morris Udall and Fred Harris.

Joseph Kraft, Syndicated Columnist, October 23, 1975

He has, in fact, a rare amalgam of qualities which commend him as a serious possibility.

Senatorial committee assignments have given him a line into the minority elements of the Democratic Party. He has standing with blacks because he led the fight in the judiciary committee to block President Nixon's effort to appoint to the Supreme Court judges with ambiguous civil rights records. Women activists welcome his support for the equal rights amendment. Steady backing of Israel endears him to Jews, and his sensitivity on civil liberties issues has ingratiated him with many young people.

Finally, apart from being a personable man and an indefatigable campaigner, he has strong labor ties with both a conventional union, the steelworkers, and a progressive union, the United Auto Workers. Thus he is one of the very few candidates who can win the support of Bella Abzug without provoking the wrath of George Meany.

The Baltimore Sun, October 22, 1975

Senator Bayh, 47, who won his third term last September, has a strongly liberal voting record and solid labor support.

But despite Senator Bayh's relatively late-entry—and four years ago there was only one candidate, Senator George S. McGovern, formally in the race—he, too, has creditable support in a number of states, including New York, Massachusetts, and New Hampshire, site of the first primary.

The Christian Science Monitor, October 22, 1975

Political observers here see the Senator possessing possible star quality. Some believe he could go "all the way."

It is recalled that in 1972, when he stepped out of the race for the nomination because of his wife's illness, Senator Bayh was being taken seriously as a candidate

who might well gain the nomination. Some here are convinced that, had he stayed in, Mr. Bayh would have beaten out George McGovern.

The New York Times, October 22, 1975

Mr. Bayh entered the campaign late; he was the ninth Democrat to announce, with only Governor George C. Wallace of Alabama and possibly Senator Frank Church of Idaho still to come. But he entered it as a candidate whose prospects are taken seriously by party leaders.

He is popular with labor, as evidenced by his invitation to the convention of the American Federation of Labor and Congress of Industrial Organizations this month, and by the presence in his inner circle of Stephen Schlossberg, general counsel to the United Auto Workers.

He is popular among women because of his efforts on behalf of the Equal Rights Amendment and with blacks because of his role in defeating the nominations of Clement F. Haynsworth and G. Harrold Carswell to the Supreme Court.

Political professionals tend to be impressed by his electoral success in a basically conservative state.

Mr. Bayh's staff includes figures from diverse elements of the party. The chairman is former Governor Matthew E. Welsh of Indiana, an old ally of Lyndon B. Johnson and Hubert H. Humphrey; the treasurer is Myer Feldman, White House counsel under John F. Kennedy. The manager is Jay Berman, a New Yorker from Mr. Bayh's Senate staff; his deputy is Ann Lewis, a women's activist who formerly worked for Mayor Kevin White of Boston.

The New York Daily News by Jim Wieghart, October 22, 1975

"... He is regarded by party insiders as one of the leading contenders for the Democratic nomination because of substantial support among organized labor, the liberal community, civil rights groups and the legal profession."

The Wall Street Journal by Norman C. Miller, October 14, 1975

In a factionalized party, Senator Bayh, at least on the form charts, looks like a candidate who may be able to pull most of the party's factions together. This factor alone has strong appeal to Democratic activists thirsty for victory.

The New York Times by Frank Lynn, October 12, 1975

Mr. Abrams has strong ties to the coalition that could give Mr. Bayh a decided advantage over two

other Presidential hopefuls seeking coalition support—Representative Morris K. Udall of Arizona and former Senator Fred Harris, an Oklahoman who has moved to Virginia.

The Washington Star by Jack Germond and James Dickenson, October 12, 1975

The April 6 New York primary is shaping up as a pivotal one for Democratic presidential aspirants, and this morning, Birch Bayh is holding a press conference in Manhattan to announce a major gain for his campaign. Bronx Borough President Robert Abrams has agreed to serve as his chairman in New York.

Abrams is one of the hot properties of New York politics at the moment, and could be particularly valuable to Bayh because of his ability to attract support across ideological lines in New York. The Abrams endorsement should help Bayh appear to be a more palatable candidate to the New Democratic Coalition, the reform-based organization of liberals that is usually influential far beyond its numbers in New York primaries.

The Washington Star by James Dickenson, October 2, 1975

To many professionals, Bayh is in the best position to move to the center and become the front-runner.

The Chicago Tribune by Jon Margolis, September 29, 1975

So far, Bayh seems the most likely beneficiary of any erosion in Jackson's Jewish support.

The New York Times by Christopher Lydon, September 28, 1975

Senator Bayh commands enthusiasm and tacit support among leaders of the larger unions of this region.

The New York Daily News by Jim Wieghart, September 21, 1975

Although he is getting into the race relatively late, Bayh may be the only Democrat besides Teddy Kennedy able to rally those liberal Democrats who gave muscle to the campaigns of Robert F. Kennedy and George McGovern.

The Washington Star by Jack Germond, September 18, 1975

No one questions his demonstrated appeal with the general electorate. Nor does anyone question that his record in the Senate had made him broadly acceptable to labor as well as the liberals.

Evans and Novak, Syndicated Columnists, September 13, 1975

Not having campaigned nationally since 1971 and without even formally announcing his candidacy yet this year, Senator Birch Bayh of Indiana has suddenly emerged as the liberal with the best chance of winning the Democratic primaries and thereby averting a convention deadlock.

Key figures on the party's dominant left wing have come to view Bayh as their best potential hope because of his potential popular appeal, his dynamism on the campaign stump and his acceptability across the Democratic spectrum. Equally important, Bayh today is organized labor's favorite candidate, uniquely enjoying substantial support among both old-line and leftist unions.

The Washington Star by Mary McGrory, September 9, 1975

All fear Bayh who has heavy labor support and the sponsorship of Walter Dunfey, a member of the state's (N.H.) most prominent political clan.

"I think," says Maria Carrier, Udall's much-respected chairman, "that he is the one some people have been waiting for."

Newhouse News Service by Dean Reed, August 31, 1975

Washington, D.C.—Senator Birch Bayh, D-Ind., is suddenly the talk of the town as a strong contender for next year's Democratic presidential nomination.

Bayh's announced campaign has received big boosts: A poll of New York Democrats showed the youthful (47) Hoosier Senator topping most announced candidates (except Jackson), and Bayh also was the favorite at the National Meeting of Young Democrats.

Meanwhile, Bayh's fund raising effort is moving ahead sharply. A campaign office will be opened this week near the Capitol, and a formal announcement of candidacy is scheduled for October.

The Associated Press, August 24, 1975

St. Louis—Delegates to the Young Democrats of America Convention yesterday picked Senator Birch Bayh as their first choice as the 1976 Democratic presidential candidate.

BIRCH BAYH FOR PRESIDENT 1976

Bayh opens campaign offices in Mass., N.H.

By Ellen Zack
Globe Staff

10-23
BOSTON GLOBE

Sen. Birch Bayh came to Boston yesterday from his home town of Shirkieville, Ind., where he had announced his candidacy for President on Tuesday. He said he will enter the Massachusetts primary next March.

Earlier in the day he had opened his first campaign headquarters in Manchester, N.H.

Bayh said at a press conference at his new Boston office that he would not support a constitutional amendment that would outlaw court-ordered busing as a means to achieve desegregation of schools.

"Busing is the last resort," he said, "and I'm concerned about the pain and suffering brought on by this method of achieving desegregation, but if school officials cannot succeed in upgrading educational opportunities by using other tools, then the last alternative is busing."

He agreed that he was not completely familiar with the busing situation in Boston but said he based his position on the results of busing in Indianapolis.

His reason for running



Presidential hopeful Birch Bayh addresses newsmen at the Copley Plaza. (Globe photo by Charles Dixon)

for President, he said, is to "return moral leadership to the highest office in the land."

He said President Ford is insensitive to many of the nation's problems, particularly unemployment and inflation. If elected, Bayh said, he will press for full employment through Federal programs.

"I would put people to work in the areas of new housing, revitalizing our railroads and make a major commitment to bet-

terling our mass transit systems" he said.

On his stop in New Hampshire in the morning, Bayh opened his campaign headquarters in the same offices from which Democrat John Durkin ran his successful campaign in the hard-fought rerun for the

Senate this year and the same building from which John F. Kennedy launched his successful New Hampshire primary campaign in 1960.

Bayh said he hopes the same kind of determination that elected Durkin will work for him.

Although he is a late entry to the presidential race, Bayh does not think his timing will affect his chances.

"I guess we'll have to play catch-up ball for a few innings," he told his Boston audience, "but around here that seems to work out well."

Fred Harris Endorsed by Labor Chief

WASH POST 10-22
The first major labor leader to endorse a presidential candidate has given his backing to Fred R. Harris, the former Oklahoma senator running as a "Populist" Democrat.

George Hardy, head of the 550,000-member Service Employees International Union and a member of the AFL-CIO Executive Council, endorsed Harris at a union meeting in Harrisburg, Pa.

Hardy's endorsement, the union said, was a personal statement and not an expression of the union, which in 1972 endorsed Sen. George McGovern (D-S.D.) after the Democratic National Convention.

Dick Murphy, a political spokesman for the union, said the endorsement was "terrifically unusual" because the AFL-CIO Executive Council and "all the unions are going to take the position of hands off until after the convention ... This was George Hardy saying 'I love Fred Harris.'"

Bayh Is Ninth Democrat In Presidential Contest

Senator Birch Bayh of Indiana is the ninth declared Democratic candidate for the party's Presidential nomination in 1976.

Already in the field are the following, listed in alphabetical order:

Senator Lloyd Bentsen of Texas; former Gov. Jimmy Carter of Georgia, former Senator Fred R. Harris of Oklahoma, Senator Henry M. Jackson of Washington, former Gov. Terry Sanford of North Carolina, Gov. Milton J. Schapp of Pennsylvania, Sargent Shriver, Democratic nominee for Vice President in 1972, and Representative Morris K. Udall of Arizona.

In addition, Gov. George C. Wallace of Alabama is expected to enter the race later this year, and Senator Frank Church of Idaho is considered a possible contender.

WYTIMES 10-22

Bayh Announces Presidential Bid

WASH
POST
10-22

By Jules Witcover
Washington Post Staff Writer

INDIANAPOLIS, Oct. 21—Sen. Birch Bayh of Indiana, pledging to "restore moral leadership to the White House," today became the ninth Democrat to declare formally his candidacy for the party's 1976 presidential nomination.

Speaking from the Indiana House of Representatives, of which he was speaker before his election to the U.S. Senate in 1962, Bayh said he would be an activist President who would use the powers of the office to achieve full employment and would "enlist the best minds in pursuit of answers to human problems."

Bayh said the task of righting the economy was the primary challenge facing a President today, and added, "We can't turn the country around until we have a President who has full employment as a goal."

He said he would put the unemployed to work on public needs such as revitalizing sewer systems in major cities, rehabilitating railroad beds and using presently unem-



SEN. BIRCH BAYH
...promises jobs

ployed teachers to give special attention to high school dropouts.

He said such a program could generate support for him in all segments of the Democratic Party. He said supporters of the 1972 candidacy of Sen. George McGovern (D-S.D.) on the party's left and Sen. Henry M. Jackson (D-Wash) on the right will back him because

See BAYH, A2, Col. 1

Bayh hugs his high school English teacher, Inez Skelly at Shirkieville, Ind.

Associated Press

Bayh Becomes 9th Democrat To Join Race for President

BAYH, From A1

"They're all out of work and they want a new President."

Bayh said a major cause of the national recession is "an arbitrary and inhumane monetary policy." As President, he said, he would try to get the Federal Reserve Board to lower interest rates "and free up money," and if the board refused, he would ask Congress for "the strongest legislation changing the regulations for the Federal Reserve Board."

The Indiana senator, with a touch of laryngitis, said he is running because "politics abhors a vacuum . . . People are looking to someone who can talk to them in terms they can understand." He spoke to a packed chamber of applauding supporters, some of whom were flown here by charter from Washington this morning.

Bayh said his campaign has already raised between \$125,000 and \$150,000 and expects to file records with the Federal Election Commission in a few days that will show he has qualified for federal matching aid under the 1974 campaign finance reform laws. To qualify, the candidate must have raised \$5,000

in each of 20 states in amounts of not more than \$250.

Bayh said he planned to enter early presidential primaries in New Hampshire, Massachusetts and New York, and Indiana on May 8, with others to be decided later. He said he would also compete for delegates in Iowa, the first state to select them by caucus, starting on Jan. 19.

Bayh began the day with a sentimental but elaborately staged journey to the small farm in Shirkieville, about 10 miles northwest of Terre Haute, that he operated before he ran for the state legislature in 1954. Several hundred people turned out in the crisp, sunny morning to shake his hand and hear a folksy, neighbor-to-neighbor talk by Bayh under a red and white tent behind a barn.

"Those of you who know me longest here know I've never had a burning desire to be President of the United States," he said. ". . . I felt closer to my god and I felt more fulfilled out in these fields than anything else I've done."

Nevertheless, he said, he felt a great frustration that the early spirit that made the country great "is not alive in the land," and he was

determined to try to restore it. "I, like you, believe in this country," he said in a quiet, conversational tone. "I, like you, love it, and I get angry when I see it run on half its cylinders."

Bayh's wife, Marvella, and son, Evan, were at his side throughout the day. In 1971, Bayh was actively exploring chances for the 1972 Democratic nomination when his wife underwent surgery for breast cancer. He announced he would not run, but since then Mrs. Bayh is reported to have fully recovered.

After his announcement in the state house, Bayh spoke at a luncheon in Indianapolis, and then went to Indiana University in Bloomington and the University of Notre Dame in South Bend. On Wednesday, he is to open his campaign headquarters in New Hampshire and hold a press conference in Boston.

Dahomey Stops Coup

COTONOU, Dahomey, Oct. 21 (UPI)—The military government of Dahomey announced over the weekend it suppressed an alleged coup plot last week.

Chicago Trib. 10-22

Coffee in a corn crib— Bayh begins campaign

By Harry Kelly

Chicago Tribune Press Service

SHIRKIEVILLE, Ind.—Neighbor ladies served coffee and pink-iced donuts in the corn crib. Black Angus cattle foraged in the stubble. Cars parked in rows on the winter wheat.

And in a gray-and-red-striped tent, Sen. Birch Bayh told the home folks Tuesday that he'd rather be working the fields than be President. But . . .

"I felt closer to my God and I felt more fulfilled here than any place in my life," the Indiana Democrat told the crowd of several hundred old neighbors and supporters in the barnyard of the Bayh family farm about 15 miles northwest of Terre Haute.

OUT IN THE audience was Mrs. Ina

Skelly, his music teacher when he played the trumpet. And Ralph Baxter, who ran for recorder of deeds the same year Bayh ran for the state legislature.

"Those of you who have known me longest know that I have never had a burning desire to be President," said Bayh.

But he declared that the country's early spirit "is not alive in the land" and "I want to restore our collective capacity to dream."

So, he announced, leaving no one in suspense, "I am going to leave here to go over to the State House [in Indianapolis] to formally announce my candidacy for the Presidency."

THERE WAS applause, smiles, and some cheers from the crowd that had gathered to give Bayh and his wife,

Marvella, a folksy send-off.

And then the press, campaign staff, and some of the supporters piled into two buses for an 80-minute trip to Indianapolis—and a transformation of campaign styles.

There, Bayh, the ninth announced Democratic Presidential aspirant, entered the state legislature, where he had once been speaker, to an ovation.

"I AM RUNNING for the Presidency to provide leadership to once again establish excellence as the American standard," said Bayh.

"I am running for the Presidency to provide the kind of leadership that will not be content to tell the country what we can't do, but instead will tell the country what we can do—and show the way to get it done," he added.



UPI Telephoto

Bayh greets friends on Indiana farm Tuesday after announcing his intention to seek Presidency.

Bayh Runs for President

NYTIMES-10-22

By R. W. APPLE Jr.

Special to The New York Times

SHIRKIEVILLE, Ind., Oct. 21
—Senator Birch Bayh of Indiana, betting that he can bridge the gap between left and right in his party better than any of his rivals, announced today his candidacy for the Democratic Presidential nomination.

Mr. Bayh first made his announcement at the family farm in this hamlet near the Illinois-Indiana border, speaking to perhaps 500 well-wishers beneath a red-and-white striped tent. Then he repeated his declaration in the State House of Representatives at Indianapolis, where he once served as Speaker, and at a rally in Bloomington, where he attended Indiana University Law School.

Speaking in a voice that he



Associated Press

Birch Bayh, announcing

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himself described as "frayed," the 47-year-old Senator promised in Indianapolis to provide "moral leadership" that would create more jobs, close tax loopholes, break up "monopo-

Continued on Page 21, Column 1

Bayh Seeks Democratic Presidential Nomination With a Pledge to Provide 'Moral Leadership'

Continued From Page 1, Col. 7

istic oil companies," reform the Federal Reserve System and provide succor to the old and needy. He invoked the name of Franklin D. Roosevelt, borrowed some of the rhetoric of Robert F. Kennedy but promised not to rely on the formulas of the past.

"The problems we face have changed and we cannot end the decade of the Seventies with the institutions of the Thirties, the priorities of the Fifties and the programs of the Sixties," he said.

"Where old programs are not working, they must be changed or eliminated. For without fundamental reform, spending money will only increase expectations, increase the cost of failure and increase the disillusionment that follows."

Mr. Bayh entered the campaign late; he was the ninth Democrat to announce, with only Gov. George C. Wallace of Alabama and possibly Senator Frank Church of Idaho still to come. But he entered it as a candidate whose prospects are taken seriously by party leaders.

Mr. Bayh's problems are his late start, which has cost him both money and organizational support; and the danger that he, like Senator Edmund S. Muskie of Maine three years ago, will find the center-left a treacherous territory in the primaries.

He is popular with labor, as evidenced by his invitation to the convention of the American Federation of Labor and Congress of Industrial Organizations this month, and by the presence in his inner circle of Stephen Schlossberg, general counsel to the United Auto Workers.

and with blacks because of his role in defeating the nominations of Clement F. Haynsworth and G. Harrold Carswell to the Supreme Court.

Political professionals tend to be impressed by his electoral success in a basically conservative state. In each of his Senate races, he beat a highly regarded Republican — first Homer E. Capehart then William D. Ruckelshaus and Richard G. Lugar.

Mr. Bayh's staff includes figures from diverse elements of the party. The chairman is former Gov. Matthew E. Welsh of Indiana, an old ally of Lyndon B. Johnson and Hubert H. Humphrey; the treasurer is Mr. Feldman, White House counsel under John F.

Kennedy. The manager is Jay Berman, a New Yorker from Mr. Bayh's Senate staff; his deputy is Ann Lewis, a women's activist who formerly worked for Mayor Kevin White of Boston.

It was Mr. Berman who shaped the late-announcement strategy, arguing that Mr. Bayh should hold back while the other candidates, particularly those on the left, tried but failed to "catch on." He waited, Mr. Berman said, until what he took to be "that moment when the hunger for a new face hits a peak, and just before people in desperation jump to someone else."

"The other guys have been overexposed and underre-

ceived," Mr. Berman remarked this morning. "We haven't been foreclosed."

Mr. Bayh said at a news conference after his Indianapolis declaration that he had raised between \$125,000 and \$150,000, including enough money in small lots from 20 states to qualify for Federal matching funds next year. The figures will be reported to the Federal Election Commission this week, he added.

The Senator's staff pointed to two straws in the political wind as evidence that he starts from a base far stronger than the one he had in 1971, when he ran briefly before dropping out because of his wife's struggle with breast cancer.

In a recent poll of party activists in Iowa, he finished a strong third. And at the National Young Democrat's meeting in St. Louis in August, he finished first with 138 votes to 86 for his closest competitor, former Gov. Jimmy Carter of Georgia.

The Senator's strategy, as outlined by his aides, is to work hard for the endorsement of the New Democratic Coalition on Dec. 6 as a first step toward eliminating liberal rivals, Robert Abrams, Borough President of the Bronx, is in charge of this effort.

Then he hopes to do well in the Iowa precinct caucuses on Jan. 24 and in the New Hampshire and Massachusetts

primaries in February and March, building toward New York on April 6. Chris Spirou, minority leader of the New Hampshire House, is heading the campaign in that state, where Mr. Bayh will be tested by Representative Morris K. Udall of Arizona, Sargent Shriver, former Senator Fred R. Harris of Oklahoma and Mr. Carter.

The other announced candidates are Senators Lloyd M. Beatesen Jr. of Texas and Henry M. Jackson of Washington, Gov. Milton J. Shapp of Pennsylvania and former Gov. Terry Sanford of North Carolina.

Later contests Mr. Bayh plans to enter include those in Ohio, where Eugene P. O'Grady, a former state chairman, is in

charge; California, where Robert Moretti, a former Assembly speaker, is the chairman, and, of course, Indiana.

His path here will not be without pitfalls. According to William K. Trisler, the Democratic state chairman, new national rules will force the party to allocate its 75 delegates in proportion to the vote for Presidential candidates, rather than using the winner-take-all primary-convention system of past years.

That means that Governor Wallace, who took 42 per cent of the vote in Indiana in 1972, will almost certainly win some delegates. Larry Conrad, Secretary of State, said that Mr. Wallace would probably get 30 or more of the 75.

Commentary and Editorials

Bayh campaigns for president on 'moral leadership' platform

By GEORGE F. WILL

THE BANKS OF Democratic presidential candidates, already somewhat less exclusive than the Queen's enclosure at Ascot, recently received another entrant. Sen. Birch Bayh.

Given that the world breaks one's heart soon and hard enough even if one is not a presidential candidate, reasonable people wonder why other people become candidates. A few days after he became one, Bayh looked straight into the sleepy eyes of NBC's "Today" show audience and confided that President Ford's opposition to aid for New York City is "one of the things that gets me angry and frustrated enough to run for President."

One among many things, I would wager. If Mr. Ford reverses his position on New York, Bayh may not reverse his decision to run. After all, four years ago, when New York's ruination was a cloud on the horizon considerably smaller than Bayh's ambition, Bayh found other angers and frustrations that compelled

him to run. And some people even think that if no Democrat wins in 1976, 1979 will be a year chock full of things that anger and frustrate Bayh. But, then, on the other hand, maybe not.

Sen. Bayh recently announced that he has no "burning desire" to be president. He made that announcement to local Democrats at Shirkieville, Ind., where once upon a time he tilled the soil. Then he sped to Indianapolis, having summoned the national media thither to hear him announce, in a voice already raspy from frantic campaigning, his presidential candidacy.

BACK AT SHIRKIEVILLE, when discussing the tepidness of his presidential desire, Bayh confided that "I feel close to my God right here" and that he felt "closer to God" and "more fulfilled here in these fields than anything I've done in my life."

I have an irrefragable hunch that God exclaimed "Good God!" when he heard about Sen. Bayh's Shirkieville remarks.

After all, He knows that there are a lot more American politicians who are anxious to be president than there are American politicians

who are anxious to be as close as possible to Him. And He knows that the purpose of the human journey is to wind up seeing the face of God, not to wind up seeing your own face on campaign buttons.

So why, God will be forgiven for wondering, has Bayh worked like a beaver all these years to put distance between himself and those Shirkieville fields?

God has a lot to listen to, so maybe He wasn't counting Bayh's use of the phrase "moral leadership" — 13 times in the 11 minute announcement. Evidently Bayh sees the Oval Office (not entirely originally) as a "bully pulpit."

DECLARING ONE'S CANDIDACY for President is not the sort of thing that even senators do every day. They do it, at most, quadrennially, which gives them time for what is, for some of them, the novel process of thinking before they speak.

So from the words Bayh presumably thought about before speaking, it is safe to conclude that he intends to seize the high ground of "morality" as an issue. Perhaps his campaign song will be a musical version of George

McGovern's slogan, "Come Home, America." He can use the old hymn "Softly and Tenderly":

Come home, come home,
Ye who are weary, come home.
Earnestly, tenderly, Jesus is calling,
Calling, oh, sinner, come home.

Sen. McGovern was tone-deaf to the desires of the larger electorate, but he had perfect pitch for the desires of the intense minority that, properly mobilized, dominates the Democratic nominating process. He had a high Earnestness Quotient.

THE EARNESTNESS QUOTIENT is the measure of a candidate's ability to scold, identifying the opposition's inadequacies not as mere mistakes, but as moral failings. A large slice of the Democratic left desires candidates who have the earnestness, if not necessarily the theology, of a righteous cleric.

Sen. Bayh, plucking from the dust the preacher's robes dropped by Sen. McGovern, is fulfilling a familiar role in the complicated purposes of Creation.



Will

Which is like Ted Kennedy running on his driving record

By JOHN D. LOFTON Jr.

IF INDIANA Sen. Birch Bayh's stand on the abortion issue is an example of the kind of "moral leadership" he says he would restore to the White House, his vow should be viewed not as a promise, but as a threat.

For 16 months, as chairman of the Senate Subcommittee on Constitutional Amendments, Sen. Bayh sat through hearings during which he heard 84 witnesses testifying as to the pros and cons of granting varying degrees of Constitutional protection to the lives of unborn children.

Yet when all was said and done, the Hoosier Democrat — despite his stated "personal" opposition to abortion — voted against all eight human life amendments.

The Senator's reasons for voting the way he did on the most important moral issue facing the country are both disgusting and disingenuous. They show that not only is he incapable of

demonstrating moral leadership, he can't even follow those who are.

