

constitutionality of the State law which imposes a year, a full 1-year residence requirement prior to being eligible for welfare.

Mr. GIBBONS. When was that decision?

Mr. JOHNSON. I guess it was yesterday. It was reported in this morning's Times.

Mr. DENT. Will the gentleman yield?

Mr. GIBBONS. I will be glad to.

Mr. DENT. Is that State funds or strictly Federal contributions? Did they rule that the State itself could not establish guidelines on residency or only upon that part of the funds that were contributed by the Federal Government?

Mr. JOHNSON. I have not read the full decision. All I have is the newspaper report and the newspaper report is not complete on that point.

Mr. GIBBONS. That is going to have almost as much effect among States and States' problems as the juvenile delinquency decision the other day.

Mr. JOHNSON. That's right.

Mr. GIBBONS. It is going to involve a great change in State attitude. I wonder if we could put that news article in the record at this point.

Chairman PERKINS. Without objection it is so ordered.

(Newspaper article follows:)

[From the New York Times, June 20, 1967]

CONNECTICUT WELFARE LAW HELD UNCONSTITUTIONAL—ONE-YEAR RESIDENCY STATUTE OVERTURNED IN U.S. COURT—39 OTHER STATES AFFECTED

(Special to the New York Times)

HARTFORD, June 19.—A Federal court ruled today that a one-year residency requirement for payments under Connecticut's aid to dependent children law is unconstitutional.

The majority opinion of the three-judge panel said the law was unconstitutional because the requirement violated the right of interstate travel.

The case arose after the Connecticut Welfare Commissioner, Bernard Shapiro, denied benefits to Vivian Marie Thompson last Nov. 1 because she had not lived in this state for a year. Miss Thompson has two children. She had been receiving assistance in Massachusetts before moving here about a year ago.

PURPOSE OF AID CITED

In its 2-1 decision, the court said "the intent of the law was to exclude from benefits those who came into the state for the primary purpose of seeking welfare assistance and it should be so construed and interpreted." The minority opinion was written by Judge T. Emmett Clarie.

The majority opinion, written by Judges N. Joseph Blumenfeld and J. Joseph Smith said "the right of interstate travel also encompasses the right to be free of discouragement of interstate movement. Denying . . . even a gratuitous benefit because of her exercise of her constitutional right effectively impedes the exercise of that right," the majority opinion said. Judge Clarie, in his dissent, said that 40 states, including Connecticut, have one-year residency requirements in their welfare laws.

\$1-MILLION IN AID INVOLVED

Francis McGregor, counsel for the State Welfare Department in the Thompson case, said he had not yet received a copy of the court's decision, but he believed that the welfare laws of the other 39 states would probably be affected by the decision.

Ten states, including New York, New Jersey and Rhode Island, do not have residence requirements in their welfare laws, Mr. McGregor said.