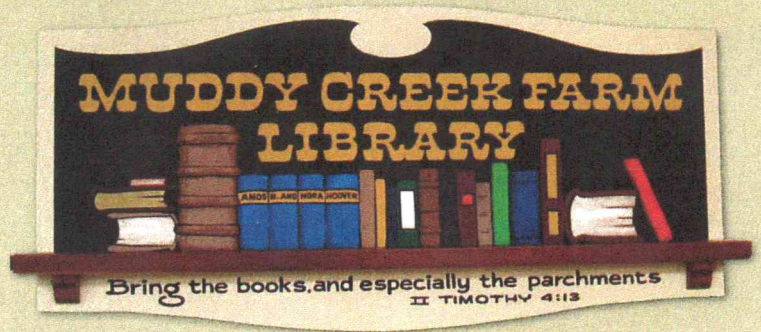


Muddy Creek Review



An Annual Publication Serving the Historical Interests of the Old Order Mennonites and Related Groups

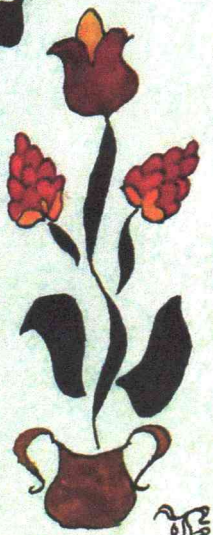
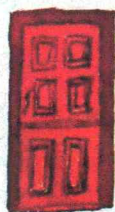
Volume # 9 2018

Ein Spruch Luthers

Es was gar ist, Erinn was klar ist, Sprich was
Wahr ist, Eritt fest aus, Thu's Maul aus, Hör
Bald aus.

A Proverb of Dr. M. Luther.

Eat that which is well done, Drink that which
is clear, Speak that which is true, Step forward
boldly, open your mouth, Stop quickly.



The author gives a narrative account of Hiram Hershey's sojourn with the Old Order Amish Social Security exemption process, 1963-1969, revealing many interesting details.

FROM CHAUFFEUR TO SPOKESMAN

By Mary Jane Lederach Hershey

My husband Hiram Hershey (b. 1926) grew up at Peerless Orchards, a 600-acre Berks County fruit farm near Hamburg, Pennsylvania. When he went to college, first at Eastern Mennonite College (Harrisonburg, Virginia) and later at Westminster Choir College (Princeton, New Jersey), his interest changed from fruit farming to choral conducting and music education.

After graduating from Westminster in 1951, Hiram spent almost a year in voluntary service in Berlin, Germany, where he assisted in resettling refugees from World War II. Returning to Pennsylvania, he again studied at Westminster, earning a Master of Music degree in 1953. When Christopher Dock Mennonite High School (now Dock Mennonite Academy) opened in 1954 in Lansdale, Pennsylvania, he became the first music teacher at the school. His tenure spanned six years.

Hiram married into a family of real estate brokers. Soon after 1960, he became licensed as a real estate agent and began a business career, focusing mainly on farm real estate. His teenage years working at Peerless Orchards had prepared him well for this change in his life focus. Music, however, remained an important part of his life, and through the next 50 years, he conducted a community choir as an avocation, bringing classical choral music to appreciative singers and listeners in Lancaster County and Montgomery County where he lived.

As a newly-licensed real estate agent, Hiram already had numerous farm contacts from his youthful years working on the farm. At the time of his transition, his parents were continuing to operate Peerless Orchards in Berks County. Among their acquaintances was the Old Order Mennonite family of Esra Burkholder, who lived in nearby Kutztown.

As Hiram was making real estate farm contacts in Berks and Lancaster Counties, members of Esra's family (who did not drive cars) often needed rides to Lancaster County. They would call Hiram early in the morning, asking if he was going to Lancaster that day. During these chauffeuring rides, Hiram became aware of the tax problems these farmers were experiencing. The Social Security (SS) law had been amended in 1954 to include the self-employed. Prior to 1954 the Old Order Amish and the Old Order Mennonites, who were mostly farmers, were exempt from paying into the SS fund.

Hiram learned that because the Old Order farmers were not paying the SS tax, the government was harassing them in various ways, including putting liens on their real estate. The following story describes Hiram's journey from 1963 to 1969 with the Amish in their pursuit of exemption from the SS tax. It is based on 1,500 letters and documents that have been preserved in his files.

Before 1963

The Old Order Amish are opposed to having insurance that benefits them personally. They view the Social Security tax as insurance. Indeed, government brochures explaining the SS bill included the phrase, "Old Age, Survivors and Disability Insurance."

Many Old Order Amish and Conservative Mennonite groups have no objection to purchasing liability insurance that provides benefits for others. But they believe that if they fund insurance that provides security for themselves, this would distract them from trusting God to provide for them. This would tend to remove their responsibility to provide for the needy and elderly in their communities. They understand that paying the SS tax during their working years and later depending on monetary pay-outs would significantly affect the cohesiveness and mutual dependence of their communities.

Prior to 1954 when the SS bill was amended to include the self-employed, the Amish were not required to pay this tax. The new requirement was a deep concern to the Amish community because the total income of many families was from self-employment in their farming enterprise. A petition, prepared and signed by approximately 1,400 Amish, was presented to congressional members asking for an amendment that would exclude the Amish community from the new tax on the self-employed.

Immediately upon sensing this problem, Representative Paul B. Dague, 9th Pennsylvania Congressional District for Chester and Lancaster Counties, introduced a bill to the House Ways and Means Committee asking for relief for the Amish from paying the Social Security tax. This was the first of numerous subsequent bills that Dague would prepare and introduce. On January 7, 1964, Representative Dague wrote to Hiram, "As you know, on June 14, 1955,

I introduced H. R. 6798 and since that time I have, at the beginning of each succeeding Congress, reintroduced the measure."¹

Although other congressmen joined in presenting bills to the Ways and Means, the committee took no action. Because some self-employed Amish refused to pay the SS tax and because the Internal Revenue Service (IRS) was required to collect it, the IRS began to use methods the law permitted to procure the delinquent funds. Sometimes the IRS levied their milk checks and bank accounts.² Numerous letters to Hiram woefully tell of situations in which families were preparing to move to another community, but they were unable to do so because the IRS had placed liens on their property. As a result, the property owners could not provide a clear title for the sale of their farm.

However, some Amish did not have bank accounts and some closed their bank accounts to thwart the IRS from taking a tax they could not conscientiously support. Also, many milk cooperatives that purchased from Amish dairies would not work with IRS on this issue. So the methods of collecting delinquent funds moved in the direction of seizing possessions. From the enactment of the amendment to the SS bill in 1954, the IRS had a six-year limitation on collecting unpaid taxes. As the deadline drew near, the tax bureau began confiscating personal property.

The American public first became aware of the IRS/Amish Social Security tax problem in 1961. Valentine Byler, who farmed in New Wilmington, Pennsylvania, was visited by IRS agents as he was working in a field with a team of horses. The agents came into the field, took three of his working horses and sold the horses at public auction, netting \$460. The lien and interest of \$422.13 was paid, and Byler received the excess of \$37.89.³

This seizure of Byler's horses was widely reported by the press. As the public became aware of these happenings, there was a groundswell of support for the Amish. Their congressional representatives, who for five years had been introducing bills to exclude the self-employed Amish, suddenly found a sympathetic public who wanted to help the Amish achieve their exemption goal. It was in this milieu that the Amish began to seriously organize and in 1963 asked Hiram Hershey to help them in their quest.