Mr. Bayh says: "I feel that we cannot and must not use the Constitution as an instrument for moral preference. We cannot and should not presume to provide for the people of this country, people with widely varying opinions on such fundamental issues, a definitive answer to a question that is clearly not open to certitude."

But, what, pray tell, do these weasel-words mean? Throughout American history, our Constitution has repeatedly been amended for reasons that were in large part moral.

WOULD SEN. BAYH have voted against the 13th Amendment outlawing slavery because it sought to provide a definitive answer to a question on which there was such a wide variation of opinion that we actually fought a civil war over the issue? Of course he wouldn't have — I think.

Mr. Bayh fears that a human life amendment would turn out to be like prohibition, with tens of thousands of women still seeking abortions through illicit channels. He also worries that

"active political forces" would try to repeal an anti-abortion law.

But the Prohibition analogy is a specious one. The 18th Amendment was designed to protect people from themselves: a human life amendment would protect the unborn child's life from those who wished to snuff it out without any due process of law.

As to the inviolability of a human life amendment, of course it would be breached. Illegal abortions would undoubtedly continue. But there will always be violations of the law, and attempts to repeal laws, such as civil rights laws to protect minorities.

Yet these things, in and of themselves, are hardly a rationale for not passing such laws. This sort of reasoning is ridiculous.

ANOTHER REASON WHY he opposes a human life amendment, Mr. Bayh says, is because he shares the "reverence" of the American people for the Constitution, their "well-justified reluctance to tamper" with this document through the amending process.

But the Senator has not hesitated in the past to do such tampering himself with regard to

matters of a much less morally compelling nature than giving legal protection to the lives of the unborn.

The Senator has been directly involved in the passage of Constitutional amendments dealing with presidential and vice presidential succession, and giving the vote to 18-year-olds. In addition, he is active in pushing the so-called Equal Rights Amendment, and he is working hard for an amendment to "reform" the electoral college, which would allow direct popular election of the president.

BIRCH BAYH RUNNING for president on a platform of "moral leadership" is a little like Teddy Kennedy campaigning for the White House on the basis of his driving record.

Footnote: Besides stressing the morality issue, Sen. Bayh makes frequent references to his religiousness. Yet, in 1966, he played a key role in the fight against Sen. Everett Dirksen's Constitutional amendment to allow voluntary prayer in the public schools.

Bayh has also said he would stand up for the legalization of pornography, but not the sending of it through the mails.



Lofton

But Mrs. Bayh for president is another matter

By GARRY WILLS

POLITICIANS ARE SO generally rotten that one assumes the sanctity in any wife who can put up with one. Sometimes the assumption is valid — look at Judy Agnew. Sometimes it is not — look at Marion Javits.

The best way to look at all such political wives is in Myra McPherson's brilliant new book, "The Power Lovers." What is more, this book is the best way to look at many of the Democratic candidates for president. Here they are, and the look given to Lloyd Bentsen should end his shaky chances forthwith.

Talking to the wives gives Ms. McPherson a special vantage for seeing through political pretensions. Take the case of Birch Bayh. Recently when he announced his candidacy, he was at his Indiana "hometown," a place so obscure that it was spelled three different ways in the news reports (one is astounded it did not come out "Jerkyville"). Yet Mrs. Bayh is the real farmer's daughter. Mr. Bayh really grew up in Washington — but was a 4-H drop-in

Bayh's own achievements are real enough. As the result of his work on the 25th Amendment he has, in effect, put two men in executive office — Gerald Ford and Nelson Rockefeller. Now he would like to put himself in.

More to the point, he has kept two men out of the Supreme Court — those dim non-eminences Clement Haynsworth and G. Harrold Carswell. Bayh is Jack the Dwarf Killer. But he had to bring down Carswell at the price of virtually abandoning his wife during a great family crisis.

Bayh rightly gets credit for dropping out of the 1972 presidential race because of his wife's mastectomy. Ms. McPherson points out that his wife, already ill, had pleaded without success against his entering the race at all.

THIS IS NOT AN unusual episode in a politician's family life, as the McPherson book demonstrates. What makes it poignant in Bayh's case is that Marvella Bayh is one of those trapped women who, brighter than their husbands, help raise them to political eminence from which they are then excluded. This is the story of, for instance, Abigail McCarthy.

Marvella Bayh is not only Senator Bayh's equal in charm — and he, remember, seems to grow dimples at will, simply to oblige. She is

his superior in brains and political drive. She would never have flunked her bar test the first time around.

Many politicians were debating champions. But Bayh married one — after she had beat him. She was president of her student class, Oklahoma delegate to Girls Nation, then president of Girls Nations (greeted, as such, by President Truman). She gave up college to marry Birch, but went back later and finished.

Yet she is the one dissatisfied with political life. It no longer tests or rewards her. She is lucky to get an odd TV job or two. There is room for only one senator in a family.

THE WOMEN'S MOVEMENT is often questioned, as Mrs. Bayh was by her husband, with the words: "What can the movement give you that I can't give you?" That alone shows that the women's movement is not concerned with poverty, or material deprivation. It has to do with the unquestioning assumption that all a woman's talents (often superior to the man's) should be immolated to the career of the man.

If Bayh should by chance become president, it would really be by chance and by Marvella. And she would be rewarded with the right to hold teas in the rose garden.



Wills



Sen. Birch Bayh

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★★★ Nation CAMPAIGN

Jews starting to back Bayh and not Jackson

By Jon Margolis

Chicago Tribune Press Service

WASHINGTON—A week ago Saturday there was a fund-raising cocktail party at New York's St. Regis Hotel for Sen. Birch Bayh's presidential campaign.

The host of the party was William Levitt, the builder who created Levittown suburban developments. Like Levitt, the guests at the party were rich. And like Levitt, nearly all the guests were Jewish.

What makes that significant is that there has been a general impression in political circles for months now that what the politicians call "Jewish money" was solidly lined up behind Sen. Henry Jackson [D., Wash.]

THE BAYH COCKTAIL party was just one sign that this impression has always been incorrect. And in recent weeks there have been indications that it is getting more and more incorrect.

"There was a lot of support for Jackson in the Jewish community when he was the only game in town," said one political worker with close ties to prominent Jews. "But now people are looking around at the other candidates."

So far, Bayh seems the most likely beneficiary of any erosion in Jackson's Jewish support. But political activists in the Jewish community also are looking closely at Rep. Morris Udall and former Oklahoma Sen. Fred Harris. The candidacy of Pennsylvania Gov. Milton Shapp, who is Jewish, also is likely to cut into Jackson's strength.

RETAINING STRENGTH among Jewish voters and contributors is especially important to Jackson now because his candidacy is based on strong showings in the early primaries in Massachusetts and New York, and in New York, Jews can make up about one third of the vote in a Democratic primary.

When politicians talk about "Jewish money" they do not simply mean rich persons who are Jewish. They mean those who are especially active in Jewish affairs — organizers of Israeli bond drive dinners, fund-raisers for the United Jewish Appeal, leaders in Temple and synagog organizations.

Because of his strong support for Israel and his advocacy of emigration rights from Russia, Jackson started his campaign with strong support from many of these people.

AND HE STILL HAS A good deal of it. His Chicago campaign activities are being co-ordinated by lawyer Jack Guthman. One of the leaders in the New York Jackson campaign is Nat Lifflander, a lawyer prominent in the Jewish community.

But other politically active Jews, usually requesting anonymity, agreed that



Bayh



Shapp

Jewish contributors are at the very least beginning to hedge their bets by contributing to more than one candidate. Others are remaining uncommitted and still others like Levitt, are backing other candidates.

A FEW WEEKS AGO in St. Louis, Bud Levin, a successful oil distributor and active Jewish community leader sat at a table at another Bayh fund-raiser and explained why his earlier support for Jackson had waned.

"First," Levin said, "I don't think he's going to get nominated. Second, it isn't enough that I agree with his stands on Israel and Soviet Jews. I disagree with him on some issues, and I'm looking around at the other candidates."

Levin had a third reason, too, which few others are willing to discuss publicly but which bothers many Jewish leaders and also bothers the Jackson campaign. "Jackson's already seen as the Jewish candidate," Levin said. "That's not good."

Nearly all the Jewish leaders contacted said it was always absurd to cede "the Jewish vote" to Jackson because like other groups, Jews divide along income, education, and ideological lines and do not all vote alike.

Many prominent Jewish intellectuals, who were active in the antiwar movement disagree with Jackson's hawkish foreign policy views and were never likely to support him.

SINCE JEWS ARE only 3 per cent of the population and not a monolithic bloc, they are hardly a sufficient base for a national campaign. But politicians usually like all the support they can get, and Jews tend to be politically active as well as generous campaign contributors.

There is almost unanimous agreement among Jewish leaders that if Sen. Hubert Humphrey [D., Minn.] ran, he would get more support from the Jewish community than any other candidate.

"A lot of people have the feeling that Jackson is fort us," said an East coast rabbi who supports Jackson. "But we have the feeling that Hubert is one of us."

WHAT THE DEMOCRATS WILL SAY

Big time Dems, meanwhile, are whispering about problems of their own. To wit: Birch Bayh's biggest liability in his upcoming race for the Big Banana is his wife Marvella, who, Ear hears, has become less than marvelous of late. Shrewish, domineering, and aggressive, the rumors read. But maybe that's just the staff talking. She probably wanted him home for dinner.

WASH STAR 10-14

Bayh Achieves New Status as 'Serious' Contender

By JACK W. GERMOND
(c) WASHINGTON STAR

WASHINGTON — While Birch Bayh was making a brief run at the presidency four years ago, a Democratic colleague from the Senate was asked over the dinner table to assess Bayh's strengths and weaknesses.

The senator paused for a moment, sipping his coffee in mock thoughtfulness and then replied: "He's a lieutenant governor."

But Tuesday — as Bayh took the first formal step to enter the 1976 campaign by registering a committee with the Federal Election Commission — no one in the Democratic party was brushing him off with wisecracks.

On the contrary, the 47-year-old senator from Indiana is one of only two or three candidates in the crowded Democratic field who achieved instant status among political professionals as "serious" contenders for the nomination that will be decided a year from now.

To some extent this is just a reflection of the stature he has acquired by becoming better known to both Politicians and Voters. He has been identified with high visibility issues in the Senate and especially the Senate Judiciary Committee. His re-election last fall over Mayor Richard Lugar of Indianapolis, although hardly unexpected in the Watergate year, did seem to confirm his credentials as a vote-getter.

But Bayh's stature this time is less a testament to his own record than it is to the difference in the Democratic context today, particularly the situation of the liberals to

whom Sens. Henry M. Jackson of Washington and Sen. Lloyd M. Bentsen of Texas are only slightly less unacceptable than Gov. George C. Wallace of Alabama.

Among Democratic leftists in this early stage of the 1976 campaign, the need is felt for a candidate they can accept who also can reach across to the center of the party and particularly to the politically influential elements of organized labor, most notably the big AFL-CIO unions. At this stage no liberal meets that description.

Four of those considered liberals — former Gov. Jimmy Carter of Georgia, former Gov. Terry Sanford of North

SPECIAL NOTICE CITY PLANNING COMMISSION PUBLIC HEARING

At the meeting of the City Planning Commission of the City of Montgomery, Alabama, on Thursday, August 28, 1975, at 1:30 p.m. in the Commission Chamber, City Hall, Montgomery, Alabama, a public hearing will be held for consideration of the following item:

An application to rezone from R-65-s (Residential) and M-1 (Light Industrial) district to R-65-m (Multiple family), the following described property:

Parcel A Beginning at a point on the east side of Mobile Road 390.0 feet south of the southwest corner of Block "C" English Village Plat No. 1; thence from the point of beginning S 89 degrees 20' E a distance of 225.0 feet; thence S 00 degrees 53' 51" E a distance of 60.0 feet; thence N 89 degrees 20' W a distance of 225.0 feet to the east side of Mobile Road; thence N 00 degrees said land being in the Northeast quarter of Section 3, T15N, R17E, Montgomery County, Alabama and containing 0.361 acres more or less.

Parcel B Beginning at a point on the South side of Block "C" English Village Plat No. 1, 225.0 feet east of the Southwest corner of said Block "C"; thence from the point of beginning S 89 degrees 20' E along English Village a distance of 390.0 feet; thence S 00 degrees 54' E along English Village Subdivision, a distance of 350.4 feet; thence S 89 degrees 38' E along English Village Subdivision a distance of 1915.5 feet more or less to the center of a drainage ditch; thence S 18 degrees 44' 38" W along the center of said drainage ditch a distance of 381.6 feet more or less to Southlawn Subdivision; thence S 89 degrees 20' W along Southlawn Subdivision a distance of 2177.5 feet more or less; thence N 00 degrees 53' 51" W a distance of 701.2 feet more or less to the point of beginning, the said land being in the Northeast quarter of Section 3, T15N, R17E, Montgomery County, Alabama and containing 21.483 acres more or less.

All property owners interested in this item are urged to attend this public hearing and express themselves concerning same. For additional information concerning this case, call 262-4421, Ext. 283, after 5:00 p.m. call 262-4496.

CITY PLANNING COMMISSION
J. Aronstein, Jr., Director
Planning & Development Department
Mtg. Adv. August 22 & 24, 1975

Analysis

Carolina, former Sen. Fred Harris of Oklahoma and Gov. Milton Shapp of Pennsylvania — are also considered totally unproven as national figures. And the nominal leader among the liberals, Rep. Morris K. Udall of Arizona, has failed to persuade many of them that he can make a bridge between the George Meanies and the George McGovern.

In liberal eyes, Bayh is not an ideal candidate. Democratic liberals like their candidates pure of motives, and he is suspect among some of them

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An application to rezone from R-80-s (Residential) district to B-2 (Business) district, the following described property: Lot A Resubdivision of Lots 1, 2, 3, 4, 5, and 6, Second division, Cloverdale Terrace, as said Resubdivision is recorded in Plat Book 22, at Page 355.

All property owners interested in the above item are urged to attend this public hearing and express themselves concerning same. For additional information concerning this case, call 262-4421, Ext. 283, after 5:00 p.m. call 262-4496.

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An application to rezone from an R-65-s (Residential) District to a B-2 (Business) District, the following described property: "Commencing at the north west corner of Fifth Street and East Ann Street, thence north along the west side of East Ann Street, 156.8 ft.; thence west 50 ft.; thence south 156.4 ft.; more or less, to the north side of Fifth Street; thence easterly along the north side of Fifth Street 50 ft., more or less."

All property owners interested in the above item are urged to attend this public hearing and express themselves concerning same. For additional information concerning this case, call 262-4421, Ext. 283, after 5:00 p.m., call 262-4496.

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who consider his commitment opportunism. But his voting record is, at the least, palatable.

And, as Bayh himself likes to point out, the Indiana Democrat has a history of sharing political foxholes with labor.

Bayh also has a reputation as

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An application to rezone from an R-60-s (Residential) District to an M-1 (Light Industrial) District, the following described property: "Lot 18 of the Brown Addition according to Plat as recorded in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 4, at Page 54, less and except therefrom that part conveyed to Ophelia Barnett by deed recorded in Deed Book 355, at Page 248."

All property owners interested in the above item are urged to attend this public hearing and express themselves concerning same. For additional information concerning this case, call 262-4421, Ext. 283, after 5:00 p.m., call 262-4496.

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An application to rezone from an R-75-s (Residential) District to a B-2 (Business) District, the following described property: "Commence at the northwest corner of lot 5-Dairrada Plat, said plat lying on the south side of the Seaboard Coast Line Railroad and on the east side of Dairrada Road, and being the point of beginning; thence from said point of beginning run southerly along the east side of Dairrada Road, 475 ft., more or less; thence easterly 200 ft. more or less; thence northerly 375 ft. more or less to a point on the south side of said railroad, thence northwesterly along said railroad 225 ft. more or less to the point of beginning. Said property lying in the NE¼ of Section 3, T16N, R18E, Montgomery County, Alabama, and containing 1.9 acres more or less."

All property owners interested in the above item are urged to attend this public hearing and express themselves concerning same. For additional information concerning this case, call 262-4421, Ext. 283, after 5:00 p.m., call 262-4496.

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one of the few candidates in the field now — Carter is another — with a rapport with black leaders in the party. Udall has yet to establish such a standing.

The only other candidate now on the horizon who might duplicate Bayh's credentials is Sargent Shriver, the 1972 nominee for vice president. But there is some skepticism among Democrats about his

SPECIAL NOTICE CITY PLANNING COMMISSION PUBLIC HEARING

At the meeting of the City Planning Commission of the City of Montgomery, Alabama, on Thursday, August 28, 1975, at 1:30 p.m. in the Commission Chamber, City Hall, Montgomery, Alabama, a public hearing will be held for consideration of the following item:

An application to rezone from M-3 (Industrial) to B-1-a (Business), the following described property: Commencing at a point where the North right-of-way line of Commerce Street according to the plat of East Alabama as the same appears of record in the Office of the Judge of Probate of Montgomery County, Alabama, in Garrett Plat Book at Page 198; Thence, N-39 degrees 18' W a distance of 325 feet to a point, thence N-39 degrees 17' W a distance of 72.0 feet to a point; thence S-50 degrees 43' W a distance of 815.50 feet to a point. Thence, S-39 degrees 43' E a distance of 814.96 feet to the point of beginning. Located in the East ½ of Section 12, T16N, R18E.

All property owners interested in the above item are urged to attend this public hearing and express themselves concerning same. For additional information concerning this case, call 262-4421, Ext. 283, after 5:00 p.m. call 262-4496.

CITY PLANNING COMMISSION
J. Aronstein, Jr., Director
Planning & Development Department
Mtg. Adv. August 22 & 24, 1975

SPECIAL NOTICE CITY PLANNING COMMISSION PUBLIC HEARING

At the meeting of the City Planning Commission of the City of Montgomery, Alabama, on Thursday, August 28, 1975, at 1:30 p.m. in the Commission Chamber, City Hall, Montgomery, Alabama, a public hearing will be held for consideration of the following item:

An application to rezone from R-85 (Residential) to B-3 (business) and 0-1 (Office) district, the following described property: "Beginning at a point where the South line of the NE¼ of Section 33, T16, R18 Montgomery County, AL intersects the east right of way line of the Woodley Road; thence eastwardly along the south line of said NE¼ of Section 33 a distance of 417.4 feet to an iron pin; thence northwesterly and parallel with the east R.O.W. of the Woodley Road a distance of 417.4 feet to an iron pin; thence westerly and parallel with the south line of said NE¼ of said Section 33 a distance of 417.4 feet to the east R.O.W. of said Woodley Road; thence southeasterly along the east R.O.W. of said Woodley Road 417.4 feet to the point of beginning, containing 4 acres."

All property owners interested in the above item are urged to attend this public hearing and express themselves concerning same. For additional information concerning this case, call 262-4421, Ext. 283, after 5:00 p.m. call 262-4496.

CITY PLANNING COMMISSION
J. Aronstein, Jr., Director
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ability as a campaigner and doubts about the commitment to him of his Kennedy in-laws.

In registering his committee, Tuesday, Bayh also offered a reminder, that he has links to the Kennedys, beyond his friendship with Sen. Edward M.

SPECIAL NOTICE CITY PLANNING COMMISSION PUBLIC HEARING

At the meeting of the City Planning Commission of the City of Montgomery, Alabama, on Thursday, August 28, 1975, at 1:30 p.m. in the Commission Chamber, City Hall, Montgomery, Alabama, a public hearing will be held for consideration of the following item:

From an 0-2 (Office) District to an 0-1 (Office) District
Commence at the Northeast corner of Section 33, T16N, R18 E, Montgomery County, Alabama; thence along the North line of said Section 33, S 89 deg. 43' W, 1494.97 feet to the point of beginning; thence from said point of beginning continue S 89 deg. 43' W, 553.57 feet to a point on the East side of said Fisk Rd.; thence along the East side of Fisk Rd., S 32 deg. 34' W, 423.61 feet; thence N 89 deg. 43' E, 779.11 Feet; thence N 00 deg. 38' W, 359.97 feet to the point of beginning.

Said parcel lying and being situated in the NW¼ of 1 e NE¼ of Section 33, T16N, R18E, Montgomery County, Alabama, and contains 5.050 acres more or less.

From an R-75-s (Residence) District to a B-4 (Business District and R-75-M District)
Beginning at the northeast corner of Sec. 33, T16N, R18E, thence West 1560', thence south 1150', thence East 1365', thence North 350', thence 200'; thence North 800' to the point of beginning; said property being in the NE¼ of Sec. 33, T16N, R18E, Montgomery County, Alabama.

All property owners interested in this item are urged to attend this public hearing and express themselves concerning same. For additional information concerning this case, call 262-4421, Ext. 283 after 5:00 p.m. call 262-4496.

CITY PLANNING COMMISSION
J. Aronstein, Jr., Director
Planning & Development Department
Mtg. Adv. Aug. 22 & 24, 1975

SPECIAL NOTICE CITY PLANNING COMMISSION PUBLIC HEARING

At the meeting of the City Planning Commission of the City of Montgomery, Alabama, on Thursday, August 28, 1975, at 1:30 p.m. in the Commission Chamber, City Hall, Montgomery, Alabama, a public hearing will be held for consideration of the following item:

An application to rezone from an R-100 (Residential) District to a B-3 (Business) District, the following described property: "Beginning at a point on the west line of the SE¼ of Section 12, T16N, R18E, Montgomery County, Alabama, 660 ft. south of the intersection of said west line and the south right-of-way line of U.S. Highway 80; thence continue S 05 degrees 30' E, 400 ft. to the north line of Carol Villa Subdivision Plat No. 2; thence N 84 degrees 30' E, 710 ft. along said north line; thence N 05 degrees 30' W, 400 ft.; thence S 84 degrees 30' W, 710 ft. to the point of beginning. Said described parcel containing 6.5 acres more or less."

All property owners interested in the above item are urged to attend this public hearing and express themselves concerning same. For additional information concerning this case, call 262-4421, Ext. 283, after 5:00 p.m. call 262-4496.

CITY PLANNING COMMISSION
J. Aronstein, Jr., Director
Planning & Development Department
Mtg. Adv. August 22 & 24, 1975

Kennedy. The chairman of the committee is former Gov. Matthew Welsh of Indiana, but the treasurer and operating head of the group is Myer (Mike) Feldman, a lawyer here who served on the White House staff in the Kennedy administration.

Like all the others, Bayh will have to show that he is something more than another pretty face. His immediate goal is to achieve the minimum credibility by qualifying for federal matching funds by raising \$5,000 in small contributions in each of 20 states.

SPECIAL NOTICE BOARD OF ADJUSTMENT PUBLIC HEARING

At the regular meeting of the Board of Adjustment of the City of Montgomery, Alabama, on Monday, August 25, 1975, at 2:00 p.m. in the Commission Chamber, City Hall, Montgomery, Alabama, a public hearing will be held for consideration of the following items:

- 75-13 (1) Request a 7 ft. side yard variance for an open carport located at 413 Gardendale Drive in an R-65-d District.
- 69-199 (2) Request a 50 height variance for a sign located at the intersection of East South Boulevard and I-85 in a B-4 District.
- 73-1 (3) Request a 50 ft. height variance for a sign located at the intersection of East South Boulevard and I-85 in a B-4 District.
- 75-152 (4) Request a 3 ft. rear yard variance in order to make an addition at 2508 Hermitage Drive in an R-100 District.
- 75-153 (5) Request a 18 ft. rear yard variance for an addition at 2071 Potomac Avenue in an R-65-s District.
- 75-155 (6) Request a variance to build a second dwelling unit on a lot located at 2018 Harmon Street in an R-65-d District.
- 75-154 (7) Request a variance to build a residential structure on an unplatted tract located west of Fuller Road in an R-50 District.
- 75-157 (8) Request a variance to located a trailer for living purposes at 1215 Bragg Street in an R-60-d District.
- 75-156 (9) Request a variance to make an addition to an existing legal non-conforming dwelling at 33 Maxwell Avenue in an M-3 District.
- 75-158 (10) Request a 20 ft. rear yard variance for an addition at 2150 Belfast Street in an R-60-s District.

AT LAST! A DOCTOR WHO SAYS:

Birch Bayh—he had the courage to lead the fight to keep Harrold Carswell off the Supreme Court of the United States. We're fortunate that he succeeded.

Birch Bayh has said that there is no place in a free society for a legal system that permits violations of individual rights. Neither political necessity nor political expediency justify tearing down the constitutional guarantees of privacy.

That is why Birch Bayh voted against the "NO-Knock" Bill and fought against the Nixon administrations' policy of wiretapping people that disagreed with them. That is why he has been a leader in the right to pass a Right to Privacy law.

Birch Bayh has been a leader in every major civil rights struggle that marked his 12 years in the Senate. He didn't just vote yes--he worked to ensure that there were majorities to break filibusters and to pass the Civil Rights Acts and the Voting Rights Acts.



Everybody agrees with President Ford--inflation is domestic enemy number one. Senator Bayh recognizes the dangers of inflation and he has been working to keep the lid on rising prices--and that means the prices of petroleum products more than anything else.

That is why Birch Bayh voted to roll back oil prices--only to see President Nixon veto the bill. That is why Birch Bayh voted to cut more than \$20 billion from the budgets proposed by President Nixon. That is why Birch Bayh led the fight to close costly tax loopholes that enable the multinational oil giants, the large corporations and a few super-rich individuals to escape taxation.

Inflation is domestic enemy number one but it can be stopped.

Birch Bayh—he doesn't believe we must increase unemployment to fight inflation.

