to assist the States in conducting similar conferences on aging prior to the White House Conference on Aging, and for related purposes; to the Committee on Education and Labor.

By Mr. PRICE of Texas:

H.J. Res. 1301. Joint resolution authorizing the President to proclaim annually the week including September 15 and 16 as National Hispanic Heritage Week; to the Committee on the Judiciary.

By Mr. SNYDER (for himself, Mr. CARTER, Mr. NELSEN, Mr. COWGER, Mr. DERWINSKI, Mr. BROTZMAN, Mr. DOLE, Mr. MORTON, Mr. MATHIAS of California, Mr. POLLOCK, Mr. MESKILL, Mr. SKUBITZ, Mr. ARENDS, Mr. BRAY, Mr. MAILLIARD, Mr. HARSHA, Mr. POFF, Mr. WAMPLER, Mr. LANGEN, Mr. DEL CLAWSON, Mr. GERALD R. FORD, Mr. BROCK, Mr. CLANCY, Mr. KING of New York, and Mr. DENNEY):

H.J. Res. 1302. Joint resolution to authorize the President to issue a proclamation designating the week of October 13, 1968, as Salute to Eisenhower Week; to the Committee on the Judiciary.

By Mr. PATMAN:

H. Con. Res. 787. Concurrent resolution to print as a House document the publication entitled "Fascism in Action"; to the Committee on House Administration.

By Mr. STAGGERS:

H. Con. Res. 788. Concurrent resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. BROOMFIELD:

H. Con. Res. 789. Concurrent resolution to express the sense of Congress against the persecution of Jews in Poland; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

349. The SPEAKER presented a memorial of the Legislature of the State of New Mexico, relative to welfare payments to nonresidents, which was presented to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 17790. A bill for the relief of Aniello DeSimone; to the Committee on the Judiciary.

H.R. 17791. A bill for the relief of Pietro Genna; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 17792. A bill for the relief of Mrs. Zoe Ioannidou; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 17793. A bill for the relief of Mr. Matteo Scaduto; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts:

H.R. 17794. A bill for the relief of Mrs. Rosemarie Huguette Labus, and her daughter, Vivian Labus; to the Committee on the Judiciary.

H.R. 17795. A bill for the relief of Manuel Luis Hilario; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 17796. A bill for the relief of Salvatore Tortorici; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 17797. A bill for the relief of Dina Albins; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 17798. A bill for the relief of George O. Jiries Saleh; to the Committee on the Judiciary.

H.R. 17799. A bill to confer U.S. citizenship posthumously upon James F. Wegener; to the Committee on the Judiciary.

By Mr. MURPHY of Illinois:

H.R. 17800. A bill for the relief of Nikolaos Bougiotopoulos; to the Committee on the Judiciary.

H.R. 17801. A bill for the relief of Mr. Serafim Panagopoulos and Mrs. Johanna Panagopoulos; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 17802. A bill for the relief of Giuseppe Cascone and his wife, Giovanna Cascone; to the Committee on the Judiciary.

H.R. 17803. A bill for the relief of Angelo Noto and his wife, Maria Pluchino Noto; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 17804. A bill for the relief of Chun Myung Bai; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 17805. A bill for the relief of Diaoniasa Japco; to the Committee on the Judiciary.

H.R. 17806. A bill for the relief of Carla (Chaia) Schieber, Bibi Schieber, Maia Schieber, and Lida Schieber; to the Committee on the Judiciary.

By Mrs. SULLIVAN:

H.R. 17807. A bill for the relief of Marin Ciceric; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

339. By the SPEAKER: Petition of the board of supervisors, county of San Mateo, Calif., relative to welfare payments to nonresidents; to the Committee on Ways and Means.

340. Also, petition of Mr. Jerry Robert Leon, relative to redress of grievances; to the Committee on Armed Services.

341. Also, petition of John M. Medeiros, North Adams, Mass., relative to redress of grievances; to the Committee on the Judiciary.

342. Also, petition of William Green, Junction City, Oreg., and others, relative to World War I veterans payments; to the Committee on Veterans' Affairs.

EXTENSIONS OF REMARKS

HUNGER IN AMERICA

HON. CHARLES H. PERCY

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. PERCY. Mr. President, the first step in resolving any critical problem is to admit its existence and accept some responsibility for its solution. In response to the CBS television program "Hunger in America," State, local, and Federal officials are beginnir.g this process. I ask unanimous consent that two articles from Chicago's American be printed in the RECORD. These articles tell the story of efforts that have begun to define and deal with hunger and malnutrition in my own State of Illinois.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

UNTOLD NUMBER OF CHILDREN GO HUNGRY IN STATE

(By Malden Jones)

SPRINGFIELD, ILL.—Many children are being admitted to Illinois hospitals for treatment of actute malnutrition.

Some are taken to hospitals for treatment of physical injuries suffered because they literally collapsed from hunger.

Others are admitted for treatment of acute cases of pneumonia or dysentery brought on by malnutrition.

Many of these are children who have been declared ineligible for state and federal food aid programs.

Others attend schools which do not accept free federal surplus food for lunches, or who are not served lunch by schools because they are unable to pay 15 or 20 cents for a hot meal.

State officials, hospital authorities, and medical associations in Illinois admit that malnutrition is a serious problem in some areas of the state, particularly in the southern counties.

Edward T. Weaver, director of the Illinois department of children and family services said:

"Government agencies require all sorts of forms for reports on everything from gunshot wounds to rape and venereal diseases, but nobody is interested in hearing about children who are admitted to hospitals suffering from starvation."

Weaver said some children admitted to hospitals for treatment of broken bones may have suffered their injuries because they collapsed from hunger.

NO REPORT REQUIRED

Many of the children treated for dysentery and pneumonia are victims of malnutrition which brings on these two diseases, Weaver said.