Work at Becoming Exempt, 1963-1964

The first evidence of Hiram's involvement found in the 1,500 letters and documents in Hiram's Amish/Social Security files is in a letter written to him on September

26, 1963, by Henry Z. Fisher. Henry was an Amish bishop whose farm was in Paradise, Lancaster County. Henry wrote, "When we were down in Washington last week, we met Hugh Johnson and he asked where you were and spoke a good word for you," indicating that Hiram was working with SS issues prior to the date of this letter. (Hugh Johnson was an Administrative Assistant in the Baltimore, Maryland, office of the Social Security Administration.)⁴

Bishop Henry ended this letter to Hiram, "I wish I could talk to you. I hope you could find a solution. Would you please let me know soon when or where it would suit to meet with you. I feel we should not wait too long, probably next week. Asking for a prompt reply."⁵

Henry's letter of October 17, 1963, again made a plea to Hiram about the need to talk: "I wish I could have a personal visit with you and a few of our group, to at least try to bring some of my thoughts to light . . . I think it should be done as soon as possible."⁶

These meetings requested by Henry Z. Fisher began a long series of gatherings that Hiram attended. Documented records of meetings began on November 22, 1963, at Henry Z. Fisher's Paradise farm and continued through thirty-four meetings until August 1969 when he was at a meeting with John Stutzman, in Apple Creek, Ohio. The meeting places ranged from Paradise, Pennsylvania, to Holmes County, Ohio, and Middlebury, Indiana. Many times Hiram interfaced with United States senators and representatives, members of the Senate Committee on Finance, members of the House Ways and Means Committee, officials from the Treasury Department's IRS, and officials from the Social Security Administration in Baltimore and Washington, D. C.

As the Amish attempted to sort through their understandings about how best to approach governmental officials with their concerns to be exempt from this unwanted tax, they requested meetings with Hiram and sought his counsel. Many times large groups would assemble with questions about how to lobby the government to bring about the passage of an exemption amendment. The first trip that can be documented took place when Hiram went with the Amish to Washington was on February 20, 1964. An unknown participant kept minutes of a meeting held at one o'clock in the office of Senator Hugh Scott (Pennsylvania). The recorder noted that ". . . a few letters were read which developed through various meetings and discussions by interested Old Order Amish and Mennonites, these were read by Hiram Hershey."⁷

Throughout 1964, letters and meetings with IRS officials pertained to the collection of property liens. On April 15, Harold E. Snyder, Director of the Collections

1 Paul B. Dague file.

2 Feb. 19, 1966, letter from Harley S. Yoder, Greenwich, Ohio. "One time they took it from our milk company out of our check . . ." From 1956-1960 they "drew [sic] from our Banking Account." Many self-employed Amish maintained bank accounts so IRS took opportunity to collect from the account.

3 Information from article by Brad Igou, *Amish Country News*, 1999. Miscellaneous file.

4 Henry Z. Fisher file.

5 *Ibid.*

6 *Ibid.*

7 John M. Byler, editor, *Amish Exemption from Social Security: Collected by Milo J. Byler (1934-2006)*, 77, private printing, Taberg, NY, 2016.

Sept. 26 - 63
Paradise Pa., R.#1
Box 123

Hiram R. Hershey
Dear Friend

Here I am again, I wrote to you last week, when we came back from W.D.C., but I can not recall just what all I wrote, I also wrote to Moscoso.

To-day I got a letter from Feliphus, he says Lillian is in India and will not be available before the middle of next month, and advised me to get in touch with you to help us, he thinks you would be just as good or a little better position to help us than I.

When we were down to Washington last week, we met Hugh Johnson and he asked where you were and spoke a good word for you, in the meeting he said they have studied the questionnaire and feel they are near to a solution but can't find the word to put in to make it legal.

I wish I could talk to you, I hope you could find a solution.

Would you please let me know soon when or where it would suit to meet with you.

Would you please make a draft to tell us the way from here to your place, or what plan, (over)

you would suggest.
I feel we should not wait too long, probably next week.
Asking for a prompt reply.

Respectfully yours
Henry J. Fisher

This letter of September 26, 1963 documents Hiram R. Hershey's early involvement with the Amish and their efforts for Social Security exemption.

the taxpayer that you have been designated by Amish bishops to assist and advise Amish men to sign the waivers and urge that the taxpayer consult you if he has questions. Should the taxpayer refuse to sign the waiver or to consult you, we would ask permission so that we could notify you of his refusal."⁹

Hiram responded to the Stone letter on October 27, 1964, reporting that he had met with the Old Order Amish Committee on October 23, and they "unanimously decided that they would advise their people to sign tax waivers . . ." However, the committee requested a simpler Form 900. There is no evidence in Hiram's files that Form 900 was changed.

During autumn 1964 and throughout 1965, Hiram received numerous requests about liens, about the moratorium, and about signing a waiver: a call from Earl Gross, IRS agent in Canton, Ohio, about John Stutzman who did not wish to sign the waiver; a letter from Mrs. Fannie Yoder, Apple Creek, Ohio, who could not get a clear title so that she could move to New York state; a letter from Melvin Graber, Hicksville, Ohio, who could not get a mortgage to purchase a farm; and numerous letters from IRS agents, Amish bishops, and Amish landowners.¹⁰

During these same months the Amish were deeply concerned about how best to approach their representatives and senators as they were seeking relief. Hiram, writing to Mitchell Rogovin, an IRS agent in Washington, reported that "On March 4, 1964, a group of 126 Old Order Amish met at Gordonville, Pa., and unanimously passed the following resolution: 'Each member who automatically or otherwise comes under the Internal Revenue Tax System should, in good faith and willingly, file an account [tax return] yearly and should accept a tax payers account number if one is assigned to him by the government . . .'"¹¹

Many Amish farmers did not have SS numbers and had never filed income tax returns. This resolution was an important step in helping their congressional

Division, reported that the liens would continue to be attached to properties, but that there would be a one-year moratorium on collection of liens. In October, Lawrence M. Stone, IRS Legislative Counsel, wrote to Hiram ". . . an important understanding in originally granting the moratorium was the understanding that individual taxpayers would voluntarily sign waivers, whenever requested to do so, to extend beyond the usual six year period in which the Government may collect taxes after assessment."⁸

This request to sign a waiver started a wave of concern for the Amish. Should they sign anything the government required? Would this deepen their involvement with the SS system?

When IRS officials began to understand that the Amish were reluctant to sign a one-year waiver, they asked Hiram to help. In his October letter, Lawrence M. Stone expressed his concern that on December 31, 1965, ". . . the statute of limitations on collections will expire in about six cases and the individuals will be requested to sign a waiver. These cases are in the Cincinnati and Philadelphia regions. We propose in view of your offer of assistance, to issue instructions to the field office of IRS in the areas concerned, that whenever a request is made to sign a waiver, the file office should inform

8 Treasury Department, IRS file.

9 *Ibid.*

10 John L. Stutzman file; Letters file, 1964; Letters file, 1965II.

11 Treasury Department, IRS file.

representatives realize that the Amish community wanted to cooperate with the government to the extent that their faith permitted.

Congress was concerned about the constitutionality of an exemption from the SS system for just one segment of the United States population. Representative Richard Schweiker, a fellow resident of Hiram in Montgomery County, requested that the IRS provide a document giving an opinion as to the legal rights of the Amish and other related church groups to be exempt. This report was written by G. d'Andelot Belin, General Counsel of the Treasury.

The Belin report mentioned that the exemption for religious activities and occupations was already incorporated into the SS system since ministers, Christian Science practitioners, and others were exempt. The document included an understanding that to qualify for an exemption, the non-participant must be a member of a group which shares the commitment to mutually provide for the welfare of everyone in their community, and that the fellowship of which they are a member must have a long history of caring and providing for all who are in need.

The Belin document dated August 6, 1964, concluded that "based upon a review of the principles of constitutional law, . . . there is no valid constitutional objection to the proposed exemption and the question of exemption is one of public policy for Congress to determine."¹²

After the question of constitutionality was settled, the pace of meetings picked up. An August 25, 1964, letter from Bishop David Z. Fisher, Christiana, Pennsylvania, related that he had received a copy of the Belin report from Congressman George M. Rhodes. He asked Hiram to meet with Bishops Henry Z. Fisher, John Glick, and others at his house "to go through this material." About the same time, Neil I. Hershberger from Burton, Ohio, wrote to say that he would be at the meeting with the Lancaster bishops and he would like a mass meeting in Burton.

Held on August 27, 1964, the Burton, Ohio, meeting was attended by sixty Amish leaders who wrote and signed a resolution to present to their congressional representatives. The statement recognized that constitutionality had been established, and that they were desperately appealing to Congress to respect their concern. They felt they were in "grave danger of losing our posterity to the influence of the world that causes our concern over having a part in the Social Security program."

