

approval and that I should contact Mr. Green. I did so, and my first conversation with Mr. Green was as follows:

I said, "I would like to set the trial for a later date 2 weeks or so that I might talk to our attorney and to prepare for trial, if any." Mr. Green replied "I can't give you that much time, but I will let it go til Tuesday. (The Trial was originally set for the previous Friday) What is all this fuss about this case? What do you want to talk about to your attorney." I replied that "I wanted to decide with my attorney's advice whether we want to fight the case, when and-or how. I feel I have that prerogative."

To say the least, I think that this is a high-handed method of handling a criminal charge against a man or organization. From other printers, I have been told that they were advised by the various officials of the Safety Division—"Why don't you forfeit."

When I received the summons from the court to appear for a hearing, I called Mr. Green's office, without identifying myself, to ask about how long a person could be liable for a repetition of a violation of the Safety Regulations. Mr. Yendell of that office replied, "Well, we keep the files for 5 years, after which we usually destroy them." I asked, "Don't you operate under a statute of limitations?" Mr. Yendell replied, "This office has no statute of limitations." I then asked "Do you mean that as a businessman who might inadvertently repeat a violation 25 years later and still be charged?" Mr. Yendell replied "Yes!"

In the future I may be subject to further fines and harassments at the whim of the inspectors—by his interpretation of the Safety Violations. I may even be harassed for appearing here today.

Since there seems to be changes in policies and attitudes between this 1961 and the 1967 inspections, I wish to note that there seems to be something more sinister than is apparent to the casual observer. In the meantime, the legitimate businessman seems to be in the midst of the crossfire.

In view of these high-handed and completely capricious and arbitrary interpretations of the regulation, I *strongly urge* this committee to insert definite guidelines for the Industrial Safety Division for interpreting these regulations and to clearly and promptly notify all the affected businessmen of any change in policy. I *also strongly advocate* that this committee make provisions for a proper exchange of views through a public hearing by the Safety Board of any changes in policy or interpretation of these regulations.

In view of Mr. Green's own statements that "There is under the present law, no requirement by the Safety Division to permit a citizen to appeal an interpretation of an inspector or his superiors of a Safety Regulation". I *strongly request* that this committee insert a positive provision in the law to grant a citizen the right of appeal before the Industrial Safety Board. And *lastly*, I request the committee in some fair manner to limit the time a violation can be called repetitious.

Mr. DRAZIN. Well, I think it would serve again no purpose. It is pretty well stated in my paper I have presented here, my views.

But, I would like to point out a few other things that I think the Committee, and I urge the Committee to consider. There seems to be no provision in the act for a statute of limitations. I called the office of Mr. Greene and spoke to Mr. Yendell there on the question how long a person would be liable for a violation, prior violation, and he indicated there was no statute of limitations. And I feel that the Committee should try to put into the Act some provision for not having someone obligated twenty-five years later for a repeat of a violation.

I think otherwise, basically, I had the same objections as Mr. Olmen has here and it is enumerated in my statement.

Mr. SISK. Does that conclude your statement?

Mr. DRAZIN. Yes, sir.

Mr. SISK. All right, the gentleman from Maryland, Mr. Gude, do you have any questions of these gentlemen?

Mr. GUDE. I do not believe so, thank you.

Mr. SISK. Let me ask you Mr. Olmen with reference to—as I understand it at the present time you have a court case pending, is that correct?