He noted that neither doctors nor hospitals are required to report malnutrition although it is diagnosed as the primary or secondary cause of a child's illness.

Weaver said that many of the estimated 27 million undernourished Americans identified recently by testimony before the House committee on labor and education "receive absolutely no aid of any kind from hundreds of aid programs administered at a cost of millions of dollars."

BLAME U.S. AGENCIES

School officials and state agencies lay much of the blame on the United States departments of Agriculture and Health, Education and Welfare, accusing them of "bureaucratic bullheadedness."

Although malnutrition exists in the state, the first step has yet to be taken to attack the problem.

A study by CHICAGO'S AMERICAN and the Better Government association disclosed that no information exists about the incidence of malnutrition in Illinois.

No medical, public aid, or state agency is required to keep records on malnutrition or associated diseases with it.

PROBERS ARE FRUSTRATED

In the current investigation, probers were frustrated at every turn as they sought to determine the extent of acute hunger which exists among school and pre-school children.

Nor are figures available on the number of children who die in such hospitals from starvation, or from diseases contracted because of malnutrition.

Ray Suddarth, director of the school lunch program in the office of Ray Page, state su-

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

perintendent of public instruction, said:

"We know there are a lot of hungry kids in this state who could be given a good lunch if we could only send the 20 cents directly to the school rather than to the parents."

In southern Illinois, Suddarth said, "Even though we allow 20 cents for lunch for each child, it doesn't reach him."

Harold O. Swank, state director of public aid, explained:

"This is a HEW [department of health, education, and welfare] situation. That government agency tells us we must pay the money directly to the family, and not to the school district or school.

"I do know some children in Illinois aren't being given lunch because of HEW requirements. And in my opinion the only plan that will work is one that will automatically give a free lunch to every child."

ILLINOIS' SHAME

A man who gets shot or a woman who gets raped on a Chicago street is required to give hospitals and doctors extensive information about the circumstances. But in Illinois, an elementary-school child can be taken to a hospital bloated with hunger and maybe dying of malnutrition, and who cares? No one, it seems.

The appalling fact is that neither doctors nor hospitals are required to report malnutrition, even if it's diagnosed as a primary or secondary cause of a child's illness. The "battered-baby" law—a good one—holds parents responsible for physical abuse of a child. But hunger evidently doesn't count.

A study by Chicago's American and the Better Government association was frustrated by the lack of data, but it did turn up an incidence of malnutrition and related problems—particularly in the downstate counties—of serious proportions. Besides plain hunger, there were cases of dysentery and pneumonia brought on by malnutrition, and of kids who were injured when they fell—because they were too weak from hunger to stand up.

The reason so many of these school children go hungry according to Harold O. Swank, state director of public aid, is that his agency is forced by the United States department of health, education, and welfare to pay relief money directly to recipients. That means money goes to the parents, who presumably don't always have enough left to give to the children. Food stamps are issued downstate, but not to the schools for hot lunches—nor to the children.

Furthermore, many officials interviewed said that powerful lobbies are maintained in Congress and the state legislature by doctors, pharmacists, hospitals, and other service groups to see that the distribution stays just the way it is—handed out directly to families, and not to the schools. Swank says the only way to see that every child is fed is to give a part of the money—20 cents a lunch—directly to the schools.

Then there's the United States department of agriculture, whose head, Orville Freeman, hands unspent money back to the treasury by the millions because he says he doesn't have the "authority" to spend it to feed the hungry.

Three state agencies are concerned deeply with this paradoxical situation in which young people go hungry when there's money to feed them. These agencies are the department of public health, the department of child and family services, and the department of public instruction.

It is clearly necessary that these agencies do two things: First, find out what's going on; and second, do something about it—specifically, take action to get money spent properly so that these kids can eat. If the federal agencies—HEW and agriculture—still stand in the way, the state agencies can, if they wish, make enough noise to be heard in Washington. And they'd better do it.

THE SYSTEMS APPROACH IN SOCIAL LEGISLATION

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. SCOTT. Mr. President, over the past several years, I have become increasingly impressed with the value of the systems approach as a tool to improve the quality of decisionmaking by administrators and legislators at all levels of government. The systems approach is not the millenium. It will not produce instant remedies to all ailments plaguing society, but it can enhance the ability of responsible public servants to make informed, rational, and wise choices among alternative means to desirable and widely shared ends.

My belief in the usefulness of the systems approach is evidenced in the following measures which I have introduced in this Congress: S. 467, to establish a Commission on Public Management; S. 3322, to establish within Congress an Office of Program Analysis and Evaluation; and an amendment added by the Senate to S. 355, the Legislative Reorganization Act now pending in the other body, which would authorize the Legislative References Service to acquire automatic data processing machinery to enhance its ability to accomplish its important mission of meeting the growing information requirements of Congress.

These and other worthy measures to employ the systems approach as a means to better Government decisionmaking are discussed in an informative speech recently delivered by Robert L. Chartrand, information sciences specialist of the Legislative Reference Service of the Library of Congress.

I ask unanimous consent that Mr. Chartrand's speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE SYSTEMS APPROACH IN SOCIAL LEGISLATION

(Excerpts from a presentation before the Sixth Management Conference on Marketing in the Defense Industries, sponsored by Boston College and the Boston Chapter of the American Marketing Association, Boston, Mass., May 23, 1968, by Robert L. Chartrand, information sciences specialist, Legislative Reference Service, Library of Congress, Washington, D.C.)

The opportunity to present reflections on the important topic of "The Systems Approach to Social Problems" affords me deep personal satisfaction. Although our civilization is confronted with an array of monumental problems and pressures, we possess the ingenuity and industry to cope with the situation. In a cautionary vein, however, it should be stated that as yet the nation has not marshalled its resources sufficiently to ensure a successful result. Part of the problem, it seems to me, is in man's lessening communication with man.