Start Bayh file



Birch Bayh

One Man

who makes

a difference

A copy of our report filed with the appropriate supervisory officer will be available for purchase from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402.

Paid for by HOOSIERS FOR BIRCH BAYH William T. Kelsey, Treasurer



Because he was concerned about conflicts of interest and integrity in government, Birch Bayh led the successful fight to keep Clement Haynsworth off the Supreme Court. And that is why Birch Bayh has been making full financial disclosures since 1966--long before it became popular.

Birch Bayh believes we need campaign reform legislation so that the political system can be opened to broader citizen participation. And that is why Birch Bayh has supported efforts to modernize Congress and open its work to public scrutiny.

Courage

Jack Colwell of the South Bend Tribune wrote of Birch Bayh:

"In considering who had the courage to say what when, it should be noted in fairness to Bayh that he spoke out against the John Mitchell morality of the Nixon administration back when it was regarded by many as political suicide...And we certainly know now that Bayh was right in suggesting that Mitchell might not really be the keeper of the key to law, order, justice, and honor."

Birch Bayh—he did what he believed was right and he was right in believing it.

When Birch Bayh came home to Indiana after serving as an enlisted man overseas he knew he could rely on the G.I. Bill to help offset the cost of his education--and he did. Now he wants Vietnam veterans to have the same opportunity.

- That is why Birch Bayh sponsored a bill to increase veterans pensions by 12%.
- That is why Birch Bayh sponsored a bill to increase educational benefits by 23%.
- That is why Birch Bayh sponsored a bill to provide low interest loans to meet rising tuition costs.

Birch Bayh—he doesn't believe that the way to win the war against inflation is to cut veterans benefits.

The courage

Since Thomas Jefferson authored the Bill of Rights, no one person has had a greater impact on constitutional reform than Birch Bayh.

Birch Bayh has successfully sponsored two constitutional amendments.

The Twenty-fifth Amendment, with the resignations of President Nixon and Vice President Agnew, was used twice this year as the vehicle for orderly transitions of power. Few if any nations in history have experienced such traumatic transitions in power with so little damage to basic institutions.

Because Birch Bayh led the Twenty-Sixth Amendment to passage, 18 year olds now have the right to vote.

And now Birch Bayh is fighting to secure ratification of a third constitutional amendment--equal rights for women.

to do

Birch Bayh is the leading Congressional advocate of putting justice back into the juvenile justice system.

As Chairman of the Juvenile Delinquency Subcommittee, Senator Bayh introduced and led to passage legislation completely overhauling our outmoded system of dealing with juveniles in trouble. Thanks to Birch Bayh, runaways can now get counseling and shelter. Thanks to Birch Bayh, juveniles now have their basic constitutional rights protected. Thanks to Birch Bayh, funds have been authorized for the construction of rehabilitation centers in local communities.

what's right

FREEDOM OF CHOICE

Senator Bayh has announced that he will oppose any efforts to overturn the Supreme Court's decision on abortion.

In announcing that his Subcommittee on Constitutional Amendments had decided not to report anti-abortion amendments to the full Judiciary Committee, Bayh stated that the Subcommittee's action made it unlikely that any further action would be taken on the proposed amendments for the duration of this Congress.

Defending an individual's right of choice, Bayh stated: "It is not a question of my personal views on abortion... The question is whether we, as elected representatives, feel amending the Constitution is the most responsible course of action. I have concluded it is not... each of us must make that important choice for himself, or herself."

SOCIAL SECURITY

As part of his continuing effort to amend Federal laws that discriminate against women, Senator Bayh authored legislation to end sex discrimination in social security. The bill would: a) provide equal benefits to dependents of female and male workers; b) eliminate dependency requirements for spouses of female wage earners; and c) provide for calculation of benefits on the combined earnings of working spouses.

21-5 FYI
EQUAL RIGHTS AMENDMENT

B A Y H F L O O R M A N A G E R S I D E N T

"Birch Bayh has done more to advance women's rights than any other single Senator..."

Marianné Means, Syndicated Columnist
June 15, 1975

E.R.A.

BIRCH BAYH was the principal sponsor and floor manager for the ERA in the U.S. Senate.

TITLE IX

BIRCH BAYH authored the landmark legislation outlawing sex discrimination throughout our educational system.

CHILD CARE

BIRCH BAYH authored the first major child care bill introduced in the U.S. Senate.

SOCIAL SECURITY & HEALTH INSURANCE

BIRCH BAYH has introduced comprehensive legislation to end sex discrimination in health insurance and social security benefits.

FREEDOM OF CHOICE

BIRCH BAYH, as Chairman of the Constitutional Amendments Subcommittee, voted against all efforts to overturn the Supreme Court decision on abortion.

BIRCH BAYH - U.S. SENATOR FROM INDIANA

Birch Bayh was first elected to the Indiana House of Representatives at the age of 27. Within two years, he had become minority leader. When the Democrats won a majority two years later, he became Speaker, a job he lost two years later when the Republicans took the majority again.

In 1962, he ran for U.S. Senate. He was 35, and he won by 11,000 votes. Many observers say that his victory was due to his use of a ditty "Hey, Look me over" (with Bayh's name and verses put in) from the Broadway show "Wildcat".

Bayh flooded the Indiana airwaves with the catchy song, and it so scared his 1968 opponent, William Ruckelshaus, that Ruckelshaus spent valuable campaign dollars to buy the copyright to the song so that Bayh couldn't use it.

Bayh says that he had no intention of using a ditty to win in the somber, Vietnam War year of 1968. Bayh, who had previously supported the War, was in full opposition by then. Furthermore, Bayh had assembled a crack campaign team by 1968, headed by Bob Keefe, who was finance chairman. Indiana usually votes Republican in Presidential elections, and the massive win in the state by Nixon in 1968 should have pulled Ruckelshaus into office, but Bayh won by about 72,000 votes.

At this point, Bayh became one of the most legislatively prolific members of the Senate. First, he authored the 25th Amendment, which established the machinery for Presidential succession. Then, he authored the 26th Amendment, which gave 18 year olds the vote. In 1969,

as a member of the Senate Judiciary Committee, he led the battles against the confirmations of Richard Nixon's appointments to the Supreme Court - Clement Haynsworth and Harold Carswell.

The fight against Haynsworth and Carswell brought Bayh into the national spotlight and created demand for Bayh as a speaker. Prior to the enactment of laws preventing the acceptance of honoraria fees by Members of Congress, Bayh led all Senators in fees from speeches.

Bayh sought to use his new-found fame by pushing through a constitutional amendment to eliminate the electoral college and begin electing the President and Vice President by popular vote. Rankled by the filibustering tactics of the amendment's opponents, Bayh used parliamentary tactics to bring all business in the Senate to a halt and force a showdown. At the end, a cloture vote failed, and the measure was pidgeonholed.

As a result of his speaking schedule, Bayh's attendance in the Senate fell off. After the ending of honoraria, Bayh cut his schedule somewhat, but he is still one of the Senate's more prolific speakers. He is extremely popular on the United Jewish Appeal Circuit, where his record and his speeches make him popular with Jews in all sections of America.

Among his other accomplishments are: the introduction and passage by the Senate of the Equal Rights Amendment; the Citizens' Privacy Act, which requires government agencies make their records on private individuals available to the person named in the record;

amendments to the Higher Education Act which prevent discrimination against women students or faculty members; universal and childcare legislation, consumer class action legislation, and a bill to require a two year study of the effects of the SST on the stratosphere before licensing it to fly in the U.S. (not all of these passed).

As Chairman of the Judiciary's Subcommittee on Juvenile Delinquency, he authored a bill to require the Bureau of Narcotics and Dangerous Drugs to control amphetamines; the Runaway Youth Act, authorizing grants to localities for temporary housing and counseling facilities for runaways, and the Juvenile Justice and Delinquency Prevention Act of 1973, which would have set up an apparatus to coordinate all federal programs on juvenile delinquency.

While Bayh is not a really strong advocate of gun controls, he has introduced two bills to end sales of cheap handguns in the U.S.

In 1966, he introduced the Dunes National Lakeshore Act, which gave his Indiana constituents both a national park and a deep-water port.

Bayh has run for the Presidency twice. In 1972, he had a well-oiled machine, greased with plenty of money and a staff as large as Ed Muskie's (and probably more professional). Somehow, perhaps because Bayh and his staff misjudged the electorate and the time, it did not mesh. Adding the "coup de grace" was the discovery of his wife's breast cancer. On the campaign trail, Marvella Bayh, who had been a champion orator in high school, was a marvelous asset. Bayh withdrew from the race. In 1976,

Bayh made up his mind late. By then he had lost a large number of possible staff to other candidates (Bob Keefe to Jackson, for example). He never got it together. Moreover, the big money from rich contributors like Milton Gilbert of Gilbert Flexi-Vans and Spartans Industries Chairman Charles Bassine was not available under the new campaign rules.

Staff members, although talented, do not stay with Bayh very long. Rumors say that part of the trouble is Mrs. Bayh: that she treats the staff like dirt, capriciously ordering them to run errands for her. Then, too, Bayh has had some hard luck. Marvella's cancer, the suicide of Marvella's stepfather and his own father's protracted illness have taken their toll from Bayh at times. Bayh has also been accused of having narrow sights. When he was first elected to the Senate, he was a member of the Public Works Committee. He later gave up that seat for a position on the Appropriations Committee, and his output of public works bills dropped drastically. Others have complained that Bayh had to be kept from going on counterproductive tangents during the Haynsworth and Carswell hearings, as well as at other times. Bayh has the ability to resolve differences between widely-diverse groups, such as the AFL-CIO and the U.S. Chamber of Commerce, but this ability to do this is limited to legislation, and not his national candidacies. He is an excellent campaigner in person, but he cannot find a national constituency.

Although Bayh is generally regarded as a liberal, pro-labor man, he had ADA and COPE ratings of about 50 in 1962. In recent years,

these ratings have been much higher and although he still bucks the unions when he wants to, as he did with the Philadelphia Plan, he always has union support in his Senate races and has gotten considerable union help for his Presidential candidacies.

In 1974, despite the Watergate scandal, the Republicans threw their best at him - Richard Lugar, Mayor of Indianapolis. Lugar was quite popular in Indianapolis, where a big majority had previously been an integral part of Bayh's two previous wins. Bayh won in Indianapolis, and beat Lugar ("Nixon's favorite Mayor") in the election.

After the 1968 election, the Dayton (Ohio) Journal-Herald revealed that two friends of Bayh's were appointed by a Bayh-Sponsored federal judge to manage some bankrupt trusts. The Journal-Herald had obtained their information from the former officers of the trust, who were later convicted of mail fraud. The Journal-Herald also discovered some errors in Bayh's filings on his post-election campaign funds in 1968. Bayh did little to dispel the rumors.

In April, 1972, the Journal-Herald series was inserted into the Congressional Record. On April 30, 1972, Bayh was the guest on CBS' "Face the Nation". The reporters were merciless with Bayh, and he was noticeably rattled. On May 4, he inserted a 14 page list of post-election contributors, apologizing to the Republicans whose names he was forced to publish.

As an addendum, it should be noted that Bayh has published a personal statement of worth and income in the Record every year since 1969, and

Birch Bayh
Page 6

is a supporter of legislation requiring revelation by all members of Congress and top-salary Federal employees.

Several years ago, when Barbara Howar wrote her biography Laughing All the Way, she described a protracted sexual affair with an unnamed U.S. Senator. For a while, there was a cocktail circuit guessing game about his identity. The name most often heard was Birch Bayh, and knowledgeable sources confirm it. This story has widespread credence among political types and gossips from coast to coast.

Bayh has written one book, A Heartbeat Away, about the writing and passage of the 25th Amendment.

Bayh is 48, has one son, and is a Lutheran. He lists his occupation as "dirt farmer".



BAYH: THE COURTSHIP OF LABOR AND THE LEFT

In a Democratic campaign year with an abundance of liberal candidates, each one must go to some pains to distinguish himself from the others if he expects his chances to last beyond the spring. Sen. Birch Bayh of Indiana is attempting to prove that he is the candidate best able to reestablish the coalition of divergent interests that carried the Democratic Party to its greatest power during the era of Franklin D. Roosevelt.

Bayh believes that the old concert of interests can be rebuilt. His supporters insist that his legislative record and his established vote-gathering ability in Indiana amply prove that he is the man who can bring it about. One adviser distinguished Bayh from the other liberals in these words: "The difference with guys like [Fred R.] Harris and [Rep. Morris K.] Udall is that Birch Bayh has actually been in leadership positions in struggles that have been of immense importance to these groups, rather than simply being able to show up and say that he voted right. That makes for a very different relationship with these groups, especially with their leaders."

Both Sides Now

Particularly important to the Bayh campaign theory is his cozy relationship with the old guard of union leadership. Since the reported disaffection of AFL-CIO President George Meany and other labor leaders with Washington Sen. Henry M. Jackson, formerly their favorite contender, over his support of the 1974 trade bill, Bayh's stock appears to have risen. He was the only candidate who attended the regional conferences of liberal Democrats in the fall of 1975 who also was invited to an AFL-CIO gathering in San Francisco in October.

Nor is Bayh's relationship with labor a recent one. From his earliest days in the Senate, he has received strong labor support. He has been graced by healthy contributions from union-affiliated political action groups.

Perhaps the most prominent role ever played by Bayh, one that pleased labor as well as blacks and other minorities, was his leadership of the Senate's rejection of two Nixon appointees to the Supreme Court. Both were federal judges from the South, Clement F. Haynsworth Jr. of South Carolina and G. Harrold Carswell of Florida. Both failed to win Senate confirmation after bitter battles that Bayh spearheaded, against Haynsworth in 1969 and against Carswell in 1970.

As he led the attack on Haynsworth's sense of propriety, the White House countered with charges against Bayh for taking union contributions and then voting for legislation benefiting the unions. Had more members of the Senate been free of the same alleged conflict, the criticism might have been more telling. As it was, Bayh was unhurt by the charges, and he has seldom been inclined to apologize for his labor support.

Equally important to the Bayh strategy is the belief that he can retain that strong labor support and still attract other elements of the venerated coalition, many of whom



have been visibly disaffected from labor over the last fifteen years. Bayh justifiably contends that he has been able to do that in the past. For example, despite his alliance with labor, Bayh has deftly retained his ideological freedom of movement. His position on the Vietnam war was in dovish contrast to the "hard hat" approach. Like many other ultimate doves, Bayh stood by the Kennedy and Johnson policies in the early years. But in 1968, he returned from a Vietnam inspection tour clearly opposed to the war effort.

He was then active in the prolonged struggle by Congress to reassert control over the war-making powers. He sponsored amendments that established Congress' power to review and reduce the manpower levels of the military, and supported the 1970 Cooper-Church amendment to curtail the use of American ground forces. He now states his belief that "Vietnam ranks among this country's greatest and most tragic mistakes."

That record, and that language, preserved Bayh's credibility and acceptability to the anti-war faction in the Democratic Party.

Bayh also manages to balance the conflicting positions of labor and blacks in some instances. The controversial "Philadelphia plan," which set black employment quotas on federally contracted construction, was opposed by the unions but supported by Bayh. He has also differed with the unions by giving support to Richard Hatcher, the black mayor of Gary.

Bayh's support for black causes has been consistent. He has supported the major civil rights bills throughout his Senate tenure, including the voting rights, public accommodations and fair housing laws. He has been an advocate of federal funding of community and urban development programs and other efforts to relieve inner-city distress.

Still another group with whom Bayh has political credit is women. Bayh floor-managed the Equal Rights Amendment in the Senate and successfully fended off the attempts by Sen. Sam J. Ervin Jr. (D N.C. 1954-75) to dilute the constitutional proposal. He also headed the fight for the prohibition of sex discrimination in educational establishments, including military installations, receiving federal funds.

The recent recession has placed additional strains on the relationship between organized labor and minorities as firms lay off those most recently hired—often women and blacks. Yet Bayh aides insist that this is not a dangerous problem for their candidate.

Deputy campaign manager Ann Lewis argues that "the fight is not over seniority. We women and blacks know that we will always come out last under any system so long as there is unemployment. The real fight is between unemployment and full employment." Bayh supports the Humphrey-Hawkins full employment bill, and argues that full national employment is the answer to these problems raised by the recession.

Bayh has cultivated other groups who have felt dispossessed by the society and call the Democratic Party their political home. That includes the Hispanic population. He fought for the 1975 expansion of the Voting Rights Act

to embrace non-English-speaking minorities such as Spanish-Americans. He has cosponsored a proposal for more bilingual proceedings in federal district courts.

Bayh predictably has a record of support for farmers, hailing as he does from farm country in central Indiana. (His brochures have long claimed that Bayh is the "only dirt farmer in the U.S. Senate"). Yet he has fought hard for a limitation on government subsidies to agribusiness, fighting in particular to limit the total amount of crop subsidies which can be received by any one farmer in a year.

Finally, Bayh has been more outspoken than possibly any other candidate in espousing the full civil rights of homosexuals. He insists that declared homosexuality cannot constitutionally be a basis for job discrimination, any more than sex itself. This is Bayh's most evident flirtation with the kind of "social issue" liberalism that contributed to the McGovern foundering. It remains to be seen whether Bayh is vulnerable in that same way.

The Primary Strategy

The test of Bayh's strength with the coalition will be in the early primaries. His strategists readily concede that those elections will be crucial, for it is their contention that one candidate will emerge from the liberal cluster and develop the momentum to become the party nominee. As Bayh's press secretary, Bill Wise, stated it, "By the time we reach the New York primary [April 6], the field should be narrowed to one liberal candidate. The others aren't going to disappear, but in terms of real effect, only one will be important. He will face Jackson and [Alabama Gov. George C.] Wallace for the nomination."

Wise, reflecting the thinking of his boss, is confident of the hypothetical liberal leader's prospects at that point, for he feels the hawkish record of Jackson on Vietnam will irrevocably hurt him with the 1972 McGovern element still influential in the party. He views Wallace as out of the question for the Democratic nomination.

Thus, Bayh's plan is to become the front-runner before the New York primary. To achieve this, the campaign is concentrating on New Hampshire, Massachusetts, New York and Iowa. In each of those states, Bayh has what his staff calls broad-based steering committees studded with experienced local politicians. Wise suggests that they learned from the abbreviated Bayh campaign in 1971 that less staffing at the national level and more work at the state level is a better tactic. That is how the effort is being structured, with the small Washington staff not yet complete.

Bayh's strategy has been praised by one veteran New Hampshire politician who feels that the Bayh organization was the best of all at the national level in 1971, but that it did not have the field workers in the states to cash in on its sophisticated media efforts in Washington.

In his 1971 campaign, the junior senator from Indiana was still relatively little known and had to convince the press and others that he was a serious candidate. Now his name recognition is comparatively high, and he is viewed by most observers as a serious contender.

Bayh's strategy produced a near-success in New York Dec. 6, when the liberal New Democratic Coalition (NDC) came within a fraction of a vote of awarding him its endorsement. Resistance from Harris supporters kept Bayh below the 60 per cent figure needed for formal endorsement, but he emerged with a clear majority of the vote and the psychological boost of first place among a cadre of activists on the party's left.

Bayh's Interest-Group Ratings

Americans for Democratic Action (ADA)—ADA ratings are based on the number of times a senator voted, was paired for or announced for the ADA position on selected issues.

National Farmers Union (NFU)—NFU ratings are based on the number of times a senator voted, was paired for or announced for the NFU position.

AFL-CIO Committee on Political Education (COPE)—COPE ratings reflect the percentage of the time a senator voted in accordance with or was paired in favor of the COPE position.

Americans for Constitutional Action (ACA)—ACA ratings record the percentage of the time a senator voted in accordance with the ACA position.

Following are Bayh's ratings since he entered the Senate in 1963:

	ADA ¹	COPE ³	NFU ³	ACA
1974	62	100	100	6
1973	85	91	100	4
1972	80	88	100	6
1971	96	80	90	14
1970	72 ²	100	100	11
1969	78	100	94	7
1968	50	100	50	38
1967	62	90	89	4
1966	80	92 ²	93	11
1965	94	92 ²	85	8
1964	86 ²	80 ²	76 ²	3 ²
1963	86 ²	80 ²	76 ²	3 ²

1. Failure to vote lowers score.

2. Scores listed twice indicate rating compiled for entire Congress.

3. Percentages compiled by CO from information provided by groups.

4. ADA score includes some votes from December 1969.

Bayh did not do well at a similar meeting in Massachusetts, drawing only 4.4 per cent of the vote. There was some consolation in the failure of both Udall and Harris to win a majority, but the mixed result from the two states led many observers to discount the significance of the entire weekend.

Closer to God

A serious potential problem is that, in several campaign appearances before sophisticated audiences, Bayh has received low marks from some listeners for his casual, down-home style. Others who have met him during his campaign travels have complained of his failure to deal with the complexities of some issues. Still others were critical of the sanctimonious tone they perceived in Bayh's Oct. 21, 1975, announcement of candidacy in his hometown of Shirkieville, Ind., where he said: "Those of you who have known me the longest know I have never had a burning desire to be President of the United States. You know I feel closer to my God right here." Such pious declamations are surprising in a man who has shown a strong instinct for tough political fighting and who is a veteran campaigner presenting himself for national office for the second time.

Another potential problem is simply timing. Bayh did not enter the race until comparatively late in the year, and admittedly he has to play catch-up with the earlier contestants. His staff is confident that he can do so, pointing to the rapidity with which he qualified for federal matching funds under the new election law as proof of the range of his support and his ability to tap it.

If the new election law is not overturned by the Supreme Court, however, money could prove to be an obstacle for Bayh over the long stretch of primary fights, since he has not accumulated a war chest in advance, as did Jackson. Only the early victories which he seeks are apt to allay the money problem.

Senate Elections

One way of assessing Bayh's potential for reaching the voters is to look at his past campaign successes. His first campaign for the Senate, in 1962, was against a three-term Republican incumbent, Homer E. Capehart (1945-63), and Bayh was given little chance. A former speaker of the Indiana House, Bayh was then obscure enough that one of the principal features of the Bayh campaign was a radio jingle that explained how to pronounce his name ("bye"). Capehart presented a bellicose image during the Cuban missile crisis that overshadowed the 1962 election season, while Bayh ran a campaign marked for its energy and for his willingness to meet the people. Bayh won his upset, 50.3 to 49.7 per cent, and went to the Senate at age 34.

In 1968, Bayh was challenged by Republican William D. Ruckelshaus. Despite Ruckelshaus' later familiarity as a result of his role in the 1973 "Saturday night massacre" of Watergate, he was the one who had the obscurity problem in 1968. Ruckelshaus was helped by presidential candidate Richard M. Nixon, who carried Indiana that year by more than a quarter million votes, his largest plurality in any state. Still, Bayh escaped the coattails and won a second term, 51.7 to 48.1 per cent.

In 1974, Bayh's Republican challenger was Indianapolis Mayor Richard Lugar. At one time, Lugar was seen as a substantial threat to Bayh, but then the title accorded Lugar of being the Watergate-damaged Nixon's favorite

Bayh's Background

Profession: Attorney, farmer.

Born: Jan. 22, 1928, Terre Haute, Ind.

Home: Shirkieville, Ind.

Religion: Methodist.

Education: Purdue University, B.S., 1951; Indiana State College; Indiana University Law School, J.D., 1960.

Offices: Indiana General Assembly, 1955-63; minority leader for four years, and speaker for two years; Senate since 1963.

Military: Army, 1946-48.

Memberships: Junior Chamber of Commerce; American Farm Bureau Federation; National Farmers Union; American, Indiana and Vigo County (Indiana) Bar Associations.

Family: Wife, Marvella Hern; one son.

Committees: Appropriations: chairman, Subcommittee on Transportation and Related Agencies; Subcommittees on Agriculture, Labor-HEW, Treasury and HUD and Independent Agencies; Judiciary: chairman, Constitutional Amendments Subcommittee; chairman, Subcommittee on Juvenile Delinquency; Subcommittees on Administrative Practice and Procedures, Antitrust and Monopoly, Constitutional Rights, Internal Security, and Penitentiaries.

mayor began to lose its appeal. Bayh again won, 50.7 to 46.4 per cent.

Those results, although all close, generally are read as an indication of Bayh's campaigning ability; he is widely regarded as an anomaly because he is so much more liberal than his Indiana constituency. Yet Bayh runs successfully in Indiana because he is careful to serve the state well in traditional ways that are outside ideological categories.

As a member of the Public Works Committee during his earlier days in the Senate, he was successful in significantly enlarging the amount of "pork barrel" public works funds that came Indiana's way. He worked for relief, in Indiana and elsewhere, in the wake of natural disasters. He successfully fought to have the Indiana Dunes area designated as a national lakeshore. When traumas to the economy, such as the closing of factories, have occurred, he has attempted to reach solutions that moderate the impact on his constituents.

Bayh is also widely credited with doing solid "constituent work," the basic chores of any elected representative—answering letters and helping individual Indianans solve the myriad problems of dealing with the Federal and local governments. Some critics have seen a darker side to Bayh's agility at this work, claiming that he has been prepared on occasion to slant his responses to mesh with the attitudes of an irate constituent whether or not those responses reflected his voting positions.

The key question that emerges from the Bayh campaign record is whether or not his successful Indiana mix of folksy handshaking, good constituent service, and hometown boy image can be converted to a national campaign format. If so, then Bayh may indeed be able to keep the old coalition wired together.