The resolution continued, "We feel obliged to the government to pay all our due taxes, but the Old Age and Survivor's Insurance is not a tax. We have no licensed insurance." Sixty-two leaders of the Old Order Amish signed the statement. At this meeting and subsequent meetings in Lancaster County, PA, plans

were made for a delegation to travel to Washington in September.¹³

Early in September 1964 the Senate passed a SS bill amendment that included exemption for the Amish and other qualifying religious groups. The next step in the process was approval by the House of Representatives. Representative Richard Schweiker contacted Hiram and told him to get a delegation of Amish to Washington, D. C. "as quickly as possible" to lobby the members of the House of Representatives.

Most contacts with Amish in the 1960s were via US Postal Service, because the Amish at that time did not have telephones at the end of their lanes as they do now (2017). However, they had "English" neighbors who would receive and deliver messages. Bishop Henry Fisher had given Hiram the telephone number of his neighbor, Earl S. Denlinger, Sr. After Hiram called the Denlinger's, Fisher called back and gave Hiram a list of "emergency numbers" to call and leave messages for the Amish community in Pennsylvania, Ohio, and Indiana.

Through these "emergency numbers," a delegation of 73 Amish men from seven states arrived in Washington on September 9. The group met in Room 362 of the "Old House Building" for a time of prayer, discussion with a Mr. Newhall from Schweiker's office, an early lunch, and some admonition from one of the bishops. Then the group divided into pairs and went from office to office to distribute a prepared typed statement. A reporter from the Lancaster *New Era* newspaper stated that the congressmen thought the millennium had come when they were visited by the Amish men who asked them to "please refrain" from giving them the government's money.¹⁴

A. S. Kinsinger of Gordonville, PA (an Amish man who printed many documents for his community), prepared and printed a report of this September 9, 1964, visitation. He recounted, ". . . most congressmen were not in their office as congress was not in session, but their assistants and secretaries were friendly and gave good satisfaction. A group of five visited Mr. Celebreeze, secretary of Health, Education, and Welfare Department. Also Mr. Mills, chairman of the Ways and Means Committee. They were both in their office. They gave hearty handshakes and seemed willing to consider our plea and promised to do what they can for us." On the reverse Kinsinger printed the names and addresses of the 73 Amish leaders (including himself). The fifth person on the list was "Hiram R. Hershey, Harleysville, Pa. Rt. #1."¹⁵

The House of Representatives failed to act on the SS bill, and as the 88th Congress adjourned, the Amish and their congressmen faced the reality that the journey toward SS exemption was not over. Hiram, in an October 6, 1964, memo to eight bishops in Pennsylvania

12 *Ibid.*

13 Amish prepared documents file.

14 Miscellaneous file.

15 A. S. Kinsinger file.

and Ohio, wrote, "It seems that to start anew next year is more hopeful than it has been at any time since the question has been considered. I am interested in helping you in any way that I can. I will wait for further direction from the committee."¹⁶

While Congress was in recess, Amish exemption activities continued. Hiram met with Representative Schweiker early in November 1964. During the first weeks of December he was at Henry Fisher's place for a "short business meeting" and at John M. Beiler's farm in Ronks. Mid-December he traveled to Apple Creek, Ohio, to be with John L. Stutzman when IRS "collectors" arrived to counsel John about the liens on his property. There was also a gathering at the Stutzman farm with people who were objecting to sign the one-year waiver. On one of the nights of this Ohio trip, Hiram stayed with his friends Don and Barbara Sommer in Kidron, Ohio. After returning home, on December 18, 1964, he wrote the following to the Sommer family:

"After I left your place Tuesday morning I went to Johnny's farm and found that a group of about 20 had gathered to discuss this matter [waivers]. I was informed before the meeting began that Johnny and some of his neighbors felt that he should not sign the waiver because that would possibly put them into the Social Security program unawares. Our meeting began about 9:30. The meeting was held in a bare room about 15' x 18' with a pot belly stove in the center that left one quite warm on one side and quite cold on the other. It made me feel as though I had stepped back into the 18th century. After the group had kneeled for prayer and one of them had read from their prayer book, I was asked to explain the purpose of signing the waiver. There were many questions and much discussion. Before we left about 1:30, Stutzman and his neighbors seemed to be unanimous in belief that they should sign these few waivers. The Stutzmans had a dinner [at noon] for the guests consisting of roast chicken and all the fixings."

1965: A Flurry of Activity

As the 89th Congress reconvened early in 1965, the Amish knew that significant progress toward exemption had occurred in 1964. On January 8, the work began anew with a meeting at John Beiler's farm in Ronks. It was attended by Bishop David Fisher and possibly by Bishops Neil Hershberger, Jacob M. Stoltzfus, John S. Glick, Enos M. Beiler, all members of "the so-called Old Committee."¹⁷

At this meeting, planning may have occurred for a delegation from Pennsylvania and Ohio to travel to Washington on the afternoon of January 26. Hiram drove the Pennsylvania group, which included David, Henry, and Levi Fisher; John Glick; and Sam Kauffman. They met the Ohio group, who may have arrived by train. Thursday morning they visited Wilbur Mills,

representative from Arkansas and chair of the House Ways and Means Committee. He told them that a separate bill to exempt the Amish was impossible, and that their exemption would need to be incorporated into the new SS bill, H. R. 1. They also met with their Pennsylvania congressmen, Senator Joseph Clark, and representatives George Rhodes and Richard Schweiker. Mr. Schweiker, who represented the 13th District in Montgomery County, Pennsylvania (where Hiram lived), was extremely friendly and affirming about having the Amish exempted from SS. At one point in the process, Hiram remembers him saying, "My office is your office."

As this is being written (2017), Hiram does not recall many precise details of the SS years with the Amish from 1963 to 1969, but this January 26, 1965, excursion to Washington stands out in a special way. Previously, Hiram was a person with whom they consulted and who drove and provided transportation (he never charged for chauffeuring). On this cold winter day, the group first went to the office of Wilbur Mills. Bishop David Fisher introduced Hiram and told Mills, "Hiram will tell you what we want." Hiram remembers being shocked because he had not been forewarned. After Hiram explained their mission, Wilbur Mills told him to go to the SS department and "whatever social security agrees to is fine with me." Hiram said that the people in the SS department just laughed and said, "The only way you get anything done in this city is if you have a million votes, which you do not have." Hiram went back to Representative Mills and said that it must be done through legislation. Hiram remembers his reply was, "I think we can do it."

On February 26, Hiram sent a memo to nine Lancaster and Ohio bishops reporting that "the reception in this visit to Washington, as compared to the visit a year ago, was very different. People were much more enthusiastic in their support; and there was no one that turned the Amish group away. The future of the Amish exemption continues to look very bright, but it is not yet certain."¹⁸

Hiram stayed in touch weekly by telephone with members of the House Ways and Means Committee. On March 11, Herman T. Schneebeli, representative of the Pennsylvania 17th District and a member of the House Ways and Means Committee, telephoned Hiram. He reported that the new SS bill was being read in committee that day and that it included a five-page section exempting the Amish and related church groups. The only change in the bill was that persons already eligible for benefits could not be exempted.

This last exception troubled Hiram. Later that day he called Schneebeli and expressed his concern. Mr. Schneebeli said that because congressmen and various agencies had been "bending over backward" to get this exemption, to change it at this late date could be fatal to their cause. However, Schneebeli felt that when it went

¹⁶ Bishop Memo file.

¹⁷ David Z. Fisher file.

¹⁸ Bishop Memo file.

to the Senate, possibly Pennsylvania Senators Scott and Clark could make changes to certain wording.¹⁹

After the Amish community received printed copies of the new bill, meetings were held to review the content. One of these spring meetings was on April 9, 1965, at the Quarryville farm of John S. Glick. Printer Kinsinger wrote and published a report of this meeting, listing the names of all thirty-eight attendees. Eleven had traveled from Ohio, one from Maryland, and the rest from Pennsylvania.