The United States of America has been the scene of numerous and continuing inventions . . . inventions conceived of by men and in many cases made possible by the power and flexibility of modern technology. In the process of innovation lessons are learned, mistakes are made, and improved procedures evolved. Our shortcoming lies in the ability to impart, in all too many instances, the key information on what has happened to other concerned groups. The result is noted by the late J. Robert Oppenheimer:

"I have been much concerned that in this world of change and scientific growth, we have so largely lost the ability to talk with one another, to increase and enrich our common culture and understanding. And so it is that the public sector of our lives, what we hold and have in common, has suffered, as have the illumination of the arts, the deepening of justice and virtue, and the enabling power of our common discourse. We are less men for this." [1]

The leadership of this nation—in government, industry, and the academic community—is aware of the burgeoning dilemmas caused by the growing size and complexity of our population and its endeavors. Not only has change become a way of life, but the demands on our intellect and emotions have altered. Modern technology has wrought changes in every facet of our existence: the pattern of earning a living, habits of recreation and travel, the ways in which we communicate and interrelate with others, and our intrinsic ability to plan.

Much of the spectacular progress in technological advancement during the past three decades has occurred in the areas of defense, space, and nuclear energy development. Management science became a recognized goal and was accomplished to a greater or lesser extent by many industrial groups. In support of improved management was the sophistication of the so-called "systems approach." A concurrent development took place in the conceptualization and production of automatic data processing (ADP) equipment and related man-machine techniques. These better tools and techniques placed industry in a better position to perform its often unprecedented tasks more effectively. Much success was achieved in these areas of national interest, and many of you here today contributed to the history-making attainments.

Today, we must relate to a new series of challenges. Technology, in addition to its impressive benefits, also has caused new problems. Contemporary America is a land plagued by air and water pollution, transportation inadequacies, severe disarrangements caused by urban renewal and expansion, and other equally vital problems. Solutions must be found which are both realistic and in line with national policies and goals.

The primary objective of this presentation will be to discuss the role of the Federal Congress in matching the technology of our age with the problems to be overcome. Featured will be a review of the legislation past and present and the committee efforts which call out the use of systems technology in alleviating these public problems.

The legislative decision-makers of the 1960 decade are hard pressed to perform all of their duties to the satisfaction of those whom they represent. The member of Congress must fulfill three basic roles:

(1) As a legislator responsible for rendering judgment on international and national issues;

(2) As the prime representative of his district or state, concerned with the welfare and increased prosperity of that entity; and

(3) As an ombudsman of sorts, accessible to each constituent who requires service, no matter how trivial the request.

No Congressman pretends prescience, but in anticipation of certain types of problems he and his colleagues can establish criteria for evaluating the seriousness of a new problem, and they can attempt to characterize the mechanisms which may be sufficient to meet the challenges of the future. As the Con-

[1] Oppenheimer, J. Robert. Reflections on science and culture. *In* The Colorado Quarterly, v. X, n. 2, Autumn 1961. p. 117–118.

gress has become aware of ADP and systems methodology, it has started to discern the potential for applying some of the proven procedures and techniques to the crises which are defying traditional solutions.

The alternative approaches available to the Congress in considering legislation which is designed to overcome the non-defense, non-space problems noted earlier could be summarized in this fashion:

(1) Initiation of legislation allowing direct Federal action, or some form of joint effort, through grants-in-aid, such as is provided for in the Scientific Manpower Utilization Act;

(2) Creation of a special organization for the purpose of reviewing the status quo and recommending explicit further action; the suggested National Commission on Public Management is symbolic of this type of mechanism;

(3) Support for a given position, through the holding of a committee hearings or the joint sponsorship of special forums—perhaps at the regional, state, or local level—on a particular topic; and

(4) Indirect encouragement of sub-Federal governmental or private sector groups through personal intervention by Congressional personnel or observations in the public media.

As the Congressman considers these possible avenues of action, he must simultaneously assess his own resources, commitments, and the results of his actions. Here, again, he must rely upon the information provided by his staff and external elements. Oftentimes, he may request that Executive Branch agencies prepare special reports; an example of this might be selected information on a county basis generated by the Office of Economic Opportunity. Also available to him are the range of services provided by the Legislative Reference Service of the Library of Congress, or the special capabilities resident in lobbyist organizations and business or university groups. The demand for information that is timely, accurate, complete and *relevant* is unremitting. How else can the Senator or Representative keep track, even in the most cursory way, of thousands of bills and resolutions, multiple committee and subcommittee assignments, and countless constituent visits, calls, and letters?

The socio-economic problems with which Congress must grapple often are related to the urbanization of our society. No single problem can be solved independently; the complexities of the urban milieu usually prevent such a simple step.

Even minimal rumination about the problems posed in such an urban environment will lead to the thought that positive, enlightened, flexible leadership is an absolute prerequisite if solutions are to be found. Senator Claiborne Pell, in commenting on the transportation problem in his book *Megalopolis Unbound*, underscored the importance of this:

"The important thing, from the public-policy point of view, is that there be some kind of coherent public leadership to coordinate these multiple efforts and encourage the best possible combination of services to assure mobility to all parts of the Megalopolis. At the very least, such comprehensive leadership should assure that alternatives are not denied the public because of conflicts in public policy." [2]

And so we have the dual tasks of public policy formulation and authorization of the expenditure of tax monies which are the responsibility of the Federal lawmaker. How can the systems approach aid him in carrying out these tasks? Can the creation of large, readily accessible data bases provide meaningful support to the harassed member and his staff? Could ADP-oriented models be constructed which would allow him to test in advance some of the alternative courses of action? While these options are only in the discussion stage, for the most part, at the Federal level, there is significant activity elsewhere across the nation as industrial, university, and occasionally government-supported groups experiment with the systems tools and techniques. I believe it would be of interest to mention a few such activities:

(1) "Use of Computers in the Storage and Retrieval of Severance Effect Information," a study by Harold H. Taylor and Milton C. Hallberg of the Institute for Research on Land and Water Resources of the Pennsylvania State University in cooperation with the Pennsylvania Department of Highways and the Bureau of Public Roads (U.S. Department of Commerce).[3] Automatic data processing is an important element of this research effort as it is employed in the correlation of highway severance case data; multi-parameter search of the 1,500 subject cases is featured.