Personal Background

Bayh, still boyish-looking at age 47—he will be 48 on Jan. 22—is very much an Indiana product. Born near Terre Haute, he comes from German stock. He grew up on a farm and attended the Purdue University School of Agriculture, where he demonstrated his athletic ability by becoming the

Bayh's CQ Vote Study Scores*

	1974	1973	1972	1971	1970	1969	1968	1967	1966	1965	1964	1963
Presidential support	28 ¹ /26 ²	30	30	22	26	47	45	64	64	70	59	76
Presidential opposition	42 ¹ /28 ²	53	54	46	33	35	24	17	15	14	7	6
Voting Participation	69	86	83	59	68	77	64	75	80	84	79	82
Party unity	61	81	71	58	65	73	60	65	74	73	68	70
Party opposition	8	5	8	5	5	9	7	14	8	8	6	5
Conservative Coalition support	13	7	7	2	3	9	20	16	14	10	12	9
Conservative Coalition opposition	58	83	76	63	60	71	49	57	74	74	65	56
Bipartisan support	59	77	70	37	55	62	51	59	69	73	59	78
Bipartisan opposition	9	9	16	19	11	12	13	14	9	13	8	9

1. During President Nixon's tenure in 1974.
2. During President Ford's tenure in 1974.

* Explanation of studies. Weekly Report p. 107.

state Golden Gloves light-heavyweight champion. He had been too young for the wartime Army, but served in the U.S. occupation forces in Europe after high school, in 1946-48, before settling in for his Purdue degree.

In 1955, at age 27, Bayh began eight years of service in the Indiana Assembly. He gained the esteem of his party colleagues, who made him minority leader in two sessions, and he was assembly speaker for one term when the party obtained temporary dominance. His relations with the press in those days were sufficiently solid for newsmen to vote him Indiana's "most able representative" in 1961.

Bayh's success in the legislature did not come at the expense of his other development. He also was working during this period to obtain his law degree. He received it from Indiana University in 1960. A little more than two years later, he abandoned private practice to run for the Senate.

Bayh's wife, formerly Marvella Hern, is one of the more visible Senate wives. No Bayh anecdote is more familiar than the one about how he met his wife—in a national debate contest in which she defeated him. That incident is perhaps illustrative, since ambition on her part is said to be one of the factors in his own electoral strivings. Bayh dropped his exploratory bid for the 1972 nomination after she was operated on for cancer in 1971.

Positions on Issues

Bayh's best-publicized and most substantive legislative work has been related to his chairmanship of the Constitutional Amendments and Juvenile Delinquency Subcommittees of the Senate Judiciary Committee.

Constitution

He has shown a gift for identifying issues on which a positive contribution can be made without alienating any particular interest group. His involvement with constitutional amendments is the most significant example of this. Bayh has led the battles for several amendments since

he came to the Senate and took his place on the Judiciary Committee. He has made his chairmanship of the Subcommittee on Constitutional Amendments an important post. The proudest Bayh achievement in the constitutional realm is his authorship of the 25th Amendment, which spells out procedures for dealing with presidential disability.

Bayh and many others had been led by the illnesses that afflicted President Eisenhower, and much more by the assassination of President Kennedy, to have strong concern over the mechanism of succession to the presidency in the event of temporary disability or death. Bayh raised the Senate's awareness of the issue, pushed his bill through Congress and ultimately saw it ratified and added to the Constitution in 1967. Since then, the amendment has been brought into use twice—first in the appointment of Gerald R. Ford as Vice President and then in Ford's choice of Nelson Rockefeller to succeed him.

Bayh's subcommittee work also involved him in the move to extend the vote to 18-year-olds. Voting studies since have indicated that the young do not vote in a significantly different ideological pattern from other voters. Whatever its impact, the franchise extension allows Bayh to present himself as being concerned with allowing youth a fair share of the political process.

The Equal Rights Amendment has met stiff opposition and has not yet been ratified. Another proposed constitutional amendment of substantial concern to Bayh has not met with legislative success. Since 1966, he has been convinced that the electoral college method of electing Presidents should be replaced by direct election.

Youth and Crime

The second area to which Bayh has devoted a large amount of his energies is juvenile crime. His record for legislation here is impressive; the record on results is not, and the blame in the eyes of Bayh's committee aides belongs squarely on the Republican administrations of Nixon

and Ford. Bayh juxtaposes two figures: the percentage of crimes committed by juveniles and the proportion of federal crime money being spent on juveniles. He finds the divergence between the two—far more crime than money—most disturbing.

Bayh had fought for more than a year to create a special federal office designed to address the problems of juvenile offenders and to administer the flow of federal funds to programs dealing with those problems when he finally saw a bill signed into law, the Juvenile Justice and Delinquency Prevention Act (PL 93-415), in 1974. Even then, the bill had been badly pared down. There were further delays in funding the program, for which he blames Ford. Bayh thus can be expected to dwell on the failure of "law and order" advocates to finance and implement legislation aimed at curbing a significant portion of the crime problem.

Other Bayh efforts in the youth and crime area have included:

- Sponsoring, in 1974, a runaway youth program, which provides funds for the sheltering and counseling of runaways.
- Highlighting the problem of school vandalism and violent assault within schools by holding subcommittee hearings in the summer of 1975 and sponsoring legislation to respond to the problem.
- Working to curtail the diversion of legitimately manufactured drugs to illicit users by placing tighter controls on the production of amphetamines and barbiturates.
- Supporting a number of measures to curb drug abuse and to provide more adequate and accessible treatment for drug offenders.
- Sponsoring a successful proposal to ban the incarceration of youthful offenders with hardened criminals.

Bayh has been particularly active in the movement for gun control, having sponsored a ban on the sale of "Saturday night specials" and having proposed a Violent Crime and Repeat Offender Act which would feature stiff, mandatory punishment for a variety of crimes related to the possession or use of a weapon.

Bayh has suffered one embarrassment lately in this legislative area. The controversial Senate bill (S-1) designed to codify the entire Federal criminal law has been stridently opposed by civil libertarians who see numerous insidious provisions within its raft of pages. Bayh, to his current chagrin, was originally a cosponsor. On September 10, before his announcement for the Presidency, he withdrew his name as a cosponsor and now says he will not vote for the bill unless it contains a number of amendments which he has proposed or supports. He contends that his only intention in having cosponsored the bill was to work from within in amending it. Aides now admit that was a political mistake even if it was a good strategy legislatively; some critics go further and dismiss that explanation as a rationalization for an outright misapprehension of the bill when it first appeared.

Energy

Bayh's committee work has not led him into the energy field to the extent that he would like as a candidate, and he is moving into that area aggressively. His principal effort is his bill (S 2387) to end the vertical integration of the major oil companies. Bayh aides say there is a good chance that his bill will pass.

The thrust of the bill is to break the control that oil companies now have over all aspects of oil production, from

Bayh Staff, Advisers

Chairman, Committee for Birch Bayh in 1976: Matthew E. Welsh, Indianapolis attorney and former governor of Indiana (D 1961-65).

Campaign manager: James Friedman, a Cleveland attorney and chief of staff for former Gov. John J. Gilligan (D Ohio 1971-75).

Deputy campaign manager: Ann Lewis, a former aide to Mayor Kevin White of Boston.

Press secretary: Bill Wise, a former journalist (*Life* magazine) who has been Bayh's Senate press secretary for six years.

Issues Adviser: Jason Berman, a 10-year veteran of Bayh's staff.

Finance chairman: Myer Feldman, an attorney and former White House counsel to Presidents Kennedy and Johnson.

wellhead to automobile tank. The assumption behind the bill is the classic anti-trust belief that such vertical integration is anti-competitive and hence raises prices.

Bayh has shown particular interest in the need for adequate funding of research into ways in which sulfur can be removed from coal so that the country's most abundant fossil fuel can be used in an environmentally satisfactory way. He also embraced the goal of U.S. energy self-sufficiency within a decade back in 1973 by cosponsoring a bill allocating \$2-billion a year for 10 years for energy research and development.

Economy

Bayh has highlighted the economy as a fundamental issue. If unemployment figures remain high, he can be expected to hit hard on the failure of the Republican administration to give the working man a job. Bayh has acted in the past to cushion the impact of hard times by drafting legislation extending the scope and length of unemployment benefits. He favors a more aggressive federal role as a public service employer in order to reduce unemployment.

Bayh has joined numerous other critics of the policies of the Federal Reserve Board. He has argued that the high interest rates and the tight money policies of the Republican administration and the Federal Reserve are responsible for the inflation and unemployment the economy has suffered. He has also made other fiscal recommendations, including his support of countercyclical revenue-sharing to cities hit by particularly high levels of unemployment. Bayh has cosponsored legislation to create an economic planning board.

Tax reform is also a priority for Bayh. He has supported tax relief for small taxpayers and for the elimination of loopholes for preferred incomes, exporters, business depreciation and the oil depletion allowance.

Environment

Bayh has been concerned with noise pollution. He has opposed the supersonic transport for that reason as well as for its possible impact on the ozone layer. He supported the Environmental Noise Control Act.

Bayh drafted legislation opposing the use of pesticides on wild animals on public lands. He sponsored legislation banning the use of such allegedly cruel trapping devices as the leghold trap in hunting done on public lands.

Health Care

Bayh supports the principal of a comprehensive national health insurance program. He has favored additional funding for maternal and child health programs, for nutritional programs for the elderly, nurse training, home health care and hospital modernization. He cosponsored the Black Lung Benefits Act of 1972 (PL 92-303). He also cosponsored a bill to provide for coverage of one preventive checkup a year for Medicare recipients.

Defense, Foreign Policy

Bayh has been a strong supporter of Israel, voting consistently for military aid to preserve the integrity of the nation. In his support for or opposition to other governments, Bayh invokes what he calls the requirement of mutuality of responsibility. Governments that the United States aids should, in those terms, recognize that they have the obligation to nurture democratic institutions and refrain from racial or religious discrimination. They should also contribute to their own defense in accordance with their means. In light of these general principles, Bayh has urged NATO to take over more of the U.S. defense burden in Europe, allowing the United States to reduce its troops there. He advocated cutoffs of aid to Sukarno's Indonesia and to the former junta in Greece. He opposed the importation of chrome from Rhodesia.

On "third world" issues, Bayh chides the Republican administrations for essentially ignoring the questions posed by the developing nations. He argues that "there can be no real long-term peace unless the United States joins in the effort to improve living conditions for all human beings."

Bayh has generally taken the stance that the limitation of the U.S. arms race with the Soviet Union is appropriate. He has, in the past, supported agreements between the two countries which would reduce the levels of armaments and curb the development of additional missile technology. However, he expresses some concern about what he has called the "tendency of two Republican Presidents and Secretary of State Kissinger to overstate the meaning of detente in its present context."

Outlook

The pieces of Bayh's legislative record, taken together, are consistent with his coalition strategy. He has been steadily responsive to the petitions of the many groups whom he now hopes to galvanize in his support. And, as his aides emphasize, he has been visible in that responsiveness. The very breadth and consistency of his senatorial record, however, may be a source of vulnerability for him.

Most opinion analysts agree that voters no longer place much faith in the wisdom of a federal, "big-government" response to whatever ails the nation. Yet the unifying thread in Bayh's record has been the liberal Democratic credo that the federal government can and should act to solve problems brought to it by its citizens. This idea runs counter to the claims of several other presidential candidates—including Carter of Georgia on the Democratic side—that Washington must face up to reality and tone down its legislative largesse.

Bayh is engaged in an effort to prove that the old coalition majority is still a viable electoral entity, and that it is still possible to govern by being responsive at the federal level. As his own campaign strategy would have it, the first

and major test of that effort will lie in the early New England primaries.

—By Barry Hager

CANDIDATES '76

Texas

Rep. Alan Steelman announced Dec. 5 that he intends to seek the Republican nomination for the Senate seat held by Democrat Lloyd Bentsen. In a press release, the two-term representative from Dallas said that he would formally declare Jan. 5. Steelman, 33, was re-elected in 1974 by slightly more than 2,000 votes in a district that had been altered to make it more Democratic.

Bentsen is seeking a second Senate term and is also a candidate for the Democratic presidential nomination. Under Texas law, he can seek both offices simultaneously.

Pennsylvania

Moving quickly following the announced retirement of incumbent Republican Hugh Scott, Rep. H. John Heinz III announced his candidacy Dec. 11 for the Republican Senate nomination. He joins three other candidates on the Republican side—former Philadelphia District Attorney Arlen Specter, journalist George Packard and former State Rep. Francis Worley.

With Scott now officially out, the number of Democratic contenders is expected to increase. State Sen. Jeanette Reibman has announced; mentioned as possibilities to enter the race are Pittsburgh Mayor Pete Flaherty, the party's unsuccessful 1974 nominee, and Lieutenant Gov. Ernest P. Kline.

Heinz, 37, has been in the House since he won a special election in November, 1971. He is one of the most liberal Republicans in the House and was re-elected to a third term in 1974 with 72.1 per cent of the vote. (*Scott retirement, Weekly Report p. 2657*)

Indiana

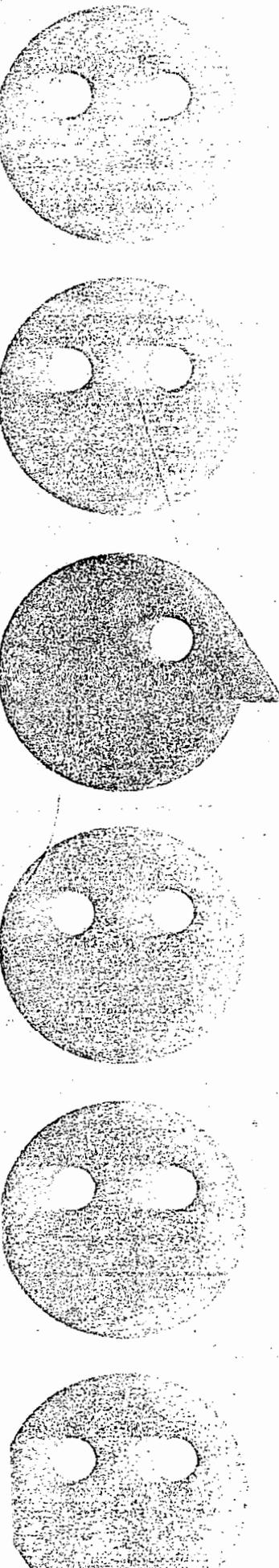
Former Secretary of State Charles Hendricks announced for the Republican Senate nomination Dec. 2. Hendricks, also a one-time state Republican chairman, enters a primary contest that is certain to include former Gov. Edgar D. Whitcomb (1969-73) and Indianapolis Mayor Richard G. Lugar, the 1974 Senate nominee.

Incumbent Democrat Vance Hartke is expected to seek a fourth term.

Missouri

Former Jackson County Prosecutor Joseph P. Tewsdale announced in late November that he would drop out of the race for the Democratic Senate nomination and switch to the gubernatorial race. The major announced candidate for the Democratic nomination thus far is State Senate President Pro Tem William J. Cason. Other hopefuls are George Weber, a former unsuccessful candidate for state representative, and Byron Jim Sparks, a political unknown.

Incumbent Gov. Christopher S. Bond, a Republican elected in 1972, is seeking a second term. Teasdale unsuccessfully sought the Democratic nomination for governor that year; he finished third in a ten-candidate primary.



Ralph Nader Congress Project
Citizens Look at Congress

Birch Bayh

Democratic Senator
from Indiana

written by
Susan Richard & Ruth Kirtland

In the paradoxical business of providing both leadership and representation for the electorate, Indiana's Senator Birch Bayh says he is primarily guided by the dictates of his conscience. The 43-year-old Bayh likes to think of himself as a Solon who prods a reluctant constituency towards his own way of thinking.

In a state like mine, two things can happen: you either stand up, put your finger up and try to sense which way the wind is blowing and vote accordingly; or, when you are convinced you are right, vote your own way. In these cases, I feel I have an obligation to educate them . . . to raise the standards of my constituency.¹

Bayh rejected the weathervane style of representation in a Senate address on April 14, 1971 on the court-martial conviction of Army Lieutenant William Calley. On that occasion he explained that his mail from Indiana was running 1,026 to 3 in sympathy with the man deemed responsible for the My Lai massacre. However, he rebuked the President for bowing to political pressures when he removed Calley from the stockade and promised to personally review the case.

Bayh has made his name largely with his scrutiny of the ethical conduct of public figures, coming into national prominence when he successfully led the fights against confirmation of President Nixon's Supreme Court nominees, W. Clement Haynsworth and G. Harrold Carswell. Shortly thereafter, he garnered more attention by an "unannounced" but well-financed and efficient campaign for the 1972 presidential nomination.

First elected to the Senate in 1962 as a man with moderate political leanings, Bayh has since moved towards a more liberal political philosophy. Voting patterns established in Indiana confirm that Hoosiers are a basically conservative people. Indiana is the birthplace of the John Birch Society, and it had more Ku Klux Klan members in the 1920s than any other state. In Bayh's words, it "has not been prone to support people of [his] philosophy."

However, Bayh has maintained close ties with organized labor, and a powerful bloc of labor votes concentrated in the industrial areas guarantees that any statewide race will be a close one. Sixty-three percent of Hoosiers are blue-collar workers.² The nation's eleventh most populous state, Indiana is one of the world's great manufacturing centers, with steel mills and oil refineries concentrated along the southern stretch of the Lake Michigan shoreline. The Corn Belt in the central prairies is dotted with farms producing grain and livestock, while quarries in the south turn out two-thirds of the nation's supply of building limestone.

In 1960 Republican Richard Nixon held more appeal for Indiana voters than did John Kennedy, who lost the race for President there in a 55 to 45 percent split of the popular vote. Eight years later, Indiana again asserted its preference for Nixon, giving him 1,067,885 votes to Hubert Humphrey's 806,659.³ American Independent Party candidate George Wallace polled 12 percent of the popular vote in the 1968 presidential election, and finished a close second to

Humphrey in the 1972 Indiana Democratic presidential primary one week before the assassination attempt that removed him from the campaign.

BACKGROUND

Born and raised on a farm near Terre Haute and a championship 4-H Club tomato grower in his youth, Bayh went on to graduate from Indiana's Purdue University with an agricultural degree in 1951. He returned to farming until, at the age of 26, he was selected to his first term in the state House of Representatives in 1954. During his eight years in the Indiana house, Bayh served two terms as minority leader (there were few Democrats in the state's lower chamber until 1958), and one as its youngest speaker in 1959-60.

During these years, at the urging of his wife Marvella, he attended law school. In 1960 he emerged from Indiana University's law school near the top of his graduating class but flunked his first bar exam by one point.

In the Indiana house Bayh acquired the ability to build broad bases of support; and with his considerable political talent for persuasive person-to-person contact, Bayh learned to attract the diverse factions to a common purpose. Political writer Robert Sherrill, discussing the Bayh style in the New York Times Magazine, characterized the senator as "cautious, cagey, constantly sliding around questions--a tough but modest professional who spent his formative political years learning how to maneuver a few progressive statues through a mossback Legislature by cozying up to all sides and saying nothing for the record until he had strained it through several layers of friendly ears."⁴

ELECTION TO THE SENATE

Bayh's method of making political allies through persistent personal contact paid off in 1962 when, after traveling back and forth across the state on his own behalf, he succeeded in capturing the Democratic nomination for the United States Senate at the party's state convention. Running from a position of relative anonymity, Bayh mounted a campaign which culminated in the defeat of the 18-year-veteran Republican Homer Capehart by a narrow 10,944 vote margin out of 1,800,000 votes cast.⁵

Several theories purporting to explain the secret of Bayh's success were advanced after his election. One asset was Marvella, a poised woman who won oratorical honors in 1951. She appeared at his side and on her own throughout the course of the campaign. It is generally known among Republicans and Democrats alike that Marvella is one of the most effective of political wives when it comes to wooing the voters. Secondly, the Capehart television campaign tended to be unsophisticated, even for Indiana. Spot ads featuring Homer and his pigs down on the farm were generally judged a disaster for his public image.

There are some Hoosiers, however, who insist that Birch Bayh first won his Senate seat on a song. As late as six weeks before election day, his name was still so little known that people were mispronouncing it beyond recognition. However, his campaign manager's wife came up with a ditty that was to saturate the airwaves throughout the state. Set to the tune of "Hey, Look Me Over," the first few lines of the song that supposedly reversed Bayh's political fortunes overnight went:

"Hey, look him over,
He's your kind of guy.
His first name is Birch,
His last name is Bayh.
Candidate for Senator
From our Hoosier state,
For Indiana he will do more
Than anyone has done before."⁶

State Voting History

	1966			1968			1970		
	Name	%	Vote*	Name	%	Vote*	Name	%	Vote*
Senate Democratic Primary	No election held			Bayh	Unopposed		Hartke Nominated by convention		
Senate Republican Primary	No election held			Ruchelshaus	Unopposed		Roudebush Nominated by convention		
Senate General Election	No election held			Ruckelshaus (R)	48	989	Roudebush (R)	49.9	867
				Bayh (D)	52	1060	Hartke (D)	50.1	871
Gubernatorial Election	No election held			Whitcomb (R)	53	1080	No election held		
				Rock (D)	47	966			
Presidential Election	No election held			Nixon	50	1068	No election held		
				Humphrey	38	807			
				Wallace	12	243			

* figure in thousands

Sources: "1966 Elections", Congressional Quarterly Weekly Report, XXIV (November 11, 1966); "Complete Returns of the 1968 Elections by Congressional District", Congressional Quarterly Weekly Report, XVII (June 6, 1969); Politics in America, IV (Washington, D. C.: Congressional Quarterly, Inc., 1971); Richard M. Scammon, America Votes (Washington, D. C.: Congressional Quarterly, Inc., 1966, 1968, and 1970).

The real impact of "Hey, Look Me Over" cannot be measured, but Bayh's opponent in the 1968 election thought it was important enough to buy up the copyright to it before the campaign began. Bayh told us he had no intention of using the song again in 1968, that campaigning on a ditty during the height of the Vietnam war and in the midst of the violence in the nation's streets would have been in poor taste. Bayh's Republican opponent that year was William Ruckelshaus, presently head of the Environmental Protection Agency. The product of a Princeton undergraduate education and a Harvard law degree, Ruckelshaus, then the Indiana house majority leader, was a polished and sophisticated opponent. The song wouldn't have been effective.

Republican Ruckelshaus was moderately liberal by Indiana standards, and he ran a campaign that reflected the wind-the-war-down theme that was successfully employed by Nixon in that same year. Bayh expressed his first doubts about the Vietnam war in 1968, after enthusiastically supporting the war from 1965 to 1967,⁷ but he kept his reservations about the war out of his reelection campaign. At the outset of the campaign Ruckelshaus was given only a 13 percent chance by the polls and press of defeating Bayh. But he gave the senator a good race, amassing 48 percent of the vote with 988,571 votes to Bayh's 1,060,456.⁸ Bayh's victory, however, was noteworthy in light of Nixon's 261,000 vote margin over Humphrey in the state.

With his pro-labor voting record in his first term, Bayh was able to attract votes and substantial financial support from organized labor for his campaign against Ruckelshaus. That year, labor groups contributed a recorded total of \$79,645 to Bayh and continued to help defray a large campaign deficit with \$5,230 in contributions in 1969.⁹

Robert Keefe, Bayh's 1968 campaign finance chairman, claimed that no final estimate of the 1968 campaign expenditures was possible until 1970, presumably after all the debts incurred had been reported to his office. In an interview with the Cincinnati Enquirer reported in the April 6, 1970 edition Keefe, who was Bayh's administrative assistant at the time, denied rumors that organized labor had chipped in some \$200,000 to take care of the senator's unpaid campaign bills. Keefe acknowledged the \$68,000 in labor's recorded contributions, but said that "more of our debt has been retired by businessmen types than by people in organized labor. He set the total campaign cost at "something under \$800,000, probably about \$780,000."¹⁰

Bayh's voting record has made him many friends in the labor movement, and he is sensitive about these ties. He responds to comments on the heavy contributions labor makes to his campaigns by pointing out that his constituency is replete with union workers. Shortly after the Senate rejected the Supreme Court nomination of Clement Haynsworth, Bayh sent to Indiana a four-page newsletter entirely devoted to his stand on the issue. In the newsletter, he insisted that the charge that he had mounted his crusade against Haynsworth in payment of a political debt to labor was unfair.¹¹

The state of Indiana, which numbers some five million people in total population, ranks eighth in the nation in terms of its total union membership. According to the United States Department of Labor, there were 657,000 registered labor union members in the state in 1970.¹²

FINANCIAL DIFFICULTIES

The 1968 campaign financial statements which Bayh filed according to Indiana law in Huntington County on January 10, 1969, listed the senator's total expenditures at \$556,186.92 and his committee contributions at \$553,151.61. At that time, Bayh also reported a campaign deficit of \$72,975.73.¹³

In the months following the filing of the report, however, the debts continued to mount and post-election contributions piled in as well. No attempt was made to file public reports of these contributions and the result was a campaign finance controversy that has provided the only hint of scandal in Bayh's ten-year Senate record. Bayh's aide Weiss wrote us that "neither Indiana nor federal law provided for [required] such a report."