Hiram has vivid memories of this meeting and recalls that after the bishops had counseled together, they unhurriedly returned to the full group and sat down. Slowly Bishop David Z. Fisher told Hiram that he should "do what is necessary to get this done . . . and keep us informed."

Kinsinger reported that after the gathering was opened by one of the older bishops, it was then "turned over to Hiram Hershey for explanation in regards as to where the S. S. Exemption bill stands at this time." Hershey reported that the bill, on the day before this meeting, had passed the House with a vote of 313 for and 115 against. Although the bill only covered the self-employed, "we feel that by being patient and doing our duty, everything will work out for the best." After counsel they "agreed that Hiram Hershey should from time to time inform the people briefly through *The Budget*."²⁰

The Budget is a weekly newspaper that serves the Amish community. It is published by a non-Amish firm in Sugarcreek, Ohio. Community reporters, called scribes, from across the United States and Canada, write short family-friendly blurbs that are published in the newspaper, thus connecting family members who have moved from the area of their childhood to another Amish settlement. During the years 1963-1969 (the time covered in this essay), the *Sugarcreek Budget* was the prime method for the scattered Amish community to stay connected.²¹

Hiram had begun reporting to the Amish community through *The Budget* prior to the April 9, 1965, meeting at Quarryville. The first evidence in his files is a statement printed in *The Budget* on August 27, 1964, giving a short summary of the Belin report. In the years following, Hiram sent at least 36 more articles, with the last one printed in December 1968.

Immediately after the Quarryville meeting, *The Budget* printed the complete Section 319, subsection (h) of House Bill H. R. 6675 that pertained to "Members of Certain Religious Faiths."

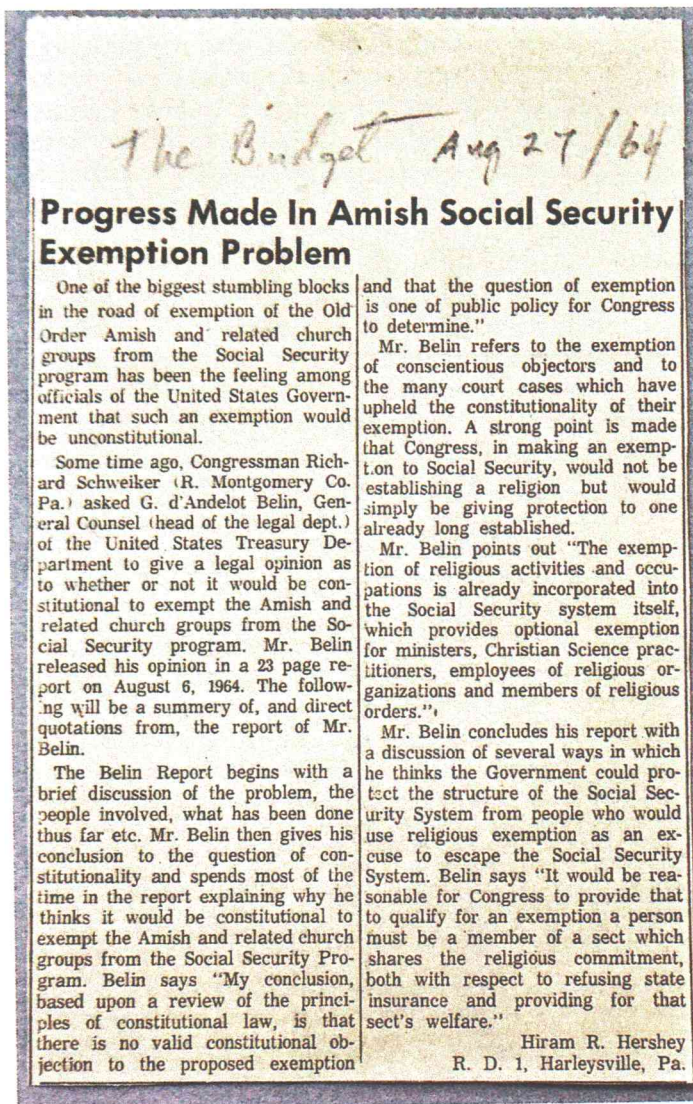
Since the House of Representatives had approved the SS bill, the next step was Senate approval.

Hiram requested, through Virginia Senator Harry F. Byrd, that permission be granted to testify before the

19 The bill was not changed to permit those already eligible for benefits to be exempted.

20 A. S. Kinsinger file.

21 Kraybill, Donald B., Johnson-Weiner, Karen M., and Nolt, Steven M., *The Amish*, 376-377, Baltimore: Johns Hopkins University Press, 2013.



This August 27, 1964 article is the first of Hiram Hershey's 36 articles in the *Budget* describing the exemption progress to the Amish readership.

Senate Committee on Finance in support of Section 319 of H. R. 6675. Permission was granted and on May 18, 1965, Bishops Henry Z. Fisher and Levi S. Fisher were with Hiram in Washington to testify. Hiram read the statement that had been written at the Amish meeting in Burton, Ohio, on August 27, 1964, and signed by "sixty-two leaders of the Old Order Amish." The statement was a compilation of their beliefs and convictions that they should be permitted to care for their elderly and others, "as we have, for hundreds of years provided for our needy".

The Burton statement was printed in the proceedings of the Senate Committee on Finance for May 18, 1965. Though the Senate report states that Senator Abraham Ribicoff (Connecticut) presided and that two other senators were present, Hiram's only memory of the ten o'clock morning meeting was that one senator was present, and he was reading a newspaper as Hiram spoke!

Apparently personnel in the Baltimore office of the Social Security Administration felt secure in believing that the bill exempting "certain religious faiths" would pass in the Senate. Early in May, Thomas Parrott, Claims Division Manager, requested an interview with Dr. John A. Hostetler, who had been born into an Amish home and had become a nationally-recognized writer on Amish life. Before John met with Mr. Parrott, he wrote to Hiram, "I would like to talk with you about the up-to-date status of the almost completed legislature on exemption." After their talk and after John had been to Baltimore, Hiram wrote to the bishops, "The SS people asked him [John] a number of questions on the various Amish groups and also discussed with him the type of form to be used in requesting exemption . . . John urged them to keep the form as simple as possible."²²

On Friday, July 9, 1965, as Hiram and his family were ending an annual two-week vacation on Cape Cod, Massachusetts, the Senate passed H. R. 6675. It next went to the Senate and House Conferees Committee to resolve some details concerning Medicare. Finally, on July 30, 1965, President Lyndon B. Johnson signed the bill, which conveyed exemption from the SS tax to self-employed Amish. A few days later Hiram received a letter from Lawrence F. O'Brien, Special Assistant to the President. The letter included one of the pens that President Johnson had used in signing H. R. 6675.²³

The Process Continues, 1965-1969

After many months of negotiation and lobbying, the passing of the new SS bill may have seemed to be the end of Hiram's work on this project. However, just the opposite occurred. The pace of meetings picked up—starting just four days after President Johnson signed the bill and continuing until September 1969.

In June 1965, as Bishop Levi S. Fisher was anticipating the day when the SS exemption amendment would become law, he wrote to Hiram, "I think you should be at the meeting if we are to meet with government officials, after our SS amendment becomes law, to decide what methods are most practical to make the new law workable, of course this is only my opinion without consulting any of the others, but seems to me it could easy be that us Amish may not be sharp enough or educated enough to work it out as it should be without a more experienced person to help or at least scrutinize the procedures, to make sure our work of the last few years will not have been done in vain."²⁴

On August 3, 1965, Hiram met with some of the bishops at Enos Beiler's farm in Bird-in-Hand, Pennsylvania. After Hiram left the meeting, the bishops had many unanswered questions and Bishop Henry Fisher wrote a list of twelve questions which he mailed

²² Bishop Memo file and Miscellaneous Correspondence file.

²³ Hiram has donated the pen and letter, and the entire collection of 1500 documents and letters to the Muddy Creek Farm Library, Ephrata, Pennsylvania.

²⁴ Levi S. Fisher file.

THE WHITE HOUSE
WASHINGTON

August 2, 1965

Dear Mr. Hershey:

The President has asked me to send you the attached pen used when he signed H. R. 6675, the Medicare Bill.