(2) "Systems Analysis Techniques & Concepts for Water Resource Planning & Management," a report by the Technology Planning Center, Inc. for the State of Michigan under a grant from the Urban Renewal Administration (U.S. Department of Housing and Urban Development).[4] Analogies between the Department of Defense systems practices (e.g., modeling and simulation) and water-oriented examples are well chosen and enhance understanding of the technique transfer.

(3) "Concepts of an Urban Management Information System," a report to the City of New Haven, Connecticut, by the Advanced Systems Development Division of the IBM Corporation.[5] This study examines the organization, components, and intra-system lines of action within an urban management information system. Detailed descriptions of system programs, data file characteristics, and user patterns are accompanied by a discussion of the function of ADP, expressed in terms of urban problems and service needs and the delineated problems which must be mastered by management.

(4) "A Computer Based Building Cost Analysis and Design System," a report conducted through financing from the Low-Income Housing Demonstration Program (U.S. Department of Housing and Urban Development) and The North Carolina Fund.[6] The study describes an ADP-supported cost-analysis and design system for low-income housing being developed with the objective of providing dwellings that will meet a given quality standard with a minimum cost outlay.

The Federal government, in addressing many of these problems in the public domain, is working more and more with state and local groups. The Model Cities Program, for example, involves governmental groups at the national, regional, and local levels, and eventually will encompass 150 cities. Action has been undertaken to establish, in a series of phases, a City Demonstration Agency information system capable of collecting, formatting, transmitting, storing, processing, and retrieving selected narrative and statistical data on societal problem areas.

One of the chief concerns of the nation's leadership centers on the problem of overlapping jurisdictions and their acting as an impediment to progress. In many metropolitan areas, special authorities are being established. The Boston area is an excellent example of the progressive action necessary to meet the new problems. Here, the resident not only has a city government, but is "governed" by the Metropolitan District Commission, the Massachusetts Port Authority, the Massachusetts Bay Transportation Authority, and numerous other commissions and boards.

And so we have seen that sub-Federal groups are moving to counter the crises of our times through the imaginative use of technology and the creation of more effective political entities. At the Federal level, also, the concern and awareness are resulting in concrete proposals to alleviate the mounting tide of problems. A nucleus of pending legislation, carefully conceived and of sufficient merit to gain bi-partisan support, is calling for the creation of mechanisms which will examine the status quo and undertake bold "pilot projects" from which the decision-makers can gain useful information about the efficacy of the systems approach. A brief discussion of certain bills and resolutions introduced in the 90th Congress will be important to the fulfillment of the goals of this presentation.

Among the members of Congress most involved in the application of logical (i.e., systems) analysis to social problems is Senator Walter F. Mondale, who has stressed in his "Full Opportunity and Social Accounting Act" that the proposed system of social evaluation would:

(1) Sharpen our quantitative knowledge of social needs.

(2) Allow us to measure more precisely our progress toward our social objectives.

(3) Help us to evaluate efforts at all levels of government.

(4) Help us to determine priorities among competing social programs.

(5) Encourage the development and assessment of alternative courses without waiting until some one solution had belatedly been proven a failure.[7]

Several legislators in the House of Representatives have introduced bills urging the use of "objective, scientific, and empirical analysis" [8] in evaluating all Federal programs and activities. The mechanism in this legislation: an Office of Program Analysis and Evaluation.

Another recommended mechanism, and in this instance designed to perform a different series of functions, is the proposed National Commission on Public Management. Originated by Representative F. Bradford Morse, the objective of the new Commission would be twofold:

(1) to collect and analyze information about the application of systems techniques to nondefense, nonspace, public problems, and

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[2] Pell, Claiborne. Megalopolis unbound. New York, Frederick A. Praeger, 1966. p. 220.

[3] Taylor, Harold H. *and* Milton C. Hallberg. Use of computers in the storage and retrieval of severance effect information. Institute for Research on Land and Water Resources, The Pennsylvania State University, University Park, Pennsylvania, 1966. 35 p.

[4] Systems analysis techniques & concepts for water resource planning & management. Technology Planning Center, Inc., Ann Arbor, Michigan [no date]. 46 p.

[5] Concept of an urban management information system, a report to the City of New Haven, Connecticut. Advanced Systems Development Division, International Business Machines Corporation, Yorktown Heights, New York [no date]. 46 p.

[6] Cogswell, Arthur R., Werner Hausler *and* C. David Sides, Jr. A computer based building cost analysis and design system. North Carolina Fund Low Income Housing Demonstration Office, Chapel Hill, North Carolina, March 1967. 29 p. plus data forms.

[7] Mondale, Walter F. Some thoughts on 'stumbling into the future.' *In* Remarks of Honorable Fred R. Harris. Congressional Record (Washington), v. 114, January 30, 1968. p. 1375.

[8] U.S. Congress. House. H.R. 12291. A Bill to establish an Office of Program Analysis and Evaluation and a Joint Committee of Congress on Program Analysis and Evaluation. (90th Cong., last sess., August 10, 1967). p. 4.

(2) to develop programs which would use these techniques to solve specific problems.[9]

More than fifty Representatives formally supported this proposal (H.R. 20 and other bills) while in the Senate, more than a dozen members endorsed S. 467, which was introduced by Senator Hugh Scott. It is important to note that the Commission would be a "working" one, with its membership made up of representatives from industry, labor, government, and the universities.