The maelstrom was set in motion by a pair of reporters from the Dayton (Ohio) Journal Herald, who spent sixteen months on special assignment investigating an alleged federal court bankruptcy ring operating out of Indianapolis. The main portions of the eleven-article series they produced, including the several stories which focused on Bayh and his campaign spending, were inserted into the Congressional Record by Republican Congressman Charles Whalen of Ohio on April 25, 1972.¹⁴

The strongest links connecting Bayh to the bankruptcy scandal (which is now under federal investigation in Indianapolis) were Indianapolis attorney John I. Bradshaw and Thomas A. Moynahan, who were appointed to serve as trustee and property manager respectively for two trusts that were forced into an involuntary bankruptcy reorganization in February of the 1968 campaign year. Bradshaw and Moynahan, both campaign contributors and personal friends of the senator who were involved in fund-raising activities for his 1968 campaign, were appointed to oversee the reorganization of the trusts by United States District Court Judge James E. Noland, a Bayh-sponsored nominee to the federal judiciary.

While the newspaper series made no direct charges against Bayh, the suggestion was strong that money illegally extracted from the supposedly lucrative trust reorganization was turning up in Bayh's campaign coffers as "post-election contributions." Most of the initial

	1960	1970	USA Avg.
Total population	4,662,498	5,193,699	
White	94.1%	92.8%	87.5%
Negro	5.8%	6.9%	11.1%
Other	0.1%	0.3%	1.4%
Urban	62.4%	64.9%	73.5%
Rural	37.6%	35.1%	26.5%
Median age	25.9	27.3	28.3
Median school years	10.8	10.8*	12.2
Per capita income	NA	\$3,691*	\$3688
Civilian unemployed	4.2%	4.8%*	4.9%
Total housing units/1000	322.3	333.1	335.0
% Unoccupied	7.7%	7.0%	8.8%
% With more than 1.01 persons/room	10.6%	7.5%	8.2%
Median value, owner occupied	\$10,200	\$13,800	\$17,000
Median monthly rent	\$70	\$83	\$90

Sources

U. S. Department of Commerce, Bureau of the Census, Congressional District Data Book: Districts of the 88th Congress (Washington, D. C.: Government Printing Office, 1963).

U. S. Department of Commerce, Bureau of the Census, Congressional District Data, Districts of the 92nd Congress, by state (Washington, D. C.: Government Printing Office, 1971).

*Morris Harth, ed., The New York Times Encyclopedia Almanac, 1972 (New York Times, 1971).

information the Journal-Herald reporters received came from the former president and property manager of the two trust, men who were both convicted on five counts of mail fraud in February 1971.

On the other hand, Bayh himself made little effort to dispel the suspicion, although he and his staff were contacted personally and by phone on at least five separate occasions during the course of the months-long investigation. Although Bayh promised the reporters a complete disclosure of an estimated \$150,000 in post-election contributions, their repeated attempts to secure the report met with failure. It was not until after the April 1972 publication of the series and its subsequent insertion into the Congressional Record and after Bayh became noticeably rattled by the merciless needling of newsmen during his April 30 appearance on CBS television's "Face the Nation" that he finally produced a detailed list of the contributions received after election day.

On May 4, 1972, Bayh made a short Senate speech emphasizing his cooperation with Indiana's campaign disclosure requirements, his own voluntary practice of inserting a personal financial statement in the Congressional Record each year, his consistent support for campaign-reporting legislation and his own introduction of a bill to require full financial disclosure by federal officials. He then inserted into the Record a fourteen-page list of post-election contributors, addresses, and amounts which totaled up to \$177,381.78 that had never before been publicly disclosed. In closing his address, Bayh remarked "I would like to apologize to some of my Republican friends who contributed to me in 1968 if the publication of this list causes them any embarrassment."¹⁵

The Journal-Herald investigation also uncovered several discrepancies in the state reports Bayh filed in Huntington County, among them a \$50,000 contribution from the Indiana Democratic Campaign Committee, which Bayh's staff listed as \$80,000 when transferring it to his main committee. The inconsistencies in the reports have never been cleared up, and Bayh, in his interview with the Congress Project, seemed inclined to attribute them to common human error:

There was a discrepancy between those reports. I can't prove how it got there, but I think I know how the mistake was made. The important thing is that the same person filed both reports. If there were anything dishonest, you'd think they certainly would have taken steps to hide the discrepancy.

Most of the dust raised by the affair seems to have settled, at least for the present, and the Justice Department investigation underway in Indiana is reportedly focusing on former Governor Matthew E. Welsh's alleged involvement in some earlier bankruptcy proceedings.

The whole investigation with its as yet unanswered questions is particularly embarrassing to Bayh, for he has tried to build a reputation as a leader in the Senate on the issues of ethics and full financial disclosure.

As early as 1967 he was voting on the floor to require congressmen and candidates for Congress to disclose their assets, liabilities, gifts and outside income. Beginning with fiscal year 1969, he has maintained a policy of submitting annual statements of his own financial status for the Congressional Record. The last such statement, inserted into the Record on September 30, 1971,¹⁶ revealed Bayh's holdings, income, and liabilities for 1970. His total income of \$100,321 was comprised for the most part of his \$42,500 Senate salary and the \$48,656 in honoraria he collected for speeches and private appearances made that year. Income from the 340-acre farm he owns in Vigo County, Indiana, added another \$6,199. The rest was made up by \$2,573 in royalties on his book (see below) and \$393 in interest and dividends on some \$45,000 worth of stock he keeps in a blind trust in a Terre Haute bank.

In making his personal financial statements a matter of public record, Bayh keeps company with a growing number of senators. Among the list of senators who do disclose are Republican Senators Charles Percy of Illinois and Jacob Javits of New York and--a recent addition to the list--Democratic Senator Lawton Chiles of Florida. Nevertheless, the great majority of Bayh's Senate colleagues make no attempts to disclose their holdings, a fact which the Indiana senator admits he finds disturbing. "When I disclose my private holdings and others don't, what I make looks large compared to nothing . . . and that concerns me," he commented in his interview.

LEGISLATION

Bayh's membership on the powerful Senate Judiciary Committee is the center of his real legislative accomplishments. The first thing that comes to the public mind is his opposition to the Supreme Court nominations of Judge Clement Haynsworth and Harrold Carswell. These efforts left him with a reputation for being a stickler on the ethical conduct of public officials and with perhaps a small taint of "dirty politics" that all such long, exhaustive public investigations often leave on those who lead the fight.

Both by accident and design, Bayh as a member of the Judiciary Committee took the leading public role in the dramatic floor debates over the ethical and professional qualifications of the Supreme Court nominees. While some claim this leadership fell to him largely by default, others have asserted that Bayh welcomed the publicity that was to bring him into national prominence. For a fight such as that of blocking a President's appointment to the highest court, it is necessary for the leader to be above scandal and, historically, to be

someone who has not been previously involved in the fray. Some say the other senior members of the Judiciary Committee, for one political reason or another, could not have taken on the leadership of refusing confirmation to a Presidential appointment. Bayh seemed to fit the bill. A political writer for the Indianapolis News, generally unfriendly to Bayh, said of him in 1970: "There has never been one iota of scandal attached to his name. He is without visible vices; back here, he is Mr. Clean."

Although Bayh, pressured into the fight against Haynsworth by civil rights and union leaders among others, called it "the most distasteful thing I ever did," there is reason to believe he got into the fray against Carswell with more conviction. After the narrow Senate defeat of Haynsworth in late 1969 Carswell, with a much worse civil rights record and an extremely high rate of higher court reversals, was nominated by President Nixon. The legal profession in general was horrified, and Bayh led the three-month struggle against Carswell that culminated in the defeat of his nomination on April 4, 1970 by a Senate vote of 45 to 51.

Bayh's main concern at that time was about the effect this second knock-down, drag-out fight would have on his image. Journalist Richard Harris quoted Bayh's reflections on these misgivings in Decision, a book-length study of the Carswell defeat:

At the time, there seemed no chance that an effort of that magnitude could be pulled off--even though the Carswell nomination was clearly bad --because the senators' mood was "God, don't put us through that again!" Also, there were other things for me to consider. One was that I had spent eight years here trying to build an image of myself as someone who isn't divisive, who isn't vindictive, who can get along with all factions. If I took on Carswell after having taken on Haynsworth, that could all vanish, because a lot of people would figure I was just out for blood.¹⁷

After Bayh's experience with Haynsworth, whose Senate testimony on conflict of interest charges flew in the face of facts established in his federal court record, Bayh introduced two "ethics" bills in 1970. Reintroduced for further consideration on May 17, 1971, the two pieces of legislation were entitled the "Judicial Disqualification Act of 1971" and the Omnibus Disclosure Act.¹⁸ The former bill requires any federal judge to step down from cases where he has any stockholdings concerned, where he has rendered any prior legal service or served as a material witness, or where he has any connection with a party or attorney to the dispute. The act calls further for the judge's self-disqualification in any case "where his presence will create the appearance of impropriety." The bill, which is now pending before the Judiciary Committee's subcommittee on court procedures, is given a fair to excellent chance of passage by the senator's staff.

The same optimism, however, does not apply to the Omnibus Disclosure Act, which the staff concedes will probably never make it through the Senate Rules Committee. The comprehensive piece of legislation calls for full financial disclosure on the part of the members of all three branches of the federal government, including the President, all federal judges, every member of Congress, and any federal employee making more than \$18,000 a year. The disclosure requirement is extended likewise to all candidates for federal office.

In support of the bill, Bayh commented: "A patchwork of Congressional rules, judicial conference resolutions and executive orders compose the present financial disclosure laws. No existing provision requires full disclosure to the public, and in this respect, the current law is fatally deficient."¹⁹

Bayh took over the chairmanship of the Judiciary Subcommittee on Constitutional Amendments in 1963. That formerly insignificant Senate niche, in which little had been accomplished since the repeal of prohibition 30 years before, has become a political boon for Bayh. In 1965 Bayh authored and steered to passage the 25th Amendment to the United States Constitution, a measure empowering a Vice-President who assumes the presidency upon the

death of his predecessor to name his own second man, subject to the approval of the Congress. Bayh details the story of this early legislative achievement, thereby gaining political mileage, in his 366-page book, One Heartbeat Away. After securing passage of the Presidential succession amendment, Bayh helped shape proposals for the 18-year-old vote, which subsequently became the 26th Amendment.²⁰

Less than one year later, he helped win approval in the Senate for the Equal Rights Amendment, barring discrimination based on sex, which had racked up a discouraging 49-year record of repeated defeats in consecutive sessions of Congress. Twenty-two Senate opponents attempted to attach a barrage of debilitating riders to the bill but final approval was won on March 22, 1972, with an 84 to 8 vote. The House of Representatives had approved the bill five months earlier with a similarly lopsided vote of 354 to 23. Although the bill to outlaw governmental discrimination based on sex has not yet been approved by the 38 state legislatures required for ratification, it is expected to become a part of the Constitution by next year.

Some of the strongest opposition to the Equal Rights Amendment has come from organized labor. The AFL-CIO has gone on record against the amendment, although the United Auto Workers support it.

Organized labor thinks well of Bayh, and his political skill at playing both sides is evident in those votes that oppose labor. In 1969 he supported the controversial Philadelphia Plan for minority hiring on federally-funded construction projects, which was opposed by many union leaders.

Bayh's successful efforts to bring opposing groups together is illustrated by his gathering of supporters in his proposal to abolish the electoral college in favor of direct presidential election. He was able to line up in support for the proposal such disparate groups as the NAACP, the U. S. Chamber of Commerce, the AFL-CIO, and the American Bar Association.

"Good fortune, not design has produced Presidents who were the popular choice of the people," he declared upon introducing his most recent direct election proposal. "A glance at past elections reveals that there have been very few elections where the candidates' percentage of the electoral vote reasonably resembled their percentage of the popular vote."²¹

Senate Joint Resolution 1, introduced in the Senate in January of 1971, called for a constitutional amendment abolishing the electoral college and requiring that the successful candidates for President and Vice-President must amass a 40 percent plurality of the popular vote. Although this revised proposal eliminated the controversial provision for a runoff election, which had blocked earlier passage, Bayh's new resolution has fared no better than its predecessors.

Other amendments before the subcommittee Bayh heads include a proposal to lower the minimum qualifying age for service in Congress by three years for each house and a measure granting the District of Columbia voting representation in the Congress.

Bayh, who began his own Senate career at the age of 35, introduced a resolution in November 1971 that would grant the right to serve as a representative to 22 year-olds and the equivalent privilege for would-be senators to anyone 27 years of age and over.²² The three-year reduction in the age qualifications for members of Congress was to coincide with the recent lowering of the voting age in federal elections from 21 to 18, Bayh reasoned when the resolution was introduced.

Other recent bills Bayh has introduced include the Citizens Privacy Act, which would require government agencies maintaining files on individuals to 1) notify them of such files, 2) refrain from disclosing their contents to anyone else without permission or "good cause," 3) maintain a roster of all persons who do inspect the records, and 4) allow individuals to inspect, copy, and supplement their own records.

In introducing the bill on February 25, 1971, Bayh made these comments on the so-called "data banks" and their relation to the Bill of Rights:

For the first time, it is now possible to maintain a dossier on the activities of great numbers of people. These dossiers may be used--or intended--to stifle legitimate political dissent. And even where the actual use of such information is benign, the very existence of it poses a threat to individual liberty.²³

On March 8, 1971 Bayh, influenced by events following the breakout at the Presidio stockade in San Francisco the year before, introduced a measure designed to revamp the entire military court system. The Military Justice Act, which is pending in the Armed Services Committee, would separate the court martial procedure from the functioning of the armed services by setting up an independent Court-Martial Command with all sentences to be delivered by professional judges. The effect of the act would be to liberalize current procedures, abolish summary courts-martial and provide more stringent safeguards for the constitutional rights of defendants.

Bayh has also sponsored legislation for comprehensive penal reform in his Omnibus Correctional Reform Act, now pending in the Judiciary Committee. Introduced on September 17, 1971, one week after the Attica riots, the bill attempts to phase out large, exurban penal institutions and replace them with small, community-based facilities. In his initial remarks on the bill, Bayh accused the present penal system of fostering recidivism and called for increased spending for massive reform:

It is all too clear that for most offenders, the term "correctional facility" is a gruesome euphemism. Our prisons do not correct offenders, they create them, toughen them, embitter them and "educate them in the way of crime."

It is time the American people face the fact that punishment in itself does not bring correction. It is time we recognize that our prisons are "graduating" growing legions of bitter and hateful individuals, better equipped and more highly motivated to commit crime than when they entered. If we are serious about reducing our crime rate and avoiding further Atticas, we are going to have to change our basic ideas about the prison system and spend a good bit of money in the process.²⁴

In other efforts Bayh attempted, in 1971, to ban discrimination against women students and faculty members in institutions of higher education with two separate bills and an amendment to the Higher Education Act. Although the amendment was ruled non-germane in August on a surprise point of order called by a senate opponent, Bayh succeeded in attaching it to the bill early the next year. That achievement, of course, was eclipsed by the passage of the Equal Rights Amendment the same year.

Bayh's approximately 30 bills in 1971 included measures providing for comprehensive child care services, redress for aggrieved consumers, and environmental protection. The Universal Child Care and Development Act, introduced on February 2, would establish nationwide Child Service Districts to provide day and night care for infants, preschoolers, and children up to 14 years of age, including before and after school emergency care programs integrated with health, nutritional, and social development services. The bill would appropriate a total of \$12 billion through 1974, with special allotments for children of migrant workers, Indians, and disadvantaged minorities. With the bill's introduction, Bayh remarked, "At least we are beginning to understand that child care centers are too significant to become the creature of emergencies. They should have a permanent place in the structure of American social services, because they fulfill a permanent need."²⁵

The Consumer Class Action Act of 1971, introduced on March 24, permits victims of unfair consumer practices to file civil class-action suits of more than \$25,000 in the federal

courts. Bayh's bill is one of several similar consumer protection bills pending before the Commerce Committee.

In the field of environmental protection, Bayh introduced the Stratospheric Protection Act on September 21, 1971. Also pending before the Commerce Committee, the bill would authorize the Environmental Protection Agency to conduct a two-year study of the environmental impact of supersonic aircraft and ban the civil operation of such aircraft until at least 90 days after the report has been made public.

Bayh's most significant 1971 legislative output, in terms of measures successfully passed out of committee, occurred through the Judiciary's Subcommittee on Juvenile Delinquency, which he has chaired since January 1971. In presiding over the 1971 hearings on a bill to require the Bureau of Narcotics and Dangerous Drugs (BNDD) to control amphetamines, Bayh urged that heavier controls be brought to bear upon the manufacture and distribution of the drugs in this category.

The BNDD, in a voluntary decision publicized on December 4, accomplished the goals sought in the legislation by reducing the 1972 production quota of amphetamines and methamphetamines to 20 percent of the 1971 level. Bayh said in his interview that the subcommittee is now seeking similar action with respect to barbituates. "They [the BNDD] will probably beat us to the punch there, too, but if they don't, we're going to let them know we'll pass that bill," he said.

Recently reported out of the Juvenile Delinquency Subcommittee and now awaiting floor action is Bayh's own Runaway Youth Act,²⁶ a bill authorizing federal grants to local institutions for the establishment of temporary housing and counseling facilities for youthful runaways. The measure, as of October 1972, has passed the Senate and is before the House. When he first introduced the bill last November, Bayh made this statement to his Senate colleagues:

My experience has taught me two things; first, the younger we identify and begin to aid the potential delinquent, the greater the likelihood that he will respond favorably; and second, contact with the present juvenile justice system is more likely to be damaging than helpful for the majority of youngsters.²⁷

Senator Bayh has also sponsored the Juvenile Justice and Delinquency Prevention Act. The bill is scheduled for action in 1973. It would establish a White House Office to coordinate federal juvenile delinquency programs, add a research institute, and set standards applicable to federal laws.

The Juvenile Delinquency subcommittee was also the clearinghouse for the most highly publicized of the senator's 1972 bills--the ban on the domestic sale of the "Saturday night special" handguns which passed the Senate by a 68 to 25 vote on August 9, 1972.²⁸ However, Bayh is far from being the Senate's leading champion of firearms control. His bill would outlaw only the cheap, snubnose, easily-concealed handgun. "He is for gun controls, but not very much."²⁹ Both on the Senate floor and in communicating with his constituents, Bayh has carefully and continually counted all his arguments for gun control in language designed to appease the nation's sportsmen and the powerful National Rifle Association. He has repeatedly emphasized that his bill will not lead to a program of national firearms registration. The Bayh legislation, which does not affect guns already in private possession nor ban private sales, would, however, prevent approximately 1 million of an estimated 2.5 million annual handgun sales in the United States.

Bayh sits on a total of six subcommittees of the Senate Judiciary Committee; he chairs those on constitutional amendments and juvenile delinquency and is a member of those on administrative practice and procedure, constitutional rights, internal security, and penitentiaries. He stepped down from the Public Works Committee in August of this year to assume

Voting Patterns

		90th Congress (1967-68)	91st Congress (1969-70)	92nd Congress (1971)	
THE PRESIDENT	% MEMBER VOTED WITH	54	36	22	
	% Average Democratic support	55	46	40	
	% Highest Democratic support	76	67	68	
	% MEMBER VOTED AGAINST	21	34	46	
	% Average Democratic opposition	24	36	44	
	% Highest Democratic opposition	39	58	66	
MAJORITY OF DEMOCRATIC PARTY	% MEMBER VOTED WITH	63	68	58	
	% Average Democratic support	57	58	64	
	% Highest Democratic support	83	89	91	
	% MEMBER VOTED AGAINST	11	7	5	
	% Average Democratic opposition	21	22	22	
	% Highest Democratic opposition	65	58	65	
BIPARTISAN MAJORITY	% MEMBER VOTED WITH	55	58	37	
	% Average Democratic support	62	63	65	
	% Highest Democratic support	87	87	82	
	% MEMBER VOTED AGAINST	13	12	19	
	% Average Democratic opposition	15	15	17	
	% Highest Democratic opposition	27	23	35	
CONSERVATIVE COALITION	% MEMBER VOTED WITH	18	5	2	
	% Average Southern Democratic support	62	67	70	
	% Highest Southern Democratic support	96	93	94	
	% Average Northern Democratic support	19	21	23	
	% Highest Northern Democratic support	71	77	78	
	% MEMBER VOTED AGAINST	52	64	63	
	% Average Southern Democratic opposition	20	20	18	
	% Highest Southern Democratic opposition	73	70	73	
	% Average Northern Democratic opposition	61	65	61	
	% Highest Northern Democratic opposition	89	94	95	
	SOUTHERN DEMOCRATS	% MEMBER VOTED WITH	15	5	3
	NORTHERN DEMOCRATS	% MEMBER VOTED WITH	59	65	62
TOTAL FLOOR VOTES	% MEMBER VOTED	70	71	59	
	% Democratic average	81	84	83	
	% Highest	100	100	100	
	% Lowest	49	47	51	

Sources: Congressional Quarterly Almanac, 92d Cong., 1st Sess., 1971 (Washington, D. C.: Congressional Quarterly, Inc., 1972), p. 81 - 110; and Congressional Quarterly Almanac, 91st Cong., 1st Sess., 1969 (Washington, D. C.: Congressional Quarterly, Inc., 1970), p. 1037 - 1070. Bipartisan majority recorded votes are votes on which a majority of voting Democrats and a majority of voting Republicans agreed. Conservative coalition refers to a voting alliance of Republicans and Southern Democrats against the Northern Democrats in Congress.

a post on the Senate Appropriations Committee, where he has since become the Chairman of the District of Columbia Subcommittee.

Bayh's work on the Public Works Committee, which covered two subcommittee assignments in addition to his chairmanship of the Subcommittee on Public Roads, had always taken a back seat to his Judiciary Committee responsibilities. Nevertheless, the Public Works Committee assignment did provide him with an occasional opportunity to gladden the hearts of his Indiana constituents. For instance, the Dunes National Lakeshore Act of 1966 created both a national park and a deep water port for Hoosiers, and Bayh considers this one of his major accomplishments for his district. He has also worked to secure vital disaster relief and flood and pollution control funds for his state. In 1971, however, only one of the 29 bills he introduced was referred to the Public Works Committee. By contrast, ten were sent to the Judiciary Committee.

Bayh's 1971 interest group ratings, which provide a rough measure of his position on floor votes for the year, indicate that his stance on the issues won the endorsement of liberal and pro-labor concerns and the disapproval of conservatives. The Americans for Democratic Action (ADA) and the AFL-CIO's Committee on Political Education (COPE) rated him "right" 96 percent and 80 percent of the time, respectively, in 1971, while the right-wing Americans for Constitutional Action (ACA) gave him a 14 percent score.

The most recent assessment of his status with these groups documents somewhat a shift to the left since 1968, when he was ranked at 50 percent by ADA and 38 percent by ACA. This same movement away from the political middleground is reflected in Bayh's voting record over the past 9 years. On taxation issues, for instance, he voted against a proposed reduction in oil depletion allowances in 1963 but went on record in favor of such cuts in 1969. Furthermore, in 1971, it was Bayh who sponsored a narrowly-defeated amendment to the Revenue Act which would have tightened up the accelerated depreciation rules, which tax reform advocates argued were a business boondoggle without any relation to legitimate depreciation. It would also have allowed a \$100 consumer tax credit for one year to stimulate the economy. On funding for mass transit projects, he opposed the 1963 Mass Transportation Act appropriating \$375 million in matching grants to state and local governments, but voted to obligate rather than simply authorize \$10 billion over a 12-year-period for mass transit in 1970.

Bayh was a late-comer to the anti-war issue and his record on Vietnam was described by a commentator in 1971 as "pedestrian."³⁰ His tepid stand against the war may be due in part to his close friendship with former President Johnson, a "fairly friendly . . . a fairly warm relationship," according to Bayh, but others recall he was "like a son to Lyndon."³¹ Bayh is also a close friend of Senator Edward Kennedy, whom he rescued from a plane wreck in 1964.

Bayh is definitely considered to be within the liberal camp, even though he occasionally pleases the conservatives on some issues. A recent example was his support for Nixon's nomination of Otto Otepka to the Subversive Activities Control Board. Since he entered politics as a state legislator with predominantly rural loyalties Bayh, as a second-term senator, still prefers to be seen as a man who prefers compromise to confrontation--something he feels is a prerequisite for a senator more liberal than the state he represents.

The publicity surrounding Bayh's most publicized efforts, the Haynsworth and Carswell debates, helped generate requests for the senator's appearances on college campuses and before trade unions groups across the country. In fact, 1970 proved to be his most profitable year in terms of outside earnings from honoraria for speaking before labor, youth, ethnic and party groups. Congressional Quarterly noted that Bayh's reported honoraria of \$44,331 for 1970 was more than any other senator's that year.

4 Interest Group Ratings

Interest Group	Member's Rating (%)	Year(s)
Americans for Constitutional Action	14	1971
	11	Cumulative*
Americans for Democratic Action	96	1971
	76	Cumulative*
League of Conservation Voters	58	1970
American Security Council	22	1969-70

	# Pro	# Con	
Friends Committee on National Legislation	12	1	1971
Chamber of Commerce	0	9	1969-70
National Associated Businessmen	1	9	1969-70
Committee on Political Education	8	2	1971
	29	1	Cumulative*
National Farmer's Union	9	1	1969-70
Consumer Federation of America	4	0	1971

Interest Groups

Americans for Constitutional Action (ACA). A political action organization dedicated to the principles of "constitutional conservatism" and opposed to socialism and regimentation. Based on 29 votes in the House and 24 votes in the Senate in 1971. 955 L'Enfant Plaza S.W., Suite 1000, Washington, D.C. 20024.

Americans for Democratic Action (ADA). A political action organization of "liberals and the politically aware" dedicated to international cooperation, economic security and freedom. Based on 37 votes in the House and 27 votes in the Senate in 1971. 1424 16th St. N.W., Washington, D.C. 20036.