With best wishes,

Sincerely,

Lawrence F. O'Brien
Lawrence F. O'Brien
Special Assistant
to the President

Mr. Hiram R. Hershey
Route 1, Box 64
Harleysville, Pennsylvania 19438

Enclosure

A pen which President Lyndon Johnson used to sign a document, sent to Hiram Hershey.

to Hiram. He included in this letter, ". . . to have you as a go-between, is being heartily approved and all the while, looks more necessary to me." On August 24, Fisher asked Hiram to meet with the "Old western committee," and on that same day eleven bishops and Hiram traveled to Washington to converse with IRS officials.

Two days later, August 26, 1965, a group of 166 Amish men met in a large tobacco shed on the property of Levi Fisher near Paradise. A contingent of nineteen had arrived from Ohio, with smaller groups coming from Delaware, Maryland, Indiana, Illinois, Iowa, and Michigan.

John L. Ruth, a Mennonite historian, accompanied Hiram to this Paradise meeting. That evening John wrote an account of the day. Following are details paraphrased from his reflections.

As they arrived, everyone signed a small notebook with their name and address. The men sat on backless benches with the bishops sitting in the front facing the gatherers. There was no hurry to start the morning meeting. The men lingered outside to talk, and as they filtered in, more groups would come; talk would subside and arise again until eventually one of the older bishops arose for a time of worship and prayer in the German language. When the time came to discuss the new SS bill, the speakers were at a loss to use Dutch words, and the untranslatable words came through in English: "file, application, exemption, income, social security, benefits."

Around noon some of the men started to assemble tables from benches at the end of the tobacco barn. A cold meal of longhorn cheese, sweet bologna, bread, pickles, carrots, tomatoes, peaches, cantaloupe, cookies, coffee, and a cold drink was set out.

The meeting continued into the afternoon. It ended with everyone kneeling for a prayer led by an elderly bishop who "must have prayed for at least ten minutes, working his way gradually into a completely sing-song chant for about the last half. He used two pitches, the interval being from a fifth down to a third and back again. He closed with the Lord's Prayer, and that was the end of the meeting. Once again, conversation sprang up gently and slowly, and an hour later there were still men talking in the shed . . . I was bemused by the complete lack of paraphernalia and protocol . . . no comfortable seats, no raised platform, no loudspeaker, no rest rooms, no loud talking, no agenda, no minutes, no parliamentary procedure, yet the business was accomplished, a delicious meal eaten, much socializing carried on, all by four o'clock."²⁵

The printer, A. S. Kinsinger, attended this August 26 tobacco shed meeting. Since everyone had signed in as they arrived, Kinsinger included the names and addresses of the 166 attendees when he printed a report of the day. Although the meeting was conducted in German, Kinsinger gave a full report in English. Amazingly, he included all the details about who is eligible and who is not eligible for exemption; when a young person should apply for exemption; what is the process when a self-employed takes an outside job; why everyone needs a Social Security number to apply for exemption; that no one who has any kind of insurance (except liability) is eligible for exemption; if an exempt person has already paid into the SS system, he may apply for a refund. On the last point, Kinsinger writes, "The officials said to the Bishops; you want to keep a free conscience by not having any part in the SS act, now we also want to free our conscience and give your money back."²⁶

On August 29, 1965, Hiram wrote to the Secretary of Health, Education, and Welfare, enclosing an application for exemption for the "Old Order Amish Sect in America." It was signed by three bishops from three different states: David Z. Fisher of Pennsylvania, Neil I. Hershberger of Ohio, and Henry N. Miller of Indiana. (No copy of this form was found in Hiram's files.)

By August 31, 1965, Hiram was in Geauga County, Ohio, and then on September 22 he was back in Ohio, this time with a group of 135 in Holmes County.²⁷ These were informational meetings, much the same as the one

25 This description, taken from 12 pages of John Ruth's notebook, "written on August 26, 1965, at 11:00 p.m." Copy in file marked John L. Ruth.

26 A. S. Kinsinger file.

27 At the meeting in Holmes County, Hiram had with him his five-year-old son, Thomas. Joe L. Miller, Baltic, Ohio, wrote to Hiram on December 24, 1965, and remembered Hiram's "young son [who] got a drink of water at the corner of one of their buildings [Abe N. Miller's] and I talked with you a little, while the boy had water." Son Thomas became a real estate broker and his focus remains the same as his Father's—selling farm real estate.

Allie die da onn di Social
Security fasammlung vora
the 26st August, 1965
Auch die auskunft dafon

Printing by A.S.Kinsinger-Gordonville, Pa.

Andy Kinsinger, printer from Gordonville, would print some of the meeting minutes for distribution.

on August 26th in the Paradise, Pennsylvania, tobacco shed.

However, until the government provided a form to apply for exemption, the process remained on hold. On October 18, 1965, the Social Security Administration released Form 4029, the document an individual used to apply for exemption. This full-page, double-sided application was difficult for many to understand; and it required a Social Security number, which many Amish did not have.

In November, an official from the Social Security office in Baltimore asked Hiram to come to its headquarters to review other forms. They also had questions about whether the Old Order Amish should be considered as a national denomination or if there were enough differences in the many Amish districts that each district should be considered a separate entity. Hiram argued that the best plan would be to consider the total Old Order Amish community as one entity. Form SSA-1458 "Certification by Religious Group" was first reviewed as a draft in August 1965. (There is no final copy of SSA-1458 in Hiram's files.) This form registered the Old Order Amish as a distinct entity. However, the IRS also requested the name and address of the bishop for each Amish district. As each individual applied for

exemption, they recorded on Form 4029 the name of the denomination and the local district.

All other denominations applying for exemption also used the SSA-1458 form. In October 1990 the Department of Health, Education, and Welfare published a sixteen-page document listing the Amish districts that had been approved. By that time, the document included hundreds of additional approved sects and groups.²⁸

Because there were so many questions at the mass meetings in Paradise, Pennsylvania, and Geauga and Holmes Counties in Ohio, Hiram had been reporting regularly in *The Budget*. At the November 1965 meeting in Baltimore, Hiram was surprised to learn that SS personnel had been reading his columns in *The Budget*. He had written that the sect must have been in existence for at least six years if they wished to be considered for exemption. The officials corrected him, saying that the denomination must have been in existence before December 31, 1950.

In the meantime Hiram had been preparing a booklet "with all the questions that I answered in *The Budget* and also instructions for filling out the form 4029." When officials at the Social Security Administration got wind of this, they requested permission to review the booklet before Hiram had it published. SS personnel carefully scrutinized the first two pages "Instructions for applying for exemption from SS for reason of religious objection" and the following 26 questions and answers in the booklet. They returned to Hiram a three-page document with clarifying revisions.²⁹

By December 1965, 4,000 copies of the booklet had been printed. The IRS sent a copy with Form 4029 to each Amish person who had returned a 4029 with no SS number, and to property owners who had a government-placed lien. (Hiram's December 29, 1965, communiqué to *The Budget* included, "There were about 3,000 liens on Amish properties.") Along with the booklet, the IRS included a letter Hiram had written on December 10, 1965, that encouraged his Amish friends to apply for a SS number.³⁰

At the March 4, 1964, meeting in Gordonville, Pennsylvania, 126 Old Order Amish had agreed that each member "should in good faith and willingly . . . accept a tax payers account number if one is assigned by the government . . ." However, the need for a Social Security number caused much concern: "We feel it is another step closer to communism" (Mrs. Urah Bontrager, Fairbank, Iowa, May 21, 1966). "Some are hard opposed to taking a number, afraid of it being contrary to God's will in Revelations, as we read about a number on hand or forehead" (Joshua P. Renno, Bellville, PA, June 5, 1966). ". . . is not a catch or connection to something else later on that we can't see or know

how" (Sam J. Hershberger, Conewango Valley, NY, March 9, 1966). "Some think this might be a trap set for people who are not awake to what they are till it is to[sic] late" (John R. Zimmerman, Ephrata, PA, March 1966).³¹

By June 1966 the IRS office in Philadelphia was holding 2,300 exemption forms, and the Cleveland office 150 forms, that they could not process because the applications lacked a Social Security number. When this happened, SS officials would send the applicant Form SS-5 which clearly stated that it was "Application for Social Security and Tax Account Number." If an applicant could not in good conscience fill out Form SS-5 to apply for a number, the case was left in limbo, causing the accumulation of unprocessed applications.