Another approach to the same problem was initiated by Senator Gaylord Nelson, who has concentrated on using systems analysis and systems engineering in effecting optimum utilization of the nation's scientific and engineering manpower in solving public problems. In S. 430, Senator Nelson provides for grants-in aid to the states. Both his and the Morse-Scott proposals underscore the criticality of private and public sector support for the programs and projects which must be undertaken if the nation is to survive and flourish. The merger of the two approaches into a single bill now is being discussed by the principals, since there is total agreement on the vital nature of the legislation and it is not deemed a partisan issue.

Systems methodology and automatic data processing have been identified by Senator Edward M. Kennedy as essential elements of a proposed information service system for states and localities. In S. J. Res. 110, he notes the role of modern technology in expediting the exchange of priority project data, and points out that:

"Scientific advances in computer and information retrieval technology represent a major new capability which may have important applications to the development of a modern intergovernmental information system.[10]

Certain Congressional committees and subcommittees also have reflected an awareness of the role of ADP and systems analysis in their deliberations. The House Subcommittee on Science, Research, and Development has urged the utilization of the innovative techniques and procedures in coping with environmental pollution. Critical comments on the minimal budgetary support for research and development in the new problem areas, including the use of systems technology, appear in the committee documentation of the House Subcommittee on Research and Technical Programs.

It may be seen that the impact of systems technology has been acknowledged by many elements of the nation's legislature. The members continue to seek orientation regarding the new tools and techniques. A number of special seminars and symposia has provided an opportunity for Senators, Representatives, and Congressional staff personnel to learn more about automatic data processing, systems analysis, and related topics. At a recent Brookings Institution seminar entitled "Computer Applications to the Legislative Process," nineteen Representativess from both political parties met to discuss their information needs and the role which ADP and the systems approach might play in the future.

Whether in the Department of Defense environment or in the relatively uncharted areas of urban dilemmas, the resources of the entire nation must be brought to bear. The private sector has impressive experience and a strong interest in applying to public problems of any kind the power of technology. I ask you here today to stretch the horizons of your thinking, to delve into the backlog of your training and project experiences, and to make available to your nation the versatility and freshness of your thinking. Modern technology has helped make this nation great. All of us have benefitted from its contributions. But, the problems of the future often will dwarf the problems with which we are now familiar.

In the volume The Year 2000, an insight into the future is expressed in terms of the need for a more ordered society:

"Greater wealth and improved technology give us a wider range of alternatives; but once an alternative has been chosen, much regulation and imposed order is needed. Thus with geometric increase in the complexity and organization of modern life, corresponding, even if not directly proportional, increases in the scope and complexity of human and organizational controls will become necessary." [11]

The aura and evidences of changes are all about us. Those of us here today share a responsibility for disciplining our plans and day-to-day endeavors to encompass the innovations of our time. The traditional goals of the nation still are paramount: preservation of our national security and continued improvement in the standard of living for all the people. We possess the intellect, the ingenuity, the industry to attain these goals.

[9] Morse F. Bradford. Private responsibility for public management. *In* Harvard business review, v. 45, n. 2, March/April 1967. p. 7.

[10] U.S. Congress. S.J. Res. 110. A Joint resolution to authorize a study and investigation of information service systems for States and localities to participate more effectively in Federally assisted programs and to provide Congress and the President with a better measure of State and local needs and performance under these programs. (90th Cong., 1st sess., August 30, 1967). p. 2.

[11] Kahn, Herman *and* Anthony J. Wiener. The Year 2000. New York, The MacMillan Company, 1967. p. 346.

DEPLORING TREND TOWARD VIOLENCE IN THE UNITED STATES

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. THURMOND. Mr. President, the Senate and the Nation are still in a state of shock resulting from the horrible death of our colleague, Senator Robert F. Kennedy, in Los Angeles, Calif. last week.

I have heard much said and have seen many words written about this tragic event, which is not yet a week past, but few expressions have been sounder than the thoughts contained in an editorial in the News and Courier, Charleston, S.C., on Saturday, June 8, 1968, under the title "For Peace at Home."

Editor Thomas R. Waring suggests that this Nation's leaders have an obligation to openly discourage the militant and often violent protests, marches, and demonstrations we are seeing today in favor of a return to the traditional concept of personal and individual responsibility which made this country great.

There is no doubt in my mind that each of us must assume a personal responsibility to address ourselves to restoration of peace in our land.

Mr. President, I ask unanimous consent that this editorial be entered in the extension of remarks of the CONGRESSIONAL RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FOR PEACE AT HOME

As mourners gathered early yesterday outside St. Patrick's Cathedral in New York City to pay tribute to the murdered Sen. Robert F. Kennedy, some of them were singing what an announcer called "civil rights songs". The announcer noted that Sen. Kennedy himself used to lead the singing of this music, also called "songs of protest", to show his sympathy with the poor, the discontented and the oppressed.

Best known of the songs, we suppose, is "We Shall Overcome"—an old spirtual rewritten with words to suit these turbulent times. The song was sung first in a social protest movement a score of years ago in Columbus Street in Charleston, a few blocks from our publishing plant, during a tobacco workers' strike.

Who is meant by "we"—and whom are "we" to overcome? The origin of this song was religious. The meaning was that faith in the Lord would enable humble men to endure the troubles of mortal life and win spiritual triumph in the end. The song has been transformed to mean that certain citizens by sheer weight of numbers will force their way on other citizens, not to reach heaven, but to gain something for themselves here and now. The implication is that normal democratic processes are not enough to insure justice, and that freedom to pursue happiness should become a guarantee that the pursuit shall be successful.

In Washington, where Sen. Kennedy will be taken for burial today with his brother in Arlington Cemetery, spokesmen from Resurrection City announced a holiday from demonstrating till after the ceremonies. They could do their people and the nation at large great service by packing up and returning home as a gesture of reconciliation.

President Johnson's commission to explore violence need look no further than the shantytown on the Potomac for one of the sources of emotional imbalance in America today.