League of Conservation Voters (LCV). An organization which compiles information about congressional votes in cooperation with the Friends of the Earth; both organizations are dedicated to the preservation of the earth's resources from exploitation and irreversible damage. Based on 10 votes in the House in 1970 and 17 votes in the Senate from 1955 to 1970. 324 C St., S.E., Washington, D.C. 20003.

American Security Council (ASC). A coalition of former military leaders, defense industry executives, and concerned citizens advocating a strong defense posture in order to deter war. Publishes the National Security Index (NSI). Based on 10 votes in the House and 10 votes in the Senate in 1969-70. 1101 17th St. N.W., Washington, D.C.

Friends Committee on National Legislation (FCNL). A Quaker pacifist group dedicated to the peaceful resolution of international conflicts. Based on 12 votes in the House and 13 votes in the Senate in 1971. 245 2nd St. N.W., Washington, D.C. 20002.

Chamber of Commerce (CC). A representative of the numerous Chambers of Commerce throughout the nation composed of oil, construction, retail trade and the entire spectrum of business and industry; an advocate of a strong economic system. Based on 10 votes in the House and 10 votes in the Senate in 1969-70. 1615 H St. N.W., Washington, D.C. 20006.

National Associated Businessmen, Inc. (NAB). A coalition of financiers, bankers and businessmen dedicated to fiscal responsibility and minimal federal spending in government. Based on 12 votes in the House and 12 votes in the Senate in 1969-70. 1000 Connecticut Ave. Bldg., Washington, D.C. 20005

Committee on Political Education (COPE). A political arm of the largest federation of labor unions in the nation, the AFL-CIO. Based on 12 votes in the House and 12 votes in the Senate in 1971. 815 16th St. N.W., Washington, D.C. 20006.

National Farmer's Union (NFU). A coalition of operators of small farms. Based on 30 votes in the House and 31 votes in the Senate in 1969-1970. Suite 1200, 1012 14th St., N.W., Washington, D.C. 20005.

Consumer Federation of America (CFA). A group of consumer organizations dedicated to protection of consumer rights and safety. Based on 8 votes in the House and 7 votes in the Senate in 1971. 1012 14th St. N.W., Washington, D.C. 20005.

*Cumulative votes cover at least fifteen years, up to or including 1971, depending on length of service in Congress.

He had come in third the year before with reported earnings of \$38,800. In 1971, the year he began to campaign for the Democratic presidential nomination in earnest, he made \$29,575 in speaker's fees.

The heavy speaking schedule Bayh maintained around the country may have worked wonders for his name recognition and campaign finances, but it did little for his Senate attendance record. His absenteeism rate on roll call votes jumped from 29 percent in 1969-70 to 41 percent in 1971. He made efforts, however, to put his position on record, introduce bills, and insert statements into the Congressional Record on days when he was absent. These efforts were interesting enough to attract the attention of a Washington Post writer in March 1971, when an article noted that, according to the record, Bayh had addressed his colleagues in the Senate no less than eight times that day when, in fact, he wasn't even there. "In fact, when he finally hurried onto the Senate floor a few minutes before adjournment, he expressed his regrets at missing the showdown vote scuttling funds for the supersonic transport and announced, for the Record, that he would have voted against the project if he'd only been there."³²

Though Bayh himself was not present to vote on 41 percent of 423 roll calls in 1971, he was "on the record" 36 percent of the time. (By the end of 1972 he had brought his absenteeism close to 20 percent.) Bayh's inordinately high absenteeism rate (the average Democratic senator missed only 17 percent of the 1971 votes) may have been increased somewhat by the serious illness of his wife, Marvella, whose operation for a malignant tumor in early October prompted his withdrawal from the presidential race.

A SHORT-LIVED RUN FOR PRESIDENT

Birch Bayh's campaign for the Democratic nomination, though it ended before it was ever made "official" by a public announcement, drew the attention of the media and created some uneasiness in the Muskie camp. As early as April 1971, newsmen were remarking that

the Bayh drive was well-organized by a compact, efficient staff of professionals. Furthermore, the senator seemed to be having no difficulties in raising funds and the campaign was, by all standards, a lavish one. One prize catch for the Bayh camp was New York industrialist Milton Gilbert, chairman of the Gilbert Flexi-Van Corporation, whose participation attracted donation totals in the hundred thousands, according to columnist Jack Anderson.³³ Gilbert had contributed heavily to Humphrey's campaign in 1968, according to the same source.

Bayh spoke in 46 states in 1970 and at least half that many the following year. He had built up a nationwide network of potential support by appearing at party functions on behalf of local candidates in prior years and did not hesitate to reap the rewards in 1971. Although he was generally accorded second place behind Maine's Senator Edmund Muskie, Bayh's reputed willingness to go the extra mile was eroding some of the then-frontrunner's support. For instance, he aroused a murmur of surprise when, during a February 1971 trip to Miami Beach to confer with AFL-CIO leaders, he successfully and personally wooed Miami mayor David Kennedy away from his reported leanings towards the Muskie candidacy. "The only way I've ever won anything is by outworking my opponents," Bayh later commented to newsmen.³⁴

There are those who believe that Bayh was actually shooting for the 1972 vice-presidential nomination when he began his campaign. Because of his relative youth and ability to put together a professional national campaign, Bayh is among that group of senators who will be strongly considered for national office in 1976. Bayh's energy and consummate political skill have made him a national figure.

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This profile was edited by Deanna Nash; researched in the state by Craig Hitchcock, Charlotte Milch, Dave Broecker and John Immerwahr; and typed by Dolores Smith.

5 Key Floor Votes

Yes Vote Means	Vote	Outcome
WAR IN INDOCHINA		
1 1966 Vietnam war funds	Absent	Passed
2 No US troops in Laos or Thailand (1969)	Absent	Passed
3 No Cambodia war funds after 7/1/70	Yes	Passed
4 Ban defoliant chemical use	Yes	Failed
5 Policy to withdraw within 9 months pending POW release	Yes	Passed
6 Continue war spending	No	Passed
FOREIGN RELATIONS		
7 1963 nuclear test ban treaty	Yes	Passed
8 Non-proliferation treaty (1969)	Yes SM	Passed
9 No extra aircraft for Nationalist China (1969)	Yes	Passed
10 No military aid to Greece	Yes	Failed
11 No US aid to foreign police	Yes	Passed
12 Reduce technical foreign aid	No	Failed
DEFENSE		
13 No ABM deployment	Yes	Failed
14 Cut C-5A	Absent	Failed
15 Reduce DOD from \$71 to \$66 billion	Absent	Failed
16 Reduce DOD public relations fund 30%	Yes	Failed
17 Reduce US military in Europe	Yes	Failed
18 Military salary increase for volunteer army	No	Failed
19 Permit Presidential war even beyond 30 days	Absent	Failed
PUBLIC WORKS AND SPACE		
20 1963 Mass Transportation Act	No	Passed
21 \$10 billion over 12 years for mass transit	Yes	Failed
22 No space shuttle	Yes	Failed
23 Restore SST	Absent	Failed
SUBSIDIES AND SPENDING		
24 Poverty program cut (reduced vocational training) (1963)	No	Failed
25 State veto of OEO (poverty program) (1964)	No	Failed
26 Hospital care benefits for the elderly (1964)	Yes	Passed
27 No model cities (1966)	No	Failed
28 Cut HEW spending (education, libraries, air pollution, mental health, handicapped, vocational training)	No	Passed
29 Child care and development, independent legal services for poor, two year poverty program extension	Yes	Failed
30 Unemployment compensation for migrant farm workers	Absent	Passed
31 Project Headstart increase	Absent	Passed
32 Manpower training increase	Absent	Passed

Yes Vote Means	Vote	Outcome
Food stamp increase	Yes	Passed
End tobacco subsidies	No	Failed
No \$20,000/person limit to farm subsidies (1969)	No	Passed
\$250 million loan guarantee to Lockheed	No	Passed

AXATION

Reduce oil depletion tax break (1964)	No	Failed
Do not reduce oil depletion tax break even slightly (1969)	No	Failed
Personal exemption increase (\$600 to \$800) (1969)	Absent	Passed
Stricter depreciation rules, lower tax credit for business	Yes	Failed
Revenue Act of 1971	Yes	Passed

ECONOMIC REGULATION AND ANTITRUST

Do not allow states to ban union shops (1965)	Yes	Failed
Kill Nixon plan for compulsory arbitration of transport strikes	Yes	Passed
Extend and expand Presidential power to manage the economy (wage and price controls)	Absent	Passed
Sell government strategic stockpiles to "highest responsible bidder"	No	Passed
Slaughter hens when egg prices drop to reduce supply and raise prices	Absent	Failed
Failing Newspaper Act (allowing exemption from antitrust laws for newspaper combinations)	Yes	Passed
Independent federal agency to regulate credit unions	Yes	Passed
Allow new independent consumer protection agency to conduct studies without prior White House approval	Absent	Failed
No consumer interest payments on portion of account already paid to merchant	No	Failed
No finance charges accrue for merchandise until delivered	Yes	Failed

ENERGY AND ENVIRONMENT

Permit mining and prospecting in Wilderness Areas until 1977 (1963)	No	Failed
No federal water quality standards (1965)	No	Failed
Delete \$18 million in Corps of Engineers water projects not in President's budget (1967)	No	Failed
Reduce highway funds \$230 million over 3 years (1969)	Absent	Failed
Increase HUD sewage funds from \$200 to \$500 million	Yes	Passed
One year extension of deadline to auto industry for 90% reduction in current auto pollution	Absent	Failed
DOD must file impact statements on effects of projects and weapons on environment	Yes	Failed

MEDICAL CARE, HEALTH AND SAFETY

Medicare (health insurance for aged, child-health care, assistance) (1965)	Yes	Passed
Mine Safety Act (federal standards and enforcement) (1966)	Yes	Passed
One year in prison and/or \$50,000 fine for knowingly violating the Traffic Safety Act (1966)	Absent	Failed

Yes Vote Means	Vote	Outcome
62 \$16.5 billion for improvement and construction of hospitals	Yes	Passed
JUSTICE		
63 Civil Rights Act of 1964	Yes	Passed
64 Voting Rights Act of 1965	Yes	Passed
65 Exempt houses from open housing (cover only apartments and condominiums) (1968)	No	Failed
66 Equal enforcement of integration requirements in North and South, whether segregation de jure or de facto	Absent	Passed
67 Remove cease and desist powers from Equal Employment Opportunities Commission	No	Failed
68 No federal court orders to bus for integration and no withholding of federal aid for not busing	No	Failed
69 No federal funds or pressure to bus	Yes	Passed
70 About \$2 billion a year over next 13 years to integrate all metropolitan schools	Yes	Failed
71 Equal Rights Amendment	Yes	Passed
72 Keep laws protecting and exempting women	No	Failed
73 Prayer in public schools (1966)	No	Failed
74 \$3.8 million increase for Bureau of Prisons	Yes	Failed
75 Delete "No-Knock" provision (police authority to enter homes without warning)	Yes	Failed
76 Reduce federal marijuana penalties for first offense from one year and \$5,000 to six months and \$2,500	No	Failed
77 Require court convictions before depriving students who allegedly are involved in campus "disorders" of federal aid	Absent	Failed
78 Confirmation of Carswell to Supreme Court	No	Failed
79 Confirmation of Haynsworth to Supreme Court (1969)	No	Failed
80 Confirmation of Rehnquist to Supreme Court	No	Passed
GOVERNMENT OPERATIONS		
81 Delay 1-man-1-vote court ordered reapportionment for 6 months (1964)	Yes	Passed
82 Senate may not change its rules by majority vote (1967)	No	Passed
83 Do not restrict outside employment of Senate officers and employees (1967)	Absent	Passed
84 Senators and employees do not have to file financial statements with GAO (1967)	Absent	Passed
85 Senators and employees do not have to file financial statements with Secretary of Senate (or at all) (1967)	Absent	Passed
86 To permit joint ventures by Senators and lobbyists and Senator receipt of lobbyist gifts valued at over \$100 (1967)	Absent	Passed
87 Extend ban on corporate/union political money to dummies and affiliates (1967)	No	Failed
88 Congressional members and candidates must disclose assets, liabilities, gifts, and other outside income (1967)	Yes	Failed
89 End seniority, elect chairmen by whole party	No	Failed
90 End seniority, elect chairmen by party in each committee	Yes	Failed
91 Limit federal campaign spending on electronic media to 7¢ vote	Yes	Passed
92 Friend of Court brief on congressional immunity for Senator Gravel (prosecuted for reading Pentagon Papers)	Absent	Passed
93 Do not repeal equal-time requirements for all federal candidates	Absent	Passed

1 floor votes occurred after January 1, 1970, unless otherwise indicated on Table 5. Each vote may be found in the Congressional Record.
 2 page numbers for unbound issues are referenced with the initial "S". All other footnotes refer to page numbers in hardbound editions.

HR 13546, 3/22/66, 6462	24. HR 4955, 10/7/63, 18626	47. S 1520, 1/30/70, 2018	70. S 659, 2/29/72, S2893
HR 15090, 12/15/69, 39172	25. S 2542, 7/23/64, 16770	48. HR 2, 2/4/70, 2433	71. HJ Res. 208, 3/22/72, S4612
HR 15628, 6/30/70, 22251	26. HR 11865, 9/2/64, 21318	49. S 4459, 12/1/70, 39305	72. HJ Res. 208, 3/21/72, S4428
HR 17123, 8/26/70, 30979	27. S 3708, 8/19/66, 20051	50. S 652, 4/27/72, S6909	73. SJ Res. 144, 9/21/66, 23555
HR 6531, 6/22/71, S9718	28. HR 15931, 2/28/70, 5439	51. S 652, 4/27/72, S6918	74. HR 17575, 8/24/70, 29852
HR 9910, 10/23/71, S17075	29. S 2007, 12/10/71, S21293	52. S 4, 4/9/63, 5928	75. S 3246, 1/27/70, 1320
Treaty, 9/24/63, 17832	30. HR 14705, 4/7/70, S5267	53. S 4, 1/28/65, 1519	76. S 3246, 1/28/70, 1662
Treaty, 3/13/69, 6380	31. HR 18515, 11/20/70, 38325f.	54. HR 11641, 10/9/67, 28274	77. HR 15931, 2/28/70, 5432
HR 15149, 12/20/69, 40433	32. HR 18515, 11/20/70, 38327	55. S 3418, 7/1/68, 19548	78. Confirmation, 4/8/70, 10789
HR 15628, 6/30/70, 22261	33. HR 17923, 7/8/70, 23315	56. HR 17123, 8/26/70, 30054f.	79. Confirmation, 10/7/70, S5295
HR 12067, 2/4/72, S1216	34. HR 17923, 7/8/70, 23321	57. HR 17255, 9/22/70, 33088	80. Confirmation, 10/10/71, S21253
HR 12067, 2/4/72, S1217	35. HR 11612, 7/7/69, 18473	58. HR 17123, 8/13/70, 26674	81. HR 11380, 9/24/64, 22758
HR 17123, 8/12/70, 28455	36. HR 8432, 8/2/71, S12663	59. HR 6075, 7/9/65, 16157	82. S Res. 6, 1/18/67, 940
HR 17123, 8/26/70, 30079	37. HR 8363, 2/6/64, 2199	60. HR 5989, 6/23/66, 14174f.	83. S 355, 2/2/67, 2380
HR 17123, 8/29/70, 30364	38. HR 13270, 12/1/69, 36229	61. S 3005, 6/24/66, 14252	84. S 355, 2/8/67, 2984
HR 19590, 10/8/70, 46439	39. HR 13270, 12/3/69, 36676	62. HR 11102, 6/30/70, 22278	85. S 355, 2/8/67, 2984
HR 11731, 11/23/71, S19516	40. HR 10947, 11/15/71, S18615	63. HR 7152, 6/19/64, 14511	86. S 355, 2/9/67, 3212
HR 17123, 8/25/70, 29979	41. HR 10947, 11/22/71, S19309	64. S 1564, 5/26/65, 11752	87. S 1550, 9/11/67, 25093
S 2956, 4/6/72, S5593	42. HR 77, 10/11/65, 26581	65. HR 2516, 3/4/68, 4977	88. S 1550, 9/12/67, 25152
S G, 4/4/63, 5688f.	43. SJ Res. 197, 2/8/72, S1451	66. HR 514, 2/18/70, 3800	89. HR 17654, 10/6/70, 35028
S 3154, 2/30/70, 2255	44. S 2891, 12/1/71, 19991	67. S 2515, 1/26/72, S562	90. HR 17654, 10/6/70, 35027
HR 16516, 5/6/70, 14407	45. HR 16292, 4/2/70, 10114f.	68. S 659, 2/29/72, S2874	91. S 3637, 4/14/70, 11595
HJ Res. 462, 3/24/71, S3569	46. S 2895, 3/24/72, S4811	69. S 659, 2/29/72, S2874	92. S Res. 280, 3/23/72, S4734
			93. S 3178, 3/23/72, S4736

Key
 Committee
 Votes

RECORDED IN SENATE JUDICIARY COMMITTEE

Yes Vote Means	Vote	Outcome
To confirm William Rehnquist as Justice of the United States Supreme Court	No	Yes: 12 No: 4
To continue hearings on the nomination of Richard Kleindienst as Attorney General following the testimony of Peter Flanigan (1972)	NA	Yes: 6 No: 8
To change Bayh bill, which prohibited the manufacture and sale of hand guns except for sporting or law enforcement purposes, so as to permit the sale of military surplus hand guns and of those hand guns meeting safety and reliability tests (1972)	No	Yes: 5 No: 8

Source: Review of committee reports. Votes are for 1971 unless otherwise indicated. Votes cited above occurred in response to the following motions or proposals: 1 Rehnquist confirmation; 2 Motion to continue hearings on Kleindienst nomination; 3 Hruska substitute to S 2507, to amend the Gun Control Act of 1968.

6 Key Committee Votes

RECORDED IN SENATE PUBLIC WORKS COMMITTEE

Yes Vote Means	Vote	Outcome
1 To amend the Economic Disaster Relief Act limiting unemployment benefits to areas where unemployment is "attributed to the loss...of sources of employment."	Yes	Yes: 6 No: 8
2 To cut federal authorizations for waste treatment funds by \$.5 billion in fiscal 1973, \$1.5 billion in 1974, and \$2.5 billion in 1975	No	Yes: 6 No: 7
3 Industries using federally subsidized treatment plants pay user charges only for capital costs of construction and not interest costs (which taxpayers would therefore pay)	Absent	Yes: 6 No: 5
4 No authority to obligate (commit) funds before appropriated	No	Yes: 5 No: 9
5 No award of litigation costs to a citizen plaintiff successfully suing to enforce the law	No	Yes: 11 No: 3
6 The Secretary of the Army disposes of dredged soil rather than the federal water pollution administrator	No	Yes: 6 No: 9

Source: Review of committee reports. Votes are for 1971 unless otherwise indicated. Votes cited above occurred in response to the following motions or proposals: 1 Cooper amendment to S 2393; 2 Cooper amendment to S 2770 (Federal Water Pollution Control Act Amendments of 1971); 3 Buckley amendment to S 2770; 4 Boggs amendment to S 2770; 5 Baker amendment to S 2770; 6 Randolph amendment to S 2770.

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Robert Sherrill, "Birch Bayh Isn't a Household Word--Yet," New York Times Magazine (February 15, 1970).

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10. Robert Webb, "Bayh Aides Denies that Labor Paid \$200,000 Campaign Debt," Cincinnati Enquirer, April 6, 1970.
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12. U.S. Department of Labor, Bureau of Labor Statistics, Division of Industrial Relations (Washington, D.C.: Government Printing Office, 1972, revised).
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14. U.S. Congress, House of Representatives, Congressional Record, 92d Cong., 2d sess., April 25, 1972, E4259.
15. U.S. Congress, Senate, Congressional Record, Senator Birch Bayh, remarks and insertion of post-election campaign contributions, 92d Cong., 2d sess., May 4, 1972, S7279.
16. Congressional Record, Senator Birch Bayh, insertion of personal financial statement, 92d Cong., 1st sess., September 20, 1971, S15518.
17. Richard Harris, Decision (New York: E. P. Dutton Co., Inc., 1971), p. 12.
18. Congressional Record, Senator Birch Bayh, introduction of S 1865 and S 1866, 92d Cong., 1st sess., May 17, 1971, S7010.
19. Bayh, Newsletter, undated.
20. House, Congressional Record, final vote 401-19, March 23, 1971.
21. Congressional Record, Senator Birch Bayh, floor remarks on S J Res. 1, 92d Cong., 1st sess., January 28, 1971, S464.
22. Congressional Record, S J Res. 170, 92d Cong., 1st sess., November 1, 1971.
23. Congressional Record, Senator Birch Bayh, remarks on "Citizen Privacy Act," 92d Cong., 1st sess., February 25, 1971, S1334.
24. Congressional Record, Senator Birch Bayh, remarks on "Omnibus Correctional Reform Act," 92d Cong., 1st sess., September 17, 1971, S14552.
25. Congressional Record, Senator Birch Bayh, remarks on "The Universal Child Care and Development Act," 92d Cong., 1st sess., February 2, 1971, S678.
26. Congressional Record, 92d Cong., 1st sess., S 2829, introduced November 9, 1971.

27. Congressional Record, Senator Birch Bayh, remarks on "Runaway Youth Act," 92d Cong., 1st sess., November 9, 1971, S17915.

28. Washington Post, August 10, 1972, p. 1.

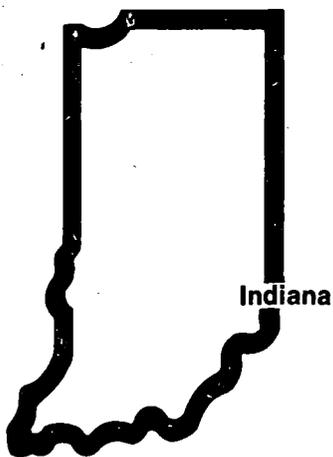
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33. Richard T. Stout, "Senator Birch Bayh, Everybody's Second Choice," Baltimore News American, April 20, 1971.



NEWS from BIRCH BAYH

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FOR RELEASE:

FOR IMMEDIATE RELEASE
32 - 76

WASHINGTON, D.C., MAY 19 -- Senator Birch Bayh (D. - Ind.) urged the Democratic Platform Committee today to put the party on record in favor of legislation to require vertical divestiture of the major oil companies and warned that failure to do so would result in a floor fight at the full convention in July.

In testimony before the Platform Committee today Bayh said that while there is a good chance that vertical divestiture legislation will be passed by the Senate this year, and a fair chance that the House of Representatives will have time to act toward the end of the 94th Congress, the legislation is expected to be vetoed by President Ford.

"Because the present Administration is likely to defend the interests of the oil companies regarding vertical integration, it is especially important that the Democratic Party go on record in favor of vertical divestiture and give evidence to one of the many important philosophical differences between Democrats and Republicans," Bayh said.

Bayh pointed out that when the Senate voted on vertical divestiture last fall, 39 of the 45 votes in favor of divestiture were cast by Democrats and that the pending vertical divestiture legislation was reported favorably by the Senate Antitrust and Monopoly Subcommittee last month on a straight party line vote.

Bayh said he recognized that vertical divestiture is a controversial issue and that some feel the platform should avoid controversy, but emphasized that the issue could not be avoided.

"The strong sentiment throughout our party for the enactment of vertical divestiture legislation ensures that this is an issue which must be addressed," Bayh said.

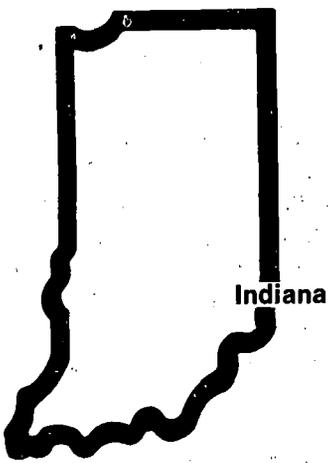
"I am confident that unless the platform puts our party on record in favor of legislation such as the Petroleum Industry Competition Act, which is now pending before the Senate Judiciary Committee, that this issue will come before the full Convention in July," Bayh said.

Bayh said failure to include within the platform a specific endorsement of vertical divestiture legislation would be to ignore the fact that the enactment of such legislation is not only favored by a majority of Democrats, but a necessary ingredient to the achievement of the party's public goals in both economic and energy policy.

Bayh said that to a substantial degree the runaway inflation and excessive unemployment of recent years is a direct result of sharply increased energy prices.

"There is no way we will be able to deal adequately and effectively with economic and energy policy unless we address ourselves to the inordinate power and anti-competitive behavior of the major, vertically integrated oil companies," he said.

FULL TEXT OF SENATOR BAYH'S TESTIMONY IS ATTACHED.



NEWS from BIRCH BAYH

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FOR RELEASE:

SENATOR BIRCH BAYH
TESTIMONY TO THE DEMOCRATIC NATIONAL CONVENTION PLATFORM COMMITTEE
WASHINGTON, D.C.
MAY 19, 1976

Mr. Chairman and members of the Platform Committee, I appreciate the opportunity to appear here today. Because of the long agenda before you, I shall confine my oral testimony to a single subject -- the need for our party to take a firm position in support of legislation requiring vertical divestiture among the major oil companies. In addition, following my oral testimony I wish to submit for the hearing record and your consideration a statement on crime, especially as it relates to Federal juvenile justice programs.