However, IRS officials were committed to making the process work. They wanted to accommodate the Amish so that they could become exempt, even though they refused to sign and provide the needed details. The IRS sent a memo to the non-signers asking for only their date and place of birth, their father's name, mother's maiden name, and the date they became a member of their sect, with no signature required. With this sparse information, a number was assigned.³²

Additionally, government entities encouraged those who were non-compliant to contact Hiram for more information. In their mailings, SS and IRS officials often included Hiram's question and answer booklet and a copy of a letter written by Hiram. Testimonials about this government action are included in numerous letters in Hiram's files. "Upon making some inquiry at Hagerstown Internal Revenue Office, we were advised to contact you . . . The director . . . urged us to work this out as a group referring to you for advice" (Reuben E. Martin, Greencastle, PA). "I received a letter from US Treasury Department, IRS from Lancaster office with your instruction booklet" (Isaac F. Lapp, Gordonville, PA).

As Hiram replied to many letters about taking a number, he emphasized that the government needed an SS/Identification Number (ID) for every citizen of the United States. Since there were many Amish with the same name, it was impossible to process Amish documents that had no ID number. Writing to *The Budget* on August 5, 1966, Hiram included, "I would like to point out that it is necessary for the Government to use a number, particularly where it involves the refund of money. There is one Amish community in Pennsylvania, the Government tells me, in which there are ten Levi Yoders, some with the same initial. The easy way to keep these accounts separate is to assign each person a number and then the papers will be processed by a machine [computer]."³³

31 Letters file, February-December, 1966.

32 Government forms for Amish file.

33 *The Budget* file. The SS Administration was using *The Budget* to disseminate information. Kenneth L. Kurtz, from the Baltimore office, wrote to Hiram on March 12, 1966, "I am happy to see that our news release was printed in the last issue of *The Budget* and think that the introductory state-

28 Department of Health, Education, and Welfare file.

29 Questions and answers booklet file.

30 Memo to Bishops file, *The Budget* file, Questions and answers booklet file.

Another concern during 1966 was the government's requirement that each group applying for exemption furnish historic and current evidence that they provided for all needy and elderly in their community. The 1965 amendment to the SS bill included the stipulation: "It is the practice, and has been for a period of time which he [the Secretary of Health, Education, and Welfare] deems to be substantial, for members of such sect or division thereof to make provision for their elderly or dependent members which in his judgment is reasonable in view of their general level of living."³⁴

In May 1966, Hiram received a call from Kenneth Kurtz, an administrator in the Baltimore, Maryland, Social Security office, who was concerned that the Ohio Amish Hospital Aid Plan might be similar to a health plan. In a May 16, 1966, letter to Bishop Andrew Weaver, Frederick, Ohio, Hiram wrote that it seemed the main concern of Mr. Kurtz was, ". . . do rich and poor pay the same amount into the fund or is each person able to give what he can for those who have need from the Aid fund?"

However, not all the Ohio Amish were involved in the Hospital Aid Plan. Bishop Neil Hershberger of Burton, in an April 30, 1966, letter wrote about how his community and many Amish groups cared for their needy and elderly: "We here in Geauga Co. do not have such a Plan. The hospital bills are taken care of as the same way that other people who are need of help which is through our Deacons taking alms from all members twice yearly, and they in turn see that such bills are paid. We cooperate with other districts which lightens the Burden, in case of large hospital bills . . . we have taken care of our needy for many years."

Because the Ohio group had a Hospital Aid Plan with 1,800 to 2,000 members, this raised a red flag for the Social Security Administration. In order to join the plan, each family paid an assessment of \$5.00 per person with a maximum of \$30 per family and an annual \$200 deductible. The first point on a leaflet entitled "Certification Regarding Amish Hospital Aid Plan," dated July 21, 1966, reads, ". . . only those who choose to join and pay assessments may receive payments for their hospital bills." But number 8 on the flyer says, "We still use alms to pay the hospital bills of those who are not members of the plan and who are unable to care for their own bills. If necessary, the alms fund would also pay the first \$200 of hospital bills for a family which is in the plan if that family is unable to pay the \$200." The information on this leaflet and another flyer dated January 1967, where the annual fee had been raised to \$10 per person with a limit of \$40 per family, seems to have been prepared as informational statements for the IRS.³⁵

In the Spring of 1967 four Ohio Old Order Amish Bishops signed a statement that included, "We are opposed to participation in insurance, public or private . . . Unlike public forms of hospitalization, where the primary concern is the purchase of personal protection, we consider Amish Hospital Aid as being simply an organized method of sharing hospital expense among members of the Old Order Amish faith . . ."³⁶

Apparently the Social Security Administration struggled for the next nine months with approving the Ohio Hospital Aid Plan. Finally, in January 1968, Hiram received word that "the Social Security Administration people have removed any and all objection to a person participating in the Amish Hospital Aid Plan and then asking for exemption."³⁷

During 1968 and 1969, as Hiram was winding down his involvement with Amish issues, there was a movement to exempt persons who were not self-employed. The last memo to bishops in Hiram's files was dated December 19, 1969. He wrote that Representative John Brademas, 3rd District, Indiana, had submitted a bill to exempt Amish who were not self-employed. In 1971 Richard Schweiker, who was now a Pennsylvania Senator, introduced a similar bill to the Senate. It was not until 1988, however, that Amish who worked for Amish employers became exempt. Currently, Amish who work for a non-Amish employer are required to pay into the SS system.

In that last memo to the bishops, Hiram writes that as of December 1969, "more than 10,000 Amish people or people of like faith have received exemption from Social Security, and the Federal Government has refunded more than two and one half million dollars in Social Security taxes that were either paid voluntarily or taken from the Amish."³⁸

Beyond Social Security

Through the years that Hiram worked with his Amish friends on SS issues, he became a trusted ally, someone they could contact about other issues affecting their families. What follows are two examples of requests.

A series of seven letters initiated by Monas A. Borkholder, Burton, Ohio, about his son Henry J. Borkholder. Henry was doing his 1-W service (as a conscientious objector) at Sunny Acres, the Cuyahoga County tuberculosis hospital in Cleveland. He was used to working on a farm but was now serving as an orderly. The hard floors were causing much pain in his legs, and his father was requesting transfer to a farm for the duration of his 1-W term (letters dated 4/19/66 to 6/17/66).³⁹

From John L. Stutzman, Apple Creek, Ohio, Nov. 16, 1967, about Amish "boys" who for reasons of conscience

ments which you added strengthened the message we wanted to convey. Thank you once again for your excellent cooperation on this."

34 Health, Education, and Welfare file.

35 Amish Hospital Aid Plan file.

36 *Ibid.*

37 Bishop Memo file.

38 *Ibid.*

39 Letters file, February-December, 1966.

could not participate in alternate service (1-W) and were sentenced to prison. "I am quite concerned about our boys in prison. For not taking part in the U. M. T. and now they are not allowed to have their beard, hair and clothing . . . And I am wondering if in your opinion you would think there could be something done for them. How could a person go at it? They use[d] to get probation. But I guess they can't no more . . ." Hiram replied that if John could provide him with the names of any Amish men imprisoned in Pennsylvania and the prison where they were, he would "appeal directly to the prison authorities." He mentioned that John A. Hostetler had written to him about Amish who were in the Lewisburg, Pennsylvania, prison.⁴⁰

A Grateful Community

The usual practice in the Amish community, when someone needs a ride, is to contact an "English" neighbor who owns a car and has the time to chauffeur. Most drivers have a pre-arranged fee. This, at times, was confusing for Amish who were never charged when they were transported by Hiram to Washington, D. C., and to Ohio and Indiana. Throughout Hiram's files, letters of inquiry and letters from the Bishops often included a request for Hiram to present a bill for the services he provided.