The Congress, too, is being implored to pass more stringent gun control laws, as though a law can calm the passion in a human breast.

Instead of generating more power plays and louder protests, demonstrations, marches and angry pronouncements, Americans in every walk of life should consider in this period of mourning a peaceful memorial for the Kennedys. Instead of dividing people into classes—the rich, the poor and the "middle class"—leaders of the Republic and their followers should encourage the traditional concept of personal and individual responsibility.

Mobilization of competing classes is bound to breed conflict. Earlier in the history of the country, it was said that every American is a king. In raising public figures to thrones of power, our people have come to expect too much from rulers and from candidates for political office. In their frustration, angry citizens turn to violence in the streets. Out of this violent soil, fertilized by sinister forces that cultivate dissension anywhere in the world, comes the evil fruit of hatred and the bitter taste of death.

In mourning for Robert F. Kennedy, let us pray for an end to hatred of any man or group of men, and a return of understanding and compassion among a great and generous people.

VIETCONG MURDER GERMAN HUMANITARIANS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. RARICK. Mr. Speaker, few Americans fully realize the humanitarian con-

tributions of our free German allies—as fellow free men in the war against tyrannical Communist aggression.

I include the report of the sadistic murder of five German allies from free Germany by the Red Vietcong terrorists as reported in the Bulletin of the German Official Government for May 17, as follows:

VIETCONG MURDER GERMAN DIPLOMAT

Baron Hasso Rüdt von Collenberg, the young first secretary at the German Embassy in Saigon, was found dead with his hands bound in a Saigon street. He had apparently been shot in the head by Vietcong terrorists in one of their attacks on the city. Recently four German doctors were also murdered by the Vietcong while performing humanitarian duties.

TEACHERS IN POLITICS: THE LARGER ROLES

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. YARBOROUGH. Mr. President, as never before in our history teachers are assuming greater roles in the politics of our Nation. I am in favor of this new posture and encourage this activity which I feel can only serve to strengthen us.

On April 5, 1968, Dr. T. M. Stinnett, visiting professor of education in the graduate college of Texas A. & M. University, spoke before the NEA Citizenship Committee teachers-in-politics dinner here in Washington, D.C. Dr. Stinnett's speech, entitled "Teachers in Politics: The Larger Roles," deals with this new role of the Nation's educators, and I commend the reading of this speech to my colleagues.

According to Dr. Stinnett:

NEA and its members must do more than faithfully observe the dictates of its charter to elevate the character and advance the interests of the profession of teaching and to promote the cause of education in the United States. NEA and its members also must concern themselves with the complex and disturbing economic, social, and political issues, as well as the educational problems of our people.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

TEACHERS IN POLITICS: THE LARGER ROLES

(By T. M. Stinnett, visiting professor of education, in the graduate college, Texas A. & M. University, before the NEA Citizenship Committee teachers-in-politics dinner, Washington, D.C., April 5, 1968)

As one who has had the opportunity to know intimately of the long and arduous struggle of the Citizenship Committee, often in the face of inertia and indifference, to rouse the giant that is the teaching profession to its rights, its responsibilities, and its accountabilities, I would be derelict if I did not congratulate the Committee on its achievements. Its posture today is vastly different from that it enjoyed, or suffered, only a few years ago. The concept, then, all too often, among honest and sincere educators was that its efforts were far-out leftish. And often its proponents were viewed as radicals and as agitators.

I remember vividly, sitting on the stage at one of its clinics. The subject under discussion was the right of teachers to participate in school board elections. A superintendent sitting by me, whispered into my ear, "My board members hope that our teachers would participate and oppose them. This would guarantee their reelection."

This was said as a sneer—a sneer at the presumed impotence of teachers in the political arena. I hope he, and his board members, are now wiser and repentant people. I know they are wiser, because two years after this incident, teachers did oppose the reelection of two board members and soundly defeated them. As for the repentance, I have no knowledge. But I surmise not. Such mindsets don't change easily.

On this occasion and on this subject, I shall speak with a sense of humility. I cannot pretend to speak with expertise on the techniques and processes of political action. I can only seek to identify the areas of great need for the involvement of the teachers of this nation. Besides, the Citizenship Committee has reproduced and widely distributed an elaboration of a series of eight principles, developed by knowledgeable people, dealing with the techniques of political action.

I have the impression that we may continue to exert too much of our efforts in the political arena to establishing firmly the right of teachers to participate. This is understandable in the light of our traditions. But this milestone has been passed. The right is established, as a general rule; except in isolated cases, there is no longer any substantive resistance to the exercising of this right, or any serious argument about it. Therefore, I shall spend little time in rehashing the past, in repeating the old shibboleths and the old arguments. The near-peon status of teachers throughout the most of our history is gone. It is time we were done with that history, and time we turned to the promise of our relatively new posture.

I suggest that our big problem is now what do we do with this right? What are to be its emphases? How can future efforts be channeled toward the ultimate goal of all politics, the welfare of the nation?

Somewhere in the first lecture of this series, I said that NEA: ". . . must do more than faithfully observe the dictates of its charter to elevate the character and advance the interests of the profession of teaching and to promote the cause of education in the United States. It must concern itself with the complex and disturbing economic, social, and political issues, as well as the educational problems of our people. It is no longer enough for the NEA to adopt pious resolutions on the crucial problems of the time; it must become aggressively involved in the solution of those problems."[1]

This dictum applies with equal force to organized teachers everywhere.

If the enthusiastic surge of teachers to exercise this fundamental right, is to concentrate solely upon our own special group interests, if it is to stop this side of the objective of a better America, then we have succeeded only in creating another pressure group.

There is nothing wrong with pressure groups; they are an integral part of a free society. But I want to explore the thesis that there are still larger roles for teachers' political action. Any dynamic movement encounters and conquers a succession of horizons. We must look to the horizons beyond.