During the course of its extensive hearings the Platform Committee has heard a great deal about national economic policy. I am confident that the platform will reflect the constructive approach of the Democratic Party toward reducing unemployment and controlling inflation.

Also, during the course of your hearings you have heard a great deal about national energy policy. Once again I am confident that the platform will reflect the more responsible policies of the Democratic Party for dealing with the severe energy problems that continue to beset our nation.

But there is no way we will be able to deal adequately and effectively with economic and energy policy unless we address ourselves to the inordinate power and anti-competitive behavior of the major, vertically integrated oil companies. To a substantial degree the runaway inflation and excessive unemployment of recent years is a direct result of sharply increased energy prices. And the effectiveness of the oil exporting countries in imposing those higher prices, as well as the movement of uncontrolled domestic energy prices to the cartel level, results, in large part, from the structure of the oil industry.

In considering the consequences to the American economy and to energy policy of the structure of the oil industry, it is important to recognize that while the problem has been especially severe in recent years it is not a new problem. Ever since the end of the 19th century, when oil took on a crucial role in our industrial development, the industry has been guilty of engaging in deliberately anti-competitive practices. The magnitude of the early problem was manifest in the well-known Supreme Court decision that ordered the break-up, in 1911, of the Standard Oil of New Jersey Trust.

While there were certain short-term benefits from the break-up of the trust, the existence of extensive vertical integration and the substantial interdependence of the major oil companies (through joint ventures, swapping of crude oil and refined product, and other industry devices), the lack of competition in the industry has remained a serious problem to this day.

The situation was so bad in 1940 that the Administration of President Franklin D. Roosevelt brought the largest law suit ever against the major oil companies and the American Petroleum Institute. Prosecution of that case was suspended and eventually dissipated because of the Second World War, but the fact that such a huge anti-trust case was actually filed is itself instructive.

Unfortunately renewed efforts to attack the lack of competition in the oil industry by the Truman Administration were permitted to lapse when the White House changed hands in 1953. Since that time there have been a number of attempts made to deal with the structure of the oil industry through the regulatory process. The most celebrated example is probably the so-called Exxon case filed by the Federal Trade Commission almost three years ago. In this case the FTC charged the eight largest oil companies with engaging in a host of anti-competitive practices. But the fact that the case is still in its pre-hearing conference phase 34 months after the complaint was filed demonstrates the futility of relying on the regulatory process to correct the monopolistic practices of the major oil companies.

(continued overleaf)

I have taken time to review the historical record, Mr. Chairman, to emphasize that the legislative effort now underway to require vertical divestiture among the major oil companies is not -- as some have charged -- an expedient, political response to the four-fold increase in oil prices in the past three years. Rather the legislative effort now underway is the culmination of years of frustration on the part of those who believe the oil industry should abide by the basic principles of the free enterprise system. Indeed, the enactment of legislation to bring competition to the oil industry -- to create a free market in crude oil and refined products -- is the only timely remedy available to us to deal with a problem of long-standing and substantial magnitude.

While there is a good chance that vertical divestiture legislation will be passed by the Senate this year, and a fair chance that the House of Representatives will have time to act toward the end of the 94th Congress, we can reasonably expect to run afoul of Gerald Ford's oft-used veto stamp.

Because the present Administration is likely to defend the interests of the oil companies regarding vertical integration, it is especially important that the Democratic Party go on record in favor of vertical divestiture and give evidence to one of the many important philosophical differences between Democrats and Republicans. Let me remind you that when the Senate voted on vertical divestiture last fall, 39 of the 45 votes in favor of divestiture were cast by Democrats. And consider also that when the pending vertical divestiture legislation was reported favorably by the Senate Antitrust and Monopoly Subcommittee last month it was on a straight party line vote. Moreover, as one of those Democrats who spent a good deal of time earlier this year seeking our party's Presidential nomination, I can report first-hand that vertical divestiture is favored by most candidates and strongly supported by the Democratic electorate.

I recognize, Mr. Chairman, that this is a controversial issue, and there are those who say the platform should avoid controversy. I must emphasize, however, that this is an issue which will not be avoided. The strong sentiment throughout our party for the enactment of vertical divestiture legislation ensures that this is an issue which must be addressed.

I am confident it will be addressed by the Drafting Subcommittee and by the full Platform Committee when it acts on the platform next month. I am also confident that unless the platform puts our party on record in favor of legislation such as the Petroleum Industry Competition Act, which is now pending before the Senate Judiciary Committee, that this issue will come before the full Convention in July. Frankly, I am confident this would happen regardless of what I did personally, even though I am the principal sponsor of this legislation. However, I am proud to align myself with those in our party who feel strongly that this is an issue which must be addressed directly by the Platform Committee and the Convention. Once it is given the attention it requires I trust that the Platform Committee will include within the platform a specific endorsement of vertical divestiture legislation. To do anything else would be to ignore the fact that the enactment of such legislation is not only favored by a majority of Democrats, but a necessary ingredient to the achievement of the party's public goals in both economic and energy policy.

The imperative need for the enactment of vertical divestiture legislation results from certain circumstances unique to the oil industry. The continued availability of oil is crucial to our economic well-being; its uses are so pervasive that it is almost as essential to the infrastructure of our way of life as air and water.

Moreover, the oil industry has a combination of intense concentration, extensive integration, and significant interdependence unlike any other industry. The oil industry is fond of telling us that it is less concentrated than other industries such as automobiles and steel.

While that is true, the fact is that the industry is very concentrated, with the 18 companies affected by the Petroleum Industry Competition Act controlling more than 75 percent of oil production, refining and marketing, and more than 90 percent of crude oil and product pipelines. Along with this concentration we must consider the industry's remarkable integration, with these major companies involved deeply in all four facets of the industry, and institutionalized interdependence, with those same companies working hand-in-hand on production and pipelines, swapping crude oil and refined products, and sharing markets.

The net effect of this industry structure is a lack of effective competition at every level of the industry. The lack of competition is manifest in many ways: the historical prorating of production to forestall price drops; the lack of access to gathering lines and crude trunklines for independent producers; the economic disincentive for independents to enter refining because of the absence of a free market in crude oil; the price discrimination against independent, unbranded marketers; the economic blackmail of service station operators franchised by major companies; and the exploitation of the

(continued)

recent supply shortages to deny crude to independent refiners and product to independent marketers prior to the imposition of mandatory allocations.

Only vertical divestiture will adequately address itself to these evils. Under the proposed legislation the major companies would be required to separate their exploration and production activities from their refining and marketing activities. In addition, all substantial pipeline operations would have to be divested since this is the only means to guarantee adequately that they will truly be common carriers. Finally, major refiners would not be permitted to expand their marketing operations beyond those outlets they had prior to January 1, 1976.

This is strong medicine. But only strong medicine will cure the problem of non-competition in the petroleum industry. In addressing ourselves to this problem we weighed steps short of divestiture and after considering all feasible alternatives concluded that only divestiture contained the strength necessary to bring competition to the oil industry.

In raising its anticipated objections to the legislation the industry has invoked several key arguments.

-We are told that the divested companies will be too small to be viable entities and will not be able to attract necessary capital. The fact is that all the divested companies will be so large as to qualify for the Fortune Five Hundred list of largest U.S. companies. Clearly they would all be of sufficient size to attract capital and be much larger than independent producers, refiners and marketers who have managed to survive despite the major oil companies' anti-competitive behavior.

-We are told the divested companies will be hard pressed to deal effectively with OPEC. The fact is that vertical integration has actually inhibited the major companies from taking a tough line with OPEC. First, price increases imposed by OPEC have benefitted the major companies by increasing significantly the price the companies can get elsewhere for their oil produced in the U.S., while increasing by billions of dollars the value of those companies' reserves. Second, vertically integrated companies need an assured supply of crude oil for their downstream operations (refining and marketing) and good relations with OPEC are essential to securing that assured supply of crude.

-We are told that divestiture will cause havoc in the oil industry, interrupting supplies and making us more dependent on foreign oil. The fact is that a number of major oil companies have structured their internal operations on functional lines paralleling the proposed divestiture, thus proving that such a system can work. Most notably, Exxon officials have testified in tax cases in Wisconsin and South Carolina that Exxon already operates on such functional lines, that it is not a unitary company, and that each segment of the company has its own management and own profit center.

-We are told that divestiture is the first step toward a government take over of the oil industry. The fact is that divestiture, by permitting competition to take place in the industry, will provide the basis for reducing the extensive government regulation of the industry, and will forestall the interest among many for nationalization. I oppose both nationalization and perpetual government regulation of prices and supplies. But the only way we avoid those evils is to make the industry competitive, and the only way we do that is through divestiture.

Mr. Chairman, I urge the Platform Committee to weigh carefully the present structure of the oil industry, to reject the unsubstantiated objections of the industry, and to endorse in our party's platform the Petroleum Industry Competition Act. Such an endorsement would be consistent with the principles of our party and the wishes of a majority of Democrats.

Finally, as I said at the outset I wish to submit now for the hearing record and your consideration a lengthy statement on Juvenile Justice as a Federal Priority.

BIRCH BAYH

THE MAN

AND HIS RECORD

"Senator Birch Bayh of Indiana has now become an undisputed national figure. A broad path has opened up before him by that unarrangeable combination of personal quality and good fortune that seems to attend the fate of the chosen very few in our political history.

He looks more and more like a midwest John Kennedy, but with a personal background oriented much more closely, not only to the country's heartland, but to the life of most ordinary citizens. His record of accomplishment as a Senator already outshines the Kennedy record in the Senate.

His origins are straight out of Horatio Alger and the mythology of the all-American boy: farmer, lawyer, class president, star athlete, Army veteran, leading state legislator and, in '62, the boyish David who felled the local Goliath, Senator Capehart. Handsome, strong, married to a natural born political wife with a record as a formidable campaigner. The image is almost too good to be true; if it holds a serious flaw, that hasn't shown up yet."
Eric Sevareid, CBS News

(BIOGRAPHY)

BIRCH BAYH

Junior Senator from Indiana
Farmer
Lawyer

IN PERSON

- Home is a 340 acre farm at a crossroads named Shirkieville, north west of Terre Haute, Indiana.
- Born on January 22, 1928 in Terre Haute.
- Son of a Methodist teacher and grandson of a blacksmith who migrated to the United States from Germany.
- Educated at Indiana University Law School (J.D., 1960); Indiana State College (graduate work in political science); Purdue University School of Agriculture (B.S., 1951).
- Named one of 10 outstanding young men in the nation by United States Jaycees in 1963.
- Author of One Heartbeat Away, a history of the 25th Amendment to the Constitution.
- State Golden Gloves light-heavyweight champion while at college.
- Served as an enlisted man with the U.S. Army in Europe (1946-1948).
- Married Marvella Hern of Enid, Oklahoma, whom he met when she defeated him in a debate contest.
- Son Evan, 19, is a student at Indiana University and an active sport enthusiast.

IN THE INDIANA ASSEMBLY

- Elected State Representative at the age of 25.
- Served eight years in the Assembly (1955-1963), four as Minority Leader and two as Speaker -- the youngest Speaker in the history of the legislature.
- Selected Indiana's "most able representative" by newsmen covering the 1961 session of the Legislature.

IN THE UNITED STATES SENATE

- Elected to the Senate at the age of 34
- Serving his third term in the Senate
- Won an upset election (11/6/62) to his first Senate term by defeating 18 year incumbent Republican Homer E. Capehart.
- Won reelection (11/5/68) to a second Senate term by a 71,855 vote plurality over challenger William Ruckelshaus, withstanding the Nixon tide that swept the state by a 261,226 vote plurality, his largest margin in any state.
- Won reelection (11/7/74) to a third term defeating then Mayor of Indianapolis Richard Lugar by a greater plurality than in 1968.

IN THE SENATE (continued)

-- Currently serving on the following Senate committees:

Appropriations
Subcommittees:

Chairman on Transportation and Related Agencies
Member Agriculture and related agencies
Member Labor-Health, Education and Welfare
Member Treasury, Postal Service and General Government
Member HUD and Independent Agencies

Judiciary
Subcommittees:

Chairman Constitutional Amendments
Chairman Juvenile Delinquency
Member Administrative Practices and Procedures
Member Antitrust and Monopoly
Member Constitutional Rights
Member Internal Security
Member Penitentiaries

-- Formerly served on the Public Works Committee and the Select Committee on Equal Education Opportunity

IN THE DEMOCRATIC PARTY

- Served on the Democratic Party's Commission on Party Structure
- Served on the Policy Council of the Democratic National Committee
- Served as Chairman of the Subcommittee on Economic Conversion of the Democratic National Committee's Policy Council

LEADERSHIP

- Authored the 25th Amendment to the Constitution on Presidential disability and Vice Presidential succession and led it to passage and ratification in 1967 -- the youngest man to write and guide a Constitutional amendment to passage since Thomas Jefferson.
- Led the successful effort to secure passage and ratification of the 26th Amendment to the Constitution, extending the right to vote in all elections to 18-year-olds.
- Sponsored and secured Congressional passage of the proposed 27th Amendment to the Constitution to guarantee Equal Rights for men and women.
- Author and leader of the fight for a constitutional amendment abolishing the electoral college and providing for direct popular election of the President.
- Organized and successfully led Senate opposition to the Supreme Court nominations of G. Harrold Carswell and Clement F. Haynsworth.
- Proposed creation of a national environmental agency to coordinate all federal efforts to combat pollution more than a year before the creation of the Environmental Protection Agency.
- Authored and secured passage of Title IX of the Education Amendment of 1972 to prohibit sex discrimination in all levels of education.
- Authored and obtained passage of two key amendments establishing Congressional power to review, authorize, and reduce military manpower levels.

SENATOR BIRCH BAYH

- Authored and successfully led the fight for passage of the nation's first comprehensive program designed to meet the problem of rapidly escalating juvenile crime.
- Led the fight to stop the diversion of legitimately manufactured drugs to illicit markets resulting in tighter controls being placed on the production and distribution of commonly abused drugs such as amphetamines (speed), barbiturates (downers) and methaqualone.
- Authored the first comprehensive Federal Disaster Relief Act ever enacted. Through this legislation, the federal government provides a wide range of assistance to victims of natural disasters such as hurricanes, floods, earthquakes and tornadoes.
- Led the fight to repeal the costly big business tax break known as Asset Depreciation Range (ADR), and worked in a Senate coalition seeking broader tax reform. It was the successful conclusion of this coalition's effort that closed the oil depletion loophole for major oil companies.
- Introduced and led the fight for legislation establishing a special prosecutor independent of the Executive Branch after Special Prosecutor Cox had been dismissed.
- Leader of the effort to restore competition to the oil industry and author of legislation to break up the vertical integration of the major oil companies which gives them monopolistic control over production, transport, refining and marketing of petroleum.

CONGRESSIONAL AND CAMPAIGN REFORM

- Leader of the fight for and author of a Constitutional Amendment to abolish the electoral college and provide for direct popular election of the President and Vice President.
- Consistently supported and co-sponsored legislation to make meetings of governmental agencies and Congressional committees open to the public.
- Supported the successful efforts to amend Senate Rule 22 to make it easier to stop Senate filibusters.
- Sponsored legislation to provide public disclosure of lobbying activities with respect to Congress and the Executive Branch.
- Consistently fought for legislation to require members of Congress and candidates for Congress to disclose their assets, liabilities, gifts and outside income. In 1969, Bayh, who was one of the first Senators to do so, placed a comprehensive statement of his assets, liabilities and sources of income in the Congressional Record. He has continued this practice in each subsequent year and added, in 1974, complete information from his tax returns.
- Authored the Omnibus Disclosure Act which requires all federal employees earning more than \$18,000 per year to file full and complete public financial disclosure. Since Bayh has required members of his staff earning more than \$18,000 per year to file full and complete financial disclosures each year.
- Sponsored and fought for the 1974 Campaign Reform Bill, now law, that contained provisions Bayh had proposed as well as providing for public financing of Presidential campaigns.
- Authored legislation enacted into law that would preclude participation by a Judge in any case in which he had a defined financial interest.
- Co-sponsored legislation to provide public financing of both primary and general elections in the House and Senate.

SENATOR BIRCH BAYH

- Authored legislation passed by the Senate to ensure due process for foreign service officers by establishing impartial grievance procedures in the Foreign Service.
- Supported and fought for extending cease and desist powers to the Equal Employment Opportunities Commission.
- Authored and successfully led to passage legislation providing bonding and technical assistance to small minority contractors.
- Co-sponsored speedy trial bill requiring that those accused of serious crimes be brought to trial within 60 days of arrest.
- Authored legislation to prohibit the use of polygraph and psychological stress indicator tests by the federal government or those engaged in interstate commerce.
- Co-sponsored legislation to provide for more effective bilingual proceedings in all district courts of the United States.
- Authored a Senate resolution calling on the Department of HEW to withdraw proposed regulations which would eliminate the legal responsibility of the federal government to protect individuals against various types of discrimination ranging from discrimination based on race or sex to discrimination against the handicapped.
- Led the successful fight to force the Federal Trade Commission to make public pre-hearing conferences between FTC officials and representatives of the major oil companies which the FTC has accused of engaging in anti-competitive practices.

WOMEN'S RIGHTS

- Authored and led the successful fight for Congressional passage of a constitutional amendment ensuring Equal Rights for men and women.
- Introduced and led the successful fight for Title IX, an amendment to the Education Act of 1972 to prohibit sex discrimination in any educational institution or program receiving federal funds.
- Led the fight to defeat the Casey Amendment which would have gutted Title IX.
- Introduced the Women's Equality Act, to extend the protections of the Civil Rights Act of 1964 to women, and to implement the recommendations of the President's Task Force on Women's Rights and Responsibilities.
- Filed a friend of the Court brief in the case of Reed v. Reed, arguing -- successfully -- that the Supreme Court should strike down sex discrimination under the 14th Amendment in that case.
- Named by President Ford to the National Commission on the Observation of International Women's Year for 1975 and introduced legislation to convene an American's Women's Conference to assess and evaluate the nation's progress toward equality.
- Authored legislation to restructure the Social Security Administration to end sex discrimination.
- Co-sponsored legislation, since passed, prohibiting sex discrimination in military education installations.
- Authored Child Care and Development legislation providing comprehensive child service centers to meet the needs of families from all income groups.
- Co-sponsored the Part-time Career Opportunity Act to eliminate discrimination especially against women with children, imposed by the basic working hour patterns in our society.

FARMERS/AGRICULTURE

- Authored the amendment, now law, to reduce the maximum farm subsidy from \$55,000 per crop to \$20,000 per farmer.
- Authored legislation to ease inheritance tax burdens when family farms are passed from one generation to another.
- Authored legislation to increase payments to farmers for hog cholera losses and a bill that is now law to provide for additional inspection at the nation's stockyards, packing houses, and transport points, to help control diseases like hog cholera.
- Sponsored legislation to provide a priority system for certain agricultural uses of natural gas and to protect natural gas supplies used for essential agricultural purposes.
- Sponsored legislation to provide FHA loans to supplement farm incomes and supplemental financing for rural electric and telephone cooperatives. Bayh also co-sponsored the Farm Credit Act to expand loan facilities available to residents of rural America and the Rural Development Act of 1972, now law, that provides increased credit for farmers, rural pollution abatement and control, small farm research and education and aid for rural community fire prevention.
- Co-sponsored legislation now awaiting Congressional action to prohibit corporations with more than \$3 million in non-farm assets from engaging in farming.

CIVIL RIGHTS AND LIBERTIES

- Supported and fought for every major civil rights act since he has been in the U.S. Senate including the public accommodations act, the voting rights act, and the fair housing act.
- Fought to protect the constitutional right to privacy of every citizen.
 - ** Authored legislation to protect that right by giving citizens the right to see and correct their government files and preventing dissemination of information in those files.
 - ** Led the successful fight to repeal the no-knock provision to the crime bill of 1970.
 - ** Sponsored legislation designed to prohibit the invasion of privacy of federal employees and applicants for government employment.
 - ** Sponsored legislation to prohibit any civil officer from using the armed forces to exercise surveillance or execute civil laws.
- Fought to provide rights for men and women.
 - ** Author and leader of the fight for the pending constitutional amendment providing equal rights for women and men.
 - ** Author and prime Senate sponsor of Title IX of the 1972 Education Amendment, now law, designed to end sex discrimination in any education program now receiving federal funds.
 - ** Authored legislation to eliminate sex discrimination in our social security system.
- Authored an amendment to the extension of the Voting Rights Act to expand the coverage of the Act to protect the voting rights of Chicanos, Spanish-Americans and other non-English speaking minorities. The Bayh amendment became law in 1975.
- Authored legislation requiring government agencies, under the Freedom of Information Act, to make government documents relating to areas of general public interest available to any individual as part of the public record.

CONSUMER AFFAIRS

- Consistently supported creation of the Agency for Consumer Advocacy to provide consumers with a voice in the federal regulatory process.
- Authored legislation providing for consumer class action suits in state and federal courts and strengthening the powers of the Federal Trade Commission.
- Authored and secured passage of an amendment abolishing the federal bread tax which cut the price of a loaf of bread by 2 cents.
- Co-sponsored legislation to increase funds for investigation and prosecution by the FTC and the Department of Justice of unfair methods of competition, restraints of trade, and other violations of antitrust law.
- Authored legislation to provide for more public discussion before settlement of antitrust suits and for reports to the public by the Justice Department on each settlement.
- Co-sponsored legislation requiring that all food be labeled with a uniform system indicating the degree to which each product meets the recommended daily nutrient allowances to maintain good health.
- Co-sponsored legislation requiring that perishable and semi-perishable food products bear dates which indicate their usable shelf-life.
- Co-sponsored legislation requiring octane levels for gasoline to be posted on the pumps and in new car manuals.
- As Chairman of the Senate Roads Subcommittee authored comprehensive highway safety legislation.
- Authored legislation to reform the federal income tax laws and make them more equitable by increasing federal revenues while closing loopholes for preferred incomes, oil depletion, and favored treatment of exporters.
- Led the successful fight to force the Federal Trade Commission to make public pre-hearing conferences between FTC officials and representatives of the major oil companies which the FTC has accused of engaging in anti-competitive practices.
- Led the unsuccessful fight against the Alaskan pipeline in an attempt to protect the environment and to make Alaskan oil available to the Midwest and East Coast where it was sorely needed. Bayh is now leading a similar fight to insure that Alaskan natural gas will be piped across Canada to relieve the serious gas shortages in the Midwest and East and to make the gas available to the entire nation.
- In December of 1973 offered an amendment to require an average 50% improvement in auto mileage standards by 1980. The Bayh amendment failed then, but legislation with that same provision passed the Senate in July of 1975.

DEFENSE SPENDING AND THE ARMS RACE

- A consistent critic of the tendency of the Pentagon to concentrate the nation's defense power in extremely expensive and sophisticated weapons systems that could result on leaving the U.S. at a sharp numerical disadvantage, Senator Bayh has called for the development of more versatile, less expensive weapons that will meet our needs in both conventional and nuclear war.
- Authored and secured passage of amendments establishing Congressional power to review, authorize, and reduce military manpower levels.
- Consistently supported legislation to reduce troop levels in Europe.

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- Opposed the development and deployment of the Safeguard ABM System.
- Authored legislation urging the President to seek an agreement with the Soviet Union banning or restricting the deployment of an antiballistic missile system eight weeks before President Nixon sought such an agreement.
- Authored legislation calling for a moratorium agreement between the U.S. and U.S.S.R. on the development and further flight tests of multiple independently targetable re-entry vehicles (MIRV).
- Authored legislation, now law, that requires the DOD to give U.S. firms a chance to bid on research contracts rather than awarding the contracts to foreign companies without bidding.
- Authored legislation to delete funding for the Army's SAM-D missile system. Subsequently the Secretary of Defense admitted that the program should be cut back and a GAO study reinforced Bayh's contention by proclaiming that the SAM-D was not a cost effective way to spend billions of defense dollars. Net savings estimated over two years ---- approximately \$200 million.
- Co-sponsored the War Powers Bill limiting the President's authority to commit troops to combat without the consent of Congress.
- Co-sponsored legislation prohibiting the expenditure of funds for the development and procurement of any lethal chemical weapons.
- Opposed and voted to cut funds for the Trident submarine and the B-1 bomber.
- Consistently opposed the development and use of counterforce weapons systems which would increase the chances of nuclear war.
- Co-sponsored a resolution urging that the "Vladivostock Agreement" lead to further mutual arms limitations and reductions.
- Co-sponsored the "Test Ban Treaty Resolution" urging immediate suspension of underground nuclear testing, asking that such a ban remain in effect as long as Russia abstains from underground testing, and calling on the President to set forth a new proposal to the U.S.S.R. and other nations for a permanent ban on all nuclear testing.
- Co-sponsored a resolution calling on the President to suspend the transfer of nuclear enrichment and reprocessing facilities to permit time for negotiation of safeguards to reduce the risk of theft or diversion to military or other uses that would jeopardize world peace and security.

DISASTER ASSISTANCE

- Authored and secured passage of the first comprehensive Federal Disaster Relief Act designed to provide relief to victims of natural disasters such as flood, tornadoes, hurricanes, earthquakes. The bill became law in 1966. In 1968, 1970, and again in 1975, Bayh successfully led the fight to expand and strengthen this earlier landmark legislation.
- Co-sponsored legislation to permit owners of properties located in non-participating communities to participate in the flood insurance program.
- Offered and secured passage of an amendment earmarking funds for public service employment to provide jobs in areas hit by natural disasters where factories and businesses have been destroyed creating high unemployment and straining the capacity of state and local governments to cope with clean-up and reconstruction.