An inquiry typical of the requests Hiram received about payment was from Ohio Bishop Neil Hershberger writing on May 12, 1966. "Please let us know when you have decided what we owe you for all you have done for us." Hiram's answer included, "Regarding the financial aspect of my work in the Amish SS problem, I have stated before that I will not present a bill for my services. I stand by that statement." Hiram suggested that after all the 4029 exemption forms were approved and returned, then "the people who have benefited from my work could contribute whatever they wish to a fund for that purpose. I do not think the time is yet ready for this."⁴¹

There is no record in Hiram's files of the total amount of monetary compensation that he received, just clues here and there in the letters. From Andrew D. Yoder, Applecreek, Ohio, November 6, 1967, "I always thought if we get exemption it would be my duty to help you with your expenses and time spent. . . Please do not tell anyone the amount I sent to you." Some "enclosed a small check" or sent \$1.00 or \$2.00 bills.

Bishop Levi S. Fisher sent a donation from his district (no record of amount) with these words of gratitude, "I think you have trouble realizing how much our people appreciate what you did for us . . . the many that gave to this cause, gave with a Thanksgiving Heart toward our Almighty God" (December 30, 1967).⁴²

Hiram wrote to the bishops on January 29, 1968, that he was ". . . grateful for the financial contributions that have come to me over the last several months." Letters received in 1969 that included monetary enclosures came from Montezuma, Georgia; Sharon Bethel Church, Kalona, Iowa; Stuarts Draft, Virginia; Plain City, Ohio; and Halsey, Oregon.

It seems that Hiram spent these six years as a labor of love for the Amish community. While doing this, he received unforeseen contacts that benefitted him in real estate business over many succeeding years.

In reading through hundreds of letters, there is compelling evidence that the Amish community was deeply appreciative. Following is a sampling of words of gratitude:

JOHN L. STUTZMAN:

"And many thanks for what you have been doing in our behalf."

BISHOP DAVID Z. FISHER:

"We do admire very highly what you have done for us . . ."

BISHOP HENRY AND SARAH FISHER:

"Writing to you seems like writing to an old friend."

WARREN W. ZIMMERMAN:

"We are again leaning on your shoulders."

ENOS J. STUTZMAN:

"Want to thank God for the kindness you have showed to us people."

JONAS KAUFMAN:

"I wish to convey our sincere thanks for your genuine friendliness."

RUSSEL D. CLINE:

"I as a weak and unworthy servant in the Old Order Mennonite Church here in Virginia, desire to thank you for your untiring efforts in giving information as to the SS exemptions."

During Hiram's years with the Amish, two of the bishops with whom he had worked closely, died: Bishop David Z. Fisher, Christiana, Pennsylvania, in June 1966. and Bishop Neil I. Hershberger, Burton, Ohio, in November 1966. About the funeral of David Fisher, his brother Henry writes, "Henry N. Miller, Andy Weaver and many others from Pa., Delaware, Maryland, Ohio, Mich., Ind., were also there. I was told close to 700 were there, funeral was held in the barn. We missed you . . . We as well as many others, feel a great loss, but hope our loss is his gain. We tried to get you on the telephone but were too late, if you could have been at the funeral you would have had a busy time to meet so many acquainted friends from far & near, many times I heard your name."

Through the years since 1969, the Amish community has remembered Hiram and his service to them. When Hiram's daughter Beth⁴³ was a student at Goshen

40 John L. Stutzman file.

41 Neil I. Hershberger file.

42 Levi S. Fisher file.

43 Mary Elizabeth, b. 1969. Our other children are Hiram Peter Hershey, b.

College, 1988-1991, she took a course covering various Anabaptist sects. One of their field trips was to an Amish farm in Middlebury, Indiana. The professor introduced each student to the farmer. When he came to Beth, the farmer stopped the introductions and said, "Hershey-Hiram?" Beth was excited to know that her dad and his work, done mostly prior to her birth, was remembered and appreciated.

Hiram, now in his ninety-first year, recently visited Jacob M. Fisher in Ronks, Pennsylvania. They reminisced about their years together and talked about the future of the Amish community. And so the story continues.

Reflections on the Adaptability of Government

In reading through hundreds of pages in these 50 year-old files, it becomes evident that senators and representatives, personnel at the Department of Health, Education, and Welfare (includes the Social Security Administration) and at the Treasury Department wanted to help the Amish become exempt and that they worked at easing the transition.

When liens filed on a farm were due and collectable, the IRS worked out a plan in which property owners could sign a waiver for one year to hold them over until the SS exemption amendment became law. When some Amish could not, in good conscience, sign a waiver, they worked out a system in which officials would send to Hiram the names of non-compliant persons, and Hiram, whom the Amish trusted, would explain the reasons for signing, to the extent that the signers felt comfortable when they wrote their name on Form 900.⁴⁴

When the IRS learned that some Amish were unable to sign the application for a Social Security number because of their religious beliefs, they approved a plan in which a SS number (for the Amish it was called a Tax Account Number) could be issued without filling out and signing the SS-5 application form. That directive, originating from the Philadelphia office of IRS, asked for only date and place of birth, father's name and mother's maiden name, and date of their baptism. No signature required!

When IRS realized that due to various reasons the cut-off date for signing the 4029 exemption form was unrealistic, they extended the April 15, 1966, deadline to December 31, 1968.

An amazing example of how the government listened, learned, and changed is included in a 1967 letter written by Roy M. Geigley, bishop of the Mennonite Christian Brotherhood in Hampton, Pennsylvania. His group was formed after December 31, 1950. He writes

about a contact he had with an official of the Social Security Administration.

"Our meeting was congenial, and their problem is, as you said, concerning our organization being after 1951. He seemed to be honestly trying to find some way in which we could meet the requirements of that part of the law. Whether he was convinced that we are a continuing group, remains to be seen, I reckon." Apparently the SS employee with whom he met, was convinced, because the Mennonite Christian Brotherhood, Biglersville (Bishop Geigley's address), is included in the 1990 Department of Health, Education, and Welfare list of the organizations that have met "the requirements of Section 1402(g) of the Internal Revenue Code."⁴⁵

Charles Guerin, writing to Hiram on September 1, 1966, after he had been transferred from the Treasury Department to an IRS position in which he would no longer be involved with Amish issues said, "I shall miss my contacts with you and the Amish bishops. In the last few years the projects which brought us together were for me the most satisfying in my more than 20 years of Government service."⁴⁶

Reflections on the Demureness and Manner of the Amish

Quiet, unassuming, modest, reserved—these adjectives characterize Amish-written communication in Hiram's files. A reluctance to put oneself forward. A desire to counsel with others. Hesitation to make decisions without broad connecting.

BISHOP NEIL HERSHBERGER:

"I feel humble to this, but will try and be present, along with a few others from here."

"We have no suggestions, but I am willing to cooperate . . ."

"We do regret that we have been somewhat of a burden to our government . . ."

"I have tried hard to be cooperative . . ."

"Please thank the officials [in Baltimore] in our behalf for all they are doing for us."

BISHOP DAVID Z. FISHER:

"We, your humble subjects and fellow citizens, do honestly appeal to you for redress of grievance . . . Because the Old Age and Survivors Insurance Program is proving very injurious to our established Doctrine, we are prayerfully appealing to our honorable men of authority again, for redress of grievance, and do humbly offer and pledge ourselves willing to sign an affidavit every year if necessary when we file our income tax return, to prove that we are sincere in our actions."

". . . hope we are not a burden to you and we do admire very highly what you have done for us so far."

"I have something on my mind and hardly know if I should mention it to you . . ."

1958, Thomas Lederach Hershey b. 1960, and James Lederach Hershey, b. 1964.

44 Tax Collection Waiver file.

45 Department of Health, Education, and Welfare file; 1967 letter file. Bishop Geigley's letter is dated March 8, 1967.

46 Treasury Department, IRS file.

"I would appreciate if you would explain their request, probably I am asking to[sic] much of you."

BISHOP HENRY Z. FISHER:

"I wish I could express my sincere feeling toward others as I have them, I feel indebted to others in that matter."

"I wish I could have a personal visit with you and a few of our group, to at least try to bring some of my thoughts to light. I think there is a vast difference of opinion between mine and many law makers, which I believe would be of help to them if they want to do something worthwhile for us."