The areas to which it seems to me, teachers must address their political action, if the cause of education is to be served and the cause of the nation is to be served, are:

1. The consolidation and strengthening of the emerging movement to make teachers a powerful force in the political life of the nation.

2. The aggressive mobilization of this power to effect the further democratization of our professional associations.

3. The complete dedication of teachers to the larger role of moving this nation forward to the moral grandeur of which it is capable, and which has been its sustaining dream.

I. THE PAROCHIAL CONSIDERATIONS

I will dwell on our parochial interests and the political action to secure them only to the extent of saying that there is a major sweep invitingly before us for action. Stated as a generalization, we must fight to secure legislation that will enable us to become a self-determining, self-propelling profession, in charge of managing and directing our own house. The current and growing turmoil in teaching with the growing resort to sanctions and strikes is, I think, a direct concommitant of our inertias of the past.

The teaching profession must launch an irresistible nation-wide campaign for state legislation vesting in it the powers to determine those to be admitted to practice, the conditions of continued practice, and those to be expelled from practice. Such legislation goes under various names—Professional Practices Acts, Professional Standards Acts, etc. Personally, I like the nomenclature being used in proposed legislation in California—"Professional Responsibilities and Accountabilities Act." Whatever the nomenclature, the purpose is to vest in the teaching profession, by law, the right to set the standards for selection, preparation, licensure, admission to the profession, professional growth requirements, codes of practice, and disciplining of the membership.

This we must do. The greatest single failure, in my opinion, of the teaching profession is that we have only nibbled at, played around the edges of this business of running our own business.

Recently, I was asked to appear before a class of about 50 senior teacher education students at my university. The first question fired at me was: "What is the cause of all these teacher strikes, unrest, and militancy?"

My reply: There is a complex of causes. But the basic one is that your counterparts of past years—the graduating teachers—were indifferent to their professional responsibilities. They assumed that it didn't matter whether they joined with their colleagues to demand better conditions for teachers and for education. If they thought about it at all, they thought this obligation belonged to that nebulous entity called the Public; or that all things would be added unto them just because they were teachers, by benevolent legislatures. Or they thought, let somebody else do it. We are now reaping the whirlwind of that vast withdrawal from reality by teachers; that mass retreat into non-commitment and non-involvement.

And I said to this group of youngsters, I predict that you will go out and do the same thing—gripe about salaries, gripe about being kicked about by local mores, gripe about being ignored in policy making, rather than join with your colleagues to correct these conditions, rather than pay a few dollars in membership dues. And at this point, I add here another observation. Teacher education institutions are doing all too little about orientating their students to professional responsibilities. Some of them are doing absolutely nothing. What other profession would tolerate this neglect?

What we are now beholding is the upsurge of a younger group of teachers who are determined to rectify the adverse effects of the non-involvement of their ancestral colleagues. They are young enough and sensitive enough to today's conditions to know that they shall have to do for themselves what their colleagues of the past depended upon public benevolence to do for them. Other professions learned this reality of life years ago.

Many years ago, I wrote a paraphrase of

[1] T. M. Stinnett. "Golden Years Upcoming? Maybe." *The Journal of Teacher Education*, Vol. 18, Fall 1967, pp. 363–78.

Alfred White Northhead's famous dictum. It read as follows:

"In the conditions of modern life, the rule is absolute: The Profession which does not value its freedom, its right to professional status, its right of self determination, is doomed. Not all your heroism, not all your social charm, not all your wit, not all your fragmented and sporadic gains can move back the finger of fate. Today we maintain ourselves in a precarious in-between position, half in and half out of a professional posture. Tomorrow, because of our inertia, the enticing blandishments of quick and easy victories will have moved ahead yet one more step toward submission to a monolithic power. There will then be no appeal from the judgment which will be pronounced on the uncommitted profession."[2]

Eleven states have now enacted professional practices laws; and 18 additional ones have proposed drafts ready for submission to their state legislatures.[3]

Also we must seek state legislation vesting in the profession the rights to participation in policy making and to negotiate professional working conditions.

Presently, there is legislation in about 15 states. There must be spelled out in law in every state the right of teachers to such negotiation and the procedures set forth in such categorical terms that there can be no quibbling over the meaning. Eventually, such negotiation in large measure is actually going to take place at the state level. Especially is this going to be true of salaries and fringe benefits.

Moreover, we must seek state legislation vesting in the profession the right to negotiate the remuneration of its members, including fringe benefits. In fact, I believe the time is coming, and soon, when there will be a nation-wide basic teacher salary schedule, jointly financed by the federal, state, and local governments. But negotiation of the implementation of this basic schedule will remain at the state level. We need to get ready for this development.

Although there are tenure and continuing contract laws in some 45 states, these laws are often vague and ambivalent. Some are permissive only. To me, the frequency and the nature of the mistreatment of teachers throughout this country has been, and is, appalling. No profession can tolerate such arbitrary and unilateral treatment of its members that occur almost daily somewhere, without diminishing its stature and without bemeaning its calling. Here is a prime goal for political action by teachers in the future. Seek simple, clear legislation, spelling out the rights of teachers and spelling out step by step the causes and the due process to be observed in dismissals. While I have supported with all my heart the DuShane Fund for Teachers Rights—and I still support it on a much larger basis—as a companion to it, we must have better legislation so that the number of cases requiring intervention of the professional associations rapidly diminishes.

If we attempt to gain these ends by sitting and waiting for action by others—with the thought that those who sit and wait also serve—that is precisely what we will get—action by others, vesting these powers in other groups than the teaching profession.

II. DEMOCRACY IN PROFESSIONAL ORGANIZATIONS

The second of our purely parochial considerations, to which the political power of teachers must be directed, is the refinement and renewal of the structure of our own professional associations.