SENATOR BIRCH BAYH

BATTLE AGAINST CRIME AND DRUG ABUSE

- As chairman of the Juvenile Delinquency Subcommittee, he authored and secured passage of comprehensive national legislation to deal with the problem of rising juvenile crime. The Juvenile Justice and Delinquency Prevention Act, now law, puts a variety of federal resources into the battle against juvenile crime in coordination with state, local and private efforts and stresses deterring delinquency and constructively rehabilitating those youths who do run afoul of the law.
- Authored the Runaway Youth Act passed in 1974, providing funds for the shelter, care, and counseling for runaway youth and their families.
- Authored the Juvenile Delinquency In The Schools Act to provide assistance for alternative education and security plans to reduce violence and vandalism plaguing our nation's schools.
- Instrumental in drafting the Crime Control and Safe Streets Act of 1968.
- Consistently opposed no-knock, preventive detention and expansive wiretaps and led the successful 1974 fight to repeal the no-knock provisions in the Crime Control Act of 1970.
- Authored and secured Senate passage of legislation banning the sale or delivery of easily concealable "Saturday Night Special" handguns.
- Authored the Omnibus Correctional Reform Act of 1971 to establish innovative vocational training programs, counseling and community based correctional facilities.
- Supported legislation to reform and increase funding for the Law Enforcement Assistance Administration.
- Authored the Violent Crime and Repeat Offender Act which would limit the availability of small easily concealable handguns; provide mandatory penalties for the illegal purchase of firearms by felons; provide mandatory penalties for the sale of firearms for illicit interstate purposes and for the use of firearms in the commission of crimes; provides that gun crimes are given priority by the courts; denies favorable sentencing to multiple violent offenders; and establishes mandatory penalties for non-addict pushers who manufacture, distribute, or sell heroin or morphine.
- Authored legislation now law, expanding the form of treatment available for heroin addicts committed for treatment under the Narcotic Addicts Rehabilitation Act.
- As chairman of the Juvenile Delinquency Subcommittee, authored legislation and led a sustained effort to stop the diversion of legitimately manufactured drugs to illicit markets which resulted in tighter controls being placed on the production and distribution of amphetamines (speed), barbiturates (downers) and other commonly abused drugs.
- Sponsored legislation, now law, providing care for narcotic addicts who are placed on probation, released on parole or mandatorily released, and authored amendments expanding coverage to those addicted to amphetamines and barbiturates and other such drugs.
- Sponsored a resolution calling on President Nixon to undertake diplomatic and economic measures to prevent heroin from being imported into the United States.
- Authored legislation, enacted into law, to increase and concentrate federal resources in the fight against drug abuse and drug dependence through a broad range of coordinated drug abuse prevention, treatment and rehabilitative services.

SENATOR BIRCH BAYH

- Authored legislation, enacted into law, to encourage the development and implementation of necessary and improved curricula in drug abuse education and to require evaluation of programs to make sure they are effective in reducing drug and alcohol abuses.
- Sponsored legislation to provide a comprehensive attack on the problems of alcohol abuse.
- Authored legislation, now law, to prohibit confinement of youth in penal institutions to prohibit their mixing with hardened criminals.
- Authored the Pharmacy Protection Act to provide federal penalties for pharmacy robberies involving controlled substances, under the Controlled Substances Act.
- Authored legislation to provide regulatory controls on the manufacture, distribution, importation and exportation of psychotropic substances in order to curb illicit international traffic and abuse of such dangerous drugs.
- Authored legislation to facilitate the investigation and prosecution of illegal drug traffickers by requiring that dangerous drugs be identified and that harmless tracers be placed in amphetamines and other dangerous drugs subject to heavy illegal traffic.
- Supported amendments, ratified by the Senate, to curb international narcotics traffic.
- Authored the Methadone Diversion Act, now law, which required controls for methadone distribution in order to curb escalating illicit methadone traffic and to facilitate prosecution of violators.
- Guided Senate passage of amendment providing mandatory jail sentences for felonies committed with firearms and for non-addicted major drug pushers.
- Authored legislation providing medical discharges for drug dependent servicemen and treatment within their own communities.
- Authored legislation, now law, making it a federal offense to assault a federal law enforcement officer acting within the lawful course of their duties.
- Authored legislation to reform the Federal parole system so as to provide fair treatment of prisoners more consistent with the safety of our communities.

EMPLOYMENT AND THE ECONOMY

- Consistently supported and voted for legislation to reorder our national priorities to put money into programs such as biomedical research, housing, improved health care, education, vocational training and jobs that directly benefit people.
- Consistently fought to increase the minimum wage and supported extension of the Act to cover an additional 7 million workers who have the right to a decent wage, including farm workers who were brought under the act in 1974.
- Authored legislation to improve the nation's unemployment compensation system and voted to increase the length of time for unemployed workers to collect compensation to help those laid off workers get through periods of high unemployment.
- Consistently supported manpower training legislation, including vocational rehabilitation.

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- Authored legislation to provide funds to local governments in high unemployment areas to put people to work who want to work, with special attention to veterans, older Americans, and those in areas hit by natural disasters where factories and businesses have been destroyed creating high unemployment and straining the capacity of state and local governments to cope with clean-up and construction.
- Authored legislation to provide jobs for unemployed railroad workers to repair thousands of miles of the nation's rails and rail facilities.
- Consistently fought for funding to provide summer jobs for young people.
- Cited by Ralph Nader's Tax Reform Research Group for an "exceptional effort" to achieve constructive tax reform and named to the group's tax reform honor roll for a perfect voting record on tax reform legislation.
- Authored legislation to reform the federal income tax laws closing loopholes for preferred incomes, oil depletion, and favored treatment of exporters.
- Authored an amendment to the 1975 Tax Bill to provide tax relief to low and middle income individuals and provide a stimulus of \$32.9 billion to the sagging economy.
- Co-sponsored legislation that provides that the federal government will assume premium payment to continue health benefits of the involuntarily unemployed not covered under a parent's or spouse's policy.
- Co-sponsored legislation to create an economic planning board and to establish procedures within the Executive and Legislative branches for drafting, consideration and adoption of long term economic plans.
- Supported legislation, to provide counter-cyclical revenue sharing to cities in period of high unemployment.
- Consistently fought against increases in the price of petroleum by leading the fight to roll back oil prices in 1974, as a sponsor of legislation to prohibit the President from lifting all price controls on domestic oil, and as author of legislation to restore competition to the oil industry by breaking up the vertical integration of the major oil companies which gives them monopolistic control over production, transportation, refining and marketing of petroleum.
- Consistently spoke out in opposition to the high interest rate, tight money policies of the Nixon-Ford administrations and the Federal Reserve which helped create double digit inflation and high unemployment and which now retards economic recovery.
- Supported and voted for the 1975 Emergency Employment Act designed to create 900,000 jobs directly in the public sector and almost that many more in the private sector and voted to override the President's veto of the bill.
- Supported and voted for the Emergency Housing Act which would have stimulated 400,000 new housing starts and created at least 800,000 jobs. When that was vetoed, supported and voted for the compromise Housing Bill that authorized \$10 billion in mortgage credit and low cost loans to help the unemployed meet mortgage payments.

SENATOR BIRCH BAYH

ENERGY

- In 1970, long before the energy crisis, sponsored legislation to establish a Commission on Fuels and Energy.
- Authored legislation, now law, providing that highway trust funds could be used to finance commuter busses.
- Consistently supported efforts to increase funding for the Office of Coal Research. In 1973, sponsored amendments doubling funds requested by the Administration for the Office's budget and added \$10 million to be spent on research for removing sulfur from the stacks of coal burning plants.
- Co-sponsored a 1973 bill providing \$2 billion a year for ten years on energy research and development with the goal of making the U.S. energy self-sufficient within a decade.
- Authored legislation extending mandatory fuel allocation through March 1975 to assure farmers adequate fuel supplies through the planting and harvesting season. Also co-sponsored legislation providing natural gas priorities for essential agricultural purposes.
- Led the fight to roll-back oil prices and provide special unemployment compensation for those who lost their jobs due to energy shortages of 1974.
- Co-sponsored legislation passed by Congress to prohibit the President from lifting all price controls on domestic oil and to require the submission to and the right of Congress to review such actions within 30 days.
- Co-sponsored legislation repealing the percentage depletion allowance for oil and gas wells for all major companies.
- Co-sponsored legislation establishing a national energy production board to assure early development of energy resources in the public domain.
- Co-sponsored the Dealers Day in Court Bill, now law, to regulate commerce and protect gasoline retailers from unfair practices by the major oil companies.
- Led the effort in 1973 to bring Alaskan oil to the United States via a pipeline across ~~Alaska~~ and tankers to the West Coast in order to protect the environment and to make Alaskan oil available to the entire nation. Bayh is now leading a similar fight to ensure that Alaskan natural gas will be piped across Canada to the U.S. for the same reasons.

ENVIRONMENT

- Authored legislation in the 92nd Congress, later incorporated in a Presidential Executive order, ending the poisoning of wild animals on public lands. When the President rescinded his order, Senator Bayh reintroduced the legislation.
- Authored legislation to ban the use on public lands of inhumane devices such as the leg hold trap, in the trapping of mammals and birds.
- As a member of the Air and Water Pollution Subcommittee from 1963 through 1973, participated in the drafting and development of virtually every major piece of Federal antipollution legislation including the clean air acts, water quality and pollution control acts.
- Authored legislation requiring the federal government to purchase recycled materials and products made from them whenever possible.

SENATOR BIRCH BAYH

- Authored an amendment, that failed by two votes, to the Transportation Appropriations bill for FY'76 to prohibit the British-French Concorde supersonic aircraft from landing in the United States unless it could meet existing noise standards.
- Opposed the supersonic transport aircraft (SST) and authored legislation prohibiting operation of any supersonic transport, pending a study of the distribution of ozone and other other stratospheric changes caused by the SST which would damage human health.
- An early and consistent proponent of the creation of a federal environmental protection agency.
- Authored legislation, later incorporated in a Presidential Executive order ending the poisoning of wild animals on public lands.
- Supported the Land Use Policy and Planning Assistance Act of 1973.
- Supported the Environmental Noise Control Act -- the first comprehensive program to control noise.
- Saved the unique Indiana Dunes by authoring and securing passage of legislation to create a national lakeshore park and deepwater port and co-sponsored legislation designating certain lands in the Isle Royale National Park as wilderness areas.
- Co-sponsored legislation to provide federal regulation of surface coal mining, passed by Congress but vetoed by President Ford.

OLDER AMERICANS

- Consistently supported and fought for increases in Social Security benefits, including the automatic cost of living increases.
- Authored legislation in 1967, now law, that allowed retirees to earn up to \$2,400 a year before suffering any deduction in benefits. As the cost of living rose, Bayh authored additional legislation to increase to \$4,800 the amount of outside earnings permitted each year without deductions from benefits.
- Co-sponsored the landmark Medicare Act.
- One of the Senate sponsors of a resolution opposing the Administration's proposal in 1973 to increase the cost of hospitalization and physician services under Medicare. Subsequently, the Administration abandoned the proposal.
- Authored a Senate resolution in 1975 again expressing opposition to the Administration's plan to increase the cost of hospitalization and physician services under Medicare.
- Co-sponsored legislation to increase reimbursements under Medicare for home health services and provide grants for agencies providing home health services.
- Co-sponsored legislation to include services of licensed registered nurses under Medicare and Medicaid coverage.
- Co-sponsored legislation to freeze medicare deductibles at their present level.
- Co-sponsored legislation to insure a nursing differential of at least 8.5% to reimburse providers under the Medicare program.

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- Authored legislation to increase the funds available for nutrition programs for the elderly.
- Co-sponsored legislation providing coverage for one routine check-up per year for preventive care for individuals insured under the social security program.
- Co-sponsored pension reform legislation to protect the pension rights of millions of Americans.
- As a member of the Appropriations Committee, introduced legislation providing funds for part-time public service jobs for older Americans and for job training programs with emphasis on the elderly.
- Fought against efforts by the Nixon Administration in 1971 to reduce funds for programs under the Older Americans Act and later that year supported efforts to double these funds to \$100 million. Co-sponsored legislation extending programs authorized by the Older Americans Act for an additional fiscal year.
- Supported and helped secure inclusion of a \$50 payment to social security recipients in the tax rebate legislation of 1975.
- Co-sponsored legislation to establish an independent Social Security Administration.
- Authored legislation designed to prevent private pension disability compensation decreases that result from cost of living increases of social security benefits.
- Co-sponsored the Social Security Recipients Fairness Act. This legislation is designed to establish a procedure for the prompt payment of benefits to individuals whose social security checks have been lost, stolen, or otherwise delayed, and limits the reduction made in any monthly check because of previous accidental overpayment.
- Co-sponsored legislation to authorize the IRS to provide volunteers for tax counseling to the elderly.
- Co-sponsored legislation to prohibit a proposed 5 percent limit on social security cost of living increases and ensuring full increases in benefits commensurate with the cost of living.

HEALTH CARE

- Co-sponsor of the landmark Medicare Act.
- Supported legislation to provide funds for hospital construction and modernization.
- Supported the Occupational Safety and Health Act establishing comprehensive on-the-job safety programs for 55 million industrial, farm, and construction workers.
- Fought for passage of legislation establishing a program to improve procedures for treatment of persons suffering from sickle cell traits or sickle cell anemia.
- Co-sponsored the Black Lung Benefits Act of 1972.
- As a member of the Labor-HEW Appropriations Subcommittee, authored a number of amendments, many of which have become law, increasing funding for vital research programs involving cancer, alcoholism, hearing and sight, arthritis, diabetes, and heart and lung disease.

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- Authored and secured passage of legislation to provide additional funds for maternal and child health programs.
- Consistently supported and fought for extension of health programs including regional medical centers, family planning, and community mental health centers.
- Authored legislation, now law, increasing funds available for nutrition programs for the elderly by \$50 million.
- Consistently supported and fought for funding of nurse training and education programs.
- Co-sponsored legislation to increase reimbursements under Medicare for home health services and to provide grants for agencies providing such services.
- Authored legislation to provide coverage for pap tests for uterine cancer under Medicare and government insurance programs. A Bayh Amendment to the Cancer Act increased funds available for promoting and administering pap tests.
- Co-sponsored legislation to provide for coverage of one routine checkup per year for preventive care for individuals insured under Medicare.
- Co-sponsored legislation that will provide emergency health benefits for the unemployed who are not covered by any other health insurance policy.
- Co-sponsored legislation that would establish programs to find children affected by lead based paint poisoning and to promote efforts to eliminate the causes of such poisoning.
- Co-sponsored legislation to provide protection of the public health from unnecessary medical exposure to ionizing radiation.
- Co-sponsored legislation to insure a nursing differential of at least 8.5% to reimburse providers under the Medicare program.
- Supports the creation of a comprehensive program of national health insurance.

HOUSING AND COMMUNITY DEVELOPMENT

- Supported the landmark Housing and Urban Development Act of 1968 which included open housing provisions, subsidies to help the poor buy homes and rent apartments, federal underwriting of the insurance industry against riot losses, urban renewal programs, extension of water and sewage facilities, and model cities programs.
- Voted to increase appropriations in 1970 for urban renewal and voted to override President Nixon's veto of needed HUD appropriations.
- Supported the Omnibus Housing and Urban Development Act of 1972 establishing community development block grants.
- Authored legislation in 1973 providing for lower down payments, longer term and lower rate financing for those who purchase mobile homes.
- Supported the Housing and Urban Development Act of 1974 which improved and extended housing programs and provided for block grants for urban development.
- Supported and fought successfully for emergency legislation in 1974 to aid the depressed housing industry by allowing the federal government to buy billions of dollars in private conventional mortgages from lenders. The act also sought to ease the mortgage credit crunch by expanding the mortgage lending authority of federal savings and loan associations and national banks, boosted loan ceilings on conventional and government-insured mortgages and reduced cash downpayment requirements for housing purchased with government backed mortgages.

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- Supported and fought for reform legislation in 1974 to give homebuyers more information about settlement charges. The legislation, now law, requires mortgage lenders to disclose charges at least 12 days before settlement and prohibits the payment of kickbacks in the settlement industry.
- Consistently fought for lower mortgage interest rates as shown by his support in 1975 of a concurrent resolution calling on the Federal Reserve Board to determine its monetary policy so as to lower long-term interest rates.

TRANSPORTATION

- As chairman of the Senate Appropriations Subcommittee on Transportation had led efforts to rehabilitate and improve essential railroads and facilities and is the leading proponent of coordinate transportation planning which integrates all modes -- air, water, rail and highway -- to meet present and future transportation needs.
- Authored legislation in 1975 providing funds to employ railroad workers to repair and rehabilitate deteriorating railroad beds and facilities thus reducing unemployment while preserving and improving an essential rail service.
- Co-sponsored the Rail Transportation Improvement and Employment Acts of 1975 authorizing funds for repairing, rehabilitating and improving essential rail beds and facilities.
- Consistently supported funding for mass transit and authored and secured passage of legislation that permits highway trust funds to be used for commuter busses.
- Authored comprehensive highway safety legislation in 1972 which provided up to \$1 billion a year from the Highway Trust Fund for a variety of safety programs including federal incentive grants to those states with the best safety programs.
- As chairman of the Subcommittee on Public Roads until 1973 Bayh was responsible for the development of virtually all progressive highway legislation for almost a decade.
- Co-sponsored legislation to provide states, unable to meet matching fund requirements for federal aid highways, monies to cover the Federal Highway Administration apportionment requirements.
- Led the successful fight to secure release of more than \$10 billion in impounded Federal Highway Aid funds.

EDUCATION

- Co-sponsored the Elementary and Secondary Education Act of 1965, a landmark in education legislation which provided the first substantial federal aid for education.
- Supported and worked for passage of the Higher Education Act of 1965 that provided loans and grants for the construction of classrooms and other college facilities as well as federal loans and scholarships for students.
- Co-sponsored legislation providing income tax relief to parents or guardians supporting children in college.
- Consistently fought to provide adequate funding for education and to override Presidential vetoes of education appropriations bills.

- Supported legislation providing aid to school districts faced with desegregation and establishing a new program of aid to needy students.
- Authored and secured passage of an amendment (Title IX) to the Education Amendments of 1972 prohibiting sex discrimination in any educational programs receiving federal assistance including pre-school, elementary, secondary, vocational and higher education.
- Led the successful fight against the Casey amendment which would have crippled implementation of Title IX.
- Authored legislation to provide financial assistance for alternative education and security plans to combat the increase in violence and vandalism in our nation's schools.
- Fought to increase by \$15 million funds available to colleges and universities to recruit and educate Vietnam era veterans.
- Supported legislation in 1974 extending from 8 to 10 years the time a former serviceman, his wife or widow may utilize educational assistance benefits, and co-sponsored the Vietnam Veterans Readjustment Act which extended from 36 to 45 months the time eligible veterans have to complete their undergraduate degree.

FOREIGN AFFAIRS

VIETNAM

Senator Bayh was an early critic of the American actions in South Vietnam. He was a co-sponsor of the original End the War Amendment and subsequent measures providing a firm deadline for withdrawal of all U.S. troops from Vietnam. In addition, he co-sponsored the War Powers resolution which now limits conditions under which U.S. troops can be committed to hostilities without express Congressional approval.

Despite political pressures to remain silent, Bayh was one of the first in Congress to condemn former President Nixon's interference in the system of justice as it applied to Lieutenant William Calley. In 1975, he was also the leading Congressional spokesman in setting the record straight when President Ford and Secretary of State Kissinger attempted to blame Congress for the failure of the corrupt and inept Thieu regime to win the war in South Vietnam.

Senator Bayh believes that Vietnam ranks among this country's greatest and most tragic mistakes. The only event which could make its impact more tragic, would be a failure of our government to learn from it.

MUTUAL RESPONSIBILITIES

Senator Bayh believes that America's relations with other countries have all too frequently been one-way streets. He has long advocated the necessity for an element of mutuality in our foreign affairs. Other governments must be made aware that they have such obligations as fostering democratic institutions, abstaining from racial, ethnic or religious discrimination, and contributing to their own defense if they desire support from the United States. Bayh believes that the United States must not continue to prop up repressive and corrupt regimes or to defend those who are not willing to defend themselves.

That is why Birch Bayh:

-- Introduced a resolution in 1964, ordering termination of aid to Sukarno's Indonesia. Bayh's amendment was adopted by the Senate and aid to Indonesia was terminated in the spring of 1965.

-- Voted to end military aid to the military dictatorship in Greece.

-- Supported successful efforts to ban importation of Rhodesian chrome.

-- Co-sponsored a resolution disallowing sugar quotas for South Africa.

-- Has been an active Senate leader in the fight to reduce the number of U.S. troops in Europe and require our NATO allies to assume a greater share of the burden in providing for the defense of Europe.

THE THIRD WORLD

Senator Bayh believes it is essential that primary emphasis in American foreign policy be placed upon the development of the Third World and the increased involvement of the lesser developed countries in the world community. Bayh's area of special interest is sub-Sahara Africa. He proposed a 12 point foreign policy program for this area in 1971, but his main concern continues to be global. Senator Bayh believes that there can be no real long-term peace unless the United States joins in the effort to improve living conditions for all human beings. Unfortunately, two Republican Administrations have all but ignored the undeveloped world, and the United States is beginning to bear a price for its neglect. As Bayh remarked in a speech in early 1975, "It is ironic that although we were the first nation in the world to throw off the oppressive yoke of colonialism, we are frequently perceived today as the adversary of those nations emerging from colonial domination. We must seek to achieve their aspirations of a better, more abundant life for their people in a state of independence."

MIDDLE EAST

Senator Bayh believes it is essential that Israel maintain the capacity to defend itself if there is to be lasting peace in the Middle East. Here are a few of the actions he has taken in recent years.

--Beginning in 1968 and each year thereafter Bayh supported efforts to increase the level of military assistance to Israel in order to maintain an arms balance.

--In 1970, Bayh joined 75 of his colleagues in requiring Secretary of State Rogers to resume deliveries of Phantom Jets to Israel.

--In 1972, Bayh introduced an amendment to the Foreign Assistance Act to earmark \$85 million for grant assistance to Israel.

--In 1973, Bayh was a Senate leader in urging the Departments of State and Defense to expedite the resupply of Israel during the October War. He also co-sponsored a Senate resolution endorsing the decision to resupply once it was made.

--In 1974, Bayh testified before the Appropriations Committee in support of a \$2.2 billion request for emergency military assistance for Israel.

--In 1975, Bayh was a principal organizer of efforts which resulted in a letter from 76 Senators to President Ford expressing continued support for Israel despite the Administration's reassessment of our relationship with the Israeli government.

THE ARMS RACE

Senator Bayh believes it essential to expend every effort to curtail the costly and dangerous arms race between the United States and the Soviet Union, and has worked tirelessly and effectively in the Senate for arms control. Here are a few things he has done in the Senate:

--In 1969, Bayh authored an amendment calling for a moratorium agreement between the United States and the U.S.S.R. on the development of MIRV warheads.

--In 1971, Bayh introduced a resolution urging the President to undertake negotiations towards an ABM treaty. Eight weeks later, the President agreed to seek such an agreement.

--In 1974, he co-sponsored a resolution calling for negotiations to reduce arms levels below the quantities agreed upon at Vladivostok.

--In 1975, Bayh was a vocal critic of Administration nuclear policies including the emphasis on counterforce weapons systems which drastically increase the likelihood of nuclear war.

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DETENTE

Senator Bayh believes it is essential that we work with the major communist powers to limit the arms race and reduce the prospect of nuclear confrontation. As early as 1969, he called for the recognition of Mainland China and representation for that country in the U.N. He strongly supported arms negotiations with the Soviet Union. Senator Bayh has been concerned, however, by the tendency of two Republican Presidents and Secretary of State Kissinger to overstate the meaning of detente in its present context. The Soviet Union will continue to expand its sphere of influence if possible, at every opportunity. Senator Bayh believes it is essential that the United States not allow detente to become a one way street. For this reason, he co-sponsored successful legislation to limit low interest loans extended by the Export-Import Bank to Russia and has become an active participant in the debate on American Foreign Policy and the meaning of detente in his speeches in the Senate and across the country.

VETERANS

- As a member of the Senate Appropriations Subcommittee with a jurisdiction over the Veterans Administration budget, consistently supported and fought for legislation improving educational, medical, and other important veterans benefits.
- Worked to secure GI Bill readjustment benefits for veterans of the post-Korean era and Vietnam conflict and has repeatedly helped strengthen these programs in the face of inflation and the changing needs of young service personnel.
- Supported needed increases in compensation benefits for service-connected disabilities and pension benefits for non-service connected disabilities.
- Authored legislation providing part-time jobs for veterans attending school on the GI Bill, and supported legislation providing training, counseling, and job placement services for young and disabled veterans.
- Authored legislation, now law, to improve burial benefits from \$250 to \$500 for veterans.
- Supported legislation, now law, to improve veterans' insurance benefits and housing benefits.
- Authored legislation, now law, to increase appropriations for medical care and treatment for women.
- Authored legislation extending benefits to widows of Cold War Veterans who die from service connected disabilities.
- Authored legislation amending the charter of the American War Mothers to permit stepmothers and adoptive mothers to join the organization.
- Authored legislation to provide the Gold Star Wives with a national charter.