"Please take and consider this as better meant than written."

"Hiram, please take us by our faith, we do not want to offend anyone . . . I found no objection or embarrassment in your way of helping us, much the other way."

". . . we feel deeply indebted to show our appreciation to such as you and all governmental officials who have so diligently contributed to our cause."

". . . could you give us any references of how or where we should work for best results. We wrote to several through the west, and got good answers that we in the east should go ahead and let them know whenever we want help from them."

BISHOP LEVI S. FISHER:

". . . of course this is only my opinion without consulting any of the others. . ."

Soliloquy

This beautiful description of spring on the farm was written to Hiram by Bishop Levi S. Fisher in a letter dated March 14, 1967.

"Greetings! Here in Lancaster County it is foggy this morning and spring like, the frost is now out of the ground and the rain that was forecast didn't come, so we are plowing sod. Just this morning I went to the back field to lead the team for son David to start a new land, and I wish still I would explain to our Boys what a wonderful privilege is theirs to be able to be out there in the early morning cool air surrounded by different kinds of Birds singing praises to their maker, and the scent of freshly turned sod, walking in the furrow following three horses who feel their oats and are willing to work if only given a chance, proven by the neighing of the other Horses left in the barn who would rather go along to the field than be tied in the stable. Yes, Spring time on the Farm is quite an inspiration to me, but of course when I was a Boy I hardly noticed these things . . . I didn't think of writing such things when I started but I guess it is like we read in the Bible, "Out of the abundance of the Heart the Mouth speaketh."⁴⁷

By Mary Jane Lederach Hershey

At our home in Upper Salford Township, Montgomery County, Pennsylvania. March 10, 2017 MCR

47 We are indebted to Joan Alderfer Moyer, Hiram's secretary during the years covered in this essay. She made and filed carbon copies of all letters, memos, and documents that Hiram dictated to her. Without her careful work, this account would not be possible.

A Review

From Chauffeur to Spokesman: A narrative account of Hiram Hershey's sojourn with the Old Order Amish Social Security exemption process, 1963-1969. By Mary Jane Lederach Hershey

S. Duane Kauffman

Perkasie, PA, October 31, 2017

I was recently privileged to review a manuscript written by Mary Jane Lederach Hershey of Upper Salford Township, Montgomery County, Pennsylvania. She presented an account of her husband's role as an advocate and facilitator as he assisted the Amish in their efforts to obtain exemption from mandatory payments into the Federal Social Security program. Her primary resource was a file of 1,500 letters Hershey received during the time of his involvement between the years 1963 through 1969.

The original Social Security Act of 1935 had placed a payroll tax on employees and their employers. Since most of the Amish were farmers, the impact on them was minimal. However, a critical stage was reached in 1956. An amendment, passed two years before, went into effect that incorporated those who were self-employed into the Social Security system, including those in agriculture. Based on their strong conviction that it was their own responsibility to minister to the needs of those in their Gemeinde (church), the Amish resisted participation in the revised program. They also were concerned that acceding to this new requirement would lead to further government intervention. As a result, some of the Amish cooperated by making the payments, but declined accepting benefits. Others refused to make the expected assessments. As a result the government placed liens on their farms and bank accounts. In some cases the government even appropriated property, such as livestock and machinery.

Hershey's initial involvement started by occasionally providing transportation for Old Order Mennonites and Amish. As relationships developed, he learned of their dilemma in dealing with the Social Security issues and found himself drawn into the cause and made himself available on their behalf.

The manuscript presents an impressive story about a conscientious people, steeped in tradition, who dared to take bold but deliberate action to preserve their values. It is also a story of political leaders who took extraordinary measures to serve those they were called to represent. And it is a story of a dedicated man who adjusted his priorities and became a willing servant in a compelling cause.

This narrative provides a window that sheds light on the values that shape Amish life. It reveals a people who took their heritage very seriously and were deeply committed to the personal vows they took and the common expectations of the church discipline. At the same time they were not intransigent but were willing

to take new steps. To leave their farms and buggies behind, travel to Washington, D. C. and engage in face-to-face conversation with government officials was a brave and risky move.

The importance of community is also apparent. The decisions they made were not the product of a bishop's decree. Rather, they were the result of a consensus reached after discussion by those in attendance, including ordained leaders and laymen. It is also interesting to observe how members of the various Amish subgroups were able to put their differences aside and act on behalf of the larger body.

It was this commitment to community that motivated the Amish to seek the Social Security exemption. They felt strongly that it was their responsibility to take care of their own. The government had stipulated that the exception would only be granted if the Amish had plans that would deal with the needs covered in the Old Age and Survivor's Insurance program. In examining the various Amish aid options, the government was satisfied that this expectation was fully met.

In their dealings with the political leaders, it is obvious the Amish recognized the government's important role. In their humble way they demonstrated a spirit of respect and gratitude for the attention they received. One Amish bishop in a letter to a government official stated, "I hope we are not a burden to you and we do admire very highly what you have done for us so far."

Gestures of gratitude were not limited to government officials. Many of the letters Hiram Hershey received were filled with words expressing thanks for the help they received. Even though Hershey had not charged the Amish for his services, he received voluntary financial donations from those who were deeply appreciative of his efforts on their behalf.

Today there is a common perception that political leaders in Washington are motivated primarily by party loyalty. They are maneuvered by special interests, and show little regard for the welfare of those they were elected to serve. Although this current analysis seems to be valid, this account presents a different picture. It portrays individuals in the government in the 1960s who were approachable and committed to doing the right thing.

Paul B. Dagan's congressional district included the large Old Order Amish and Mennonite population of Pennsylvania's Lancaster and Chester counties. He not only took the initiative in introducing the first Social Security Exemption bill, but also re-introduced it and promoted it in subsequent sessions when it stalled in the legislature. U. S. Congressman Richard S. Schweiker from Hershey's own Montgomery County district did not include an Amish constituency. However, he became personally involved and went as far on one occasion as to say, "My office is your office." In the course of events, U. S. Senators Hugh Scott and Joseph Clark also lent their strong support.

A key factor in the success of the effort was the endorsement of esteemed Representative Wilbur Mills

who chaired the powerful House Ways and Means committee. The response of the Internal Revenue Service was also surprisingly positive, and they went to great lengths to provide application forms that were easy to complete. The Social Security Office "bent over backwards" to accommodate the Amish concerns. They went beyond their legal obligation by refunding two and a half million dollars to those who had earlier paid voluntarily or by appropriation.

Of course, this story reveals much about Hershey himself. It is evident that the depth of his commitment called for tremendous effort and considerable personal sacrifice. Reading and responding to letters and making and answering telephone calls demanded considerable time and energy. There were travel and lodging arrangements to be made and expenses to be paid, and his involvement no doubt took its toll on family relationships and business obligations. In the early stage Hershey had no clue as to where his involvement would lead. He was out of his comfort zone, but he courageously navigated uncharted waters with tenacity and resoluteness to get the task completed.

There may be cynics who would attribute Hershey's intense dedication to self-interest since it enhanced his real estate business with the Amish community. In telling the story, his wife conceded, "It benefitted him in the real estate business over many succeeding years," but she simply concluded that his endeavor was "a six-year labor of love." There is no reason to doubt this or to question his motives. Hershey had experience with post-World War II relief work in Europe. He also had personal experiences of rejection and misunderstanding, and an insider's understanding of Amish culture. All of this gave Hershey a capacity to empathize with these persons he felt were victims of injustice.

The Amish apparently saw something in Hershey's approach and demeanor that cultivated a bond of trust. By moving cautiously, avoiding publicity, and working without expected compensation, he modeled Demut (humility), a basic quality in Amish life. It seems like he was accepted as one of them – a brother who cared deeply for their well-being.

In time the cooperative efforts of Hershey, the Amish, and political leaders had a ripple effect. Exemptions were expanded to include other religious groups that met the requirements. Later the Social Security program was amended to excuse Amish who were working in non-agricultural jobs with an Amish employer.

This is a story that shows what can be accomplished when persistence and patience are practiced in proper perspective. It is truly a story of compassion at work and democracy in action. *MCR*

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