I have the feeling, without really knowing it to be a fact, that teachers generally assume that their professional associations are above and beyond the political skirmishing exemplified in governmental affairs. This, I think, arises from the notion that professionalism and politics constitute two separate worlds, and never the twain shall meet. This is not true in any organization.

The drive, to put it in the bluntest possible language, must be for the one voice, one vote, no more, no less, in managing the affairs, in setting policy for our associations—local, state, and national.

Now, I know there is some degree of naivete in assuming that this can be achieved as an absolute in any organization. But it can be approximated to a satisfying degree, by eternal vigilance and extraordinary involvement by the total membership.

What am I trying to say at this point? I am trying to say what you know, and what is rarely discussed openly; that our associations, as a general rule (there are exceptions, of course), tend to be dominated by the shakers and movers, rather than by the rank and file of members.

The selection of officers tend, too often, to be a routinized affair, with the candidates picked by power structures, well in advance of elections. Policy decisions, too often, tend to be made in advance of formal adoption; and those who actually vote the policies, too often, never suspect that they are being manipulated. Above all, the rank and file have too little chance to consider or be heard on the proposed policies.

I believe these are reasons why many of our young teachers are not attracted to leadership roles in our associations. How can this problem be attacked? In three ways.

I suggest the institutionalizing of dissent. The provision that any member of NEA, for example, may attend the annual convention, register for a pre-convention caucus or series of caucuses. For example, a liberal caucus and a moderate caucus. In these caucuses, every member who felt deeply enough to attend and pay his own expenses could be heard and all issues thoroughly discussed. These discussions would, of course, not be binding upon the representative assembly. But they would have great impact upon that body.

Secondly, each caucus could choose reporters to appear before State delegations to explain their adopted positions and seek support for these positions on the floor of the representative assembly. Such positions could get into the deliberations under "New Business."

Thirdly, I have felt for a long time that the NEA Executive Secretary should have a Special Assistant whose sole responsibility would be to study the future, what's coming up on the horizon, read widely for new ideas, talk to informed people in all fields, consult with the members of the teaching profession, and formulate possible courses of action. The formulations could be submitted to the caucuses for discussion, being rejected or endorsed according to their merits.

This Special Assistant should be the youngest, brightest, sharpest scholar that can be found, a person equipped with a sensitive radar, capable of spotting the issues and trends just over the horizon. I suggest this because the Executive Secretary will always be over-burdened handling the daily, unceasing problems of administering this huge organization, with little or no time left to scan the future for portents of things to come.

The same structure could be applied to state, district, and local association conventions. Moreover, these causes could have great influence upon the election of officers.

III. THE LARGER GOALS

Now I speak of the larger goals before teachers as political citizens. These larger goals have to do with the alarming problems before this nation—goals to which teachers can and should address themselves. The indispensible task before this nation is to recapture and to exemplify that moral grandeur which we claim to have been at the core of our being.

In the past, we have sung with great vigor and great emotion: "Thine alabaster cities gleam, undimmed by human tears . . . And crown thy good with brotherhood, from sea to shining sea."

All of us, as Americans—at least the realists among us—know that if these beautiful figures of speech were ever true, they, and the ideals they encompass, are now in disturbing disarray. Clearly, we face but one choice—the resurrection of the dream and the full implementation of its sweep.

This is no easy task. It is one that will require the traveling of the Third Mile. It will require extraordinary courage, forebearance, tolerance, and patience.

I have the dream, that somehow, teachers ought to be, and can be the essential leavening force in this resurrection. This nation is in trouble, and it is not going to be made whole again by milksops or people unwilling to give up their biases for the welfare of the country.

I quote a passage from John Steinbeck's *Travels with Charley*, in which he described an admonition received from a friend before going on the journey across the nation described in his book. This was from a political reporter who reported the 1960 presidential campaign.

"If," he said, "anywhere in your travels you come on a man with guts, marks the place I want to go to see him. I haven't seen anything but cowardice and expediency. This used to be a nation of giants. Where have they gone? You can't defend a nation with a Board of Directors That takes men. Where are they?"

"Must be somewhere," Steinbeck said.

"Well you try to root out a few. We need them. I swear to God the only people in this contry with any guts seem to be Negroes. Mind you," he said, "I don't want to keep Negroes out of the hero business, but I'm damned if I want them to corner the market. You dig me up ten white, able-bodied Americans who aren't afraid to have a conviction, an idea, or an opinion in an unpopular field, and I'll have the major part of a standing army."[4]

It is an odd coincidence that Macaulay's famous letter to Henry Stephens Randall was written almost to the month when NEA was being formed in 1857. The organized teachers of this country have been a prime reason why his gloomy predictions have not as yet eventuated. But they could yet. We need now, of all times, to re-read his warnings. While none of us would embrace his class society concept, we need to ponder his projections.

He wrote—and remember, this was May 1857—

"I have long been convinced that institutions purely democratic must sooner or later, destroy liberty or civilization, or both. . . . Either the poor would plunder the rich, and civilization would perish, or order and property would be saved by a strong military government, and liberty would perish."

Then he predicted we would be all right as long as we had free land. But when we become an urban people, he said: ". . . Then your institutions will be fairly brought to the test. . . . It is quite plain that your government will never be able to restrain a distressed and discontented majority. . . . There is nothing to stop you. Your constitution is all sail and no anchor."

He concluded with: "As I said before, either civilization or liberty must perish. Either some Caesar or Napoleon will seize the reins of government; or your republic will be

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[2] T. M. Stinnett, "The Charge to Participants," in *Moving From Ideas to Action* (Report of the 1962 Regional Conference) National Education Association, National Commission on Teacher Education and Professional Standards, Washington, D.C.: The Association, 1962, pp. 178–80.

[3] Roy A. Edelfelt, "Progress in Professional Practices Legislation," *NEA Journal*, February, 1968, pp. 64–65.

[4] John Steinbeck. *Travels with Charley* New York: The Viking Press, 1961, p. 151.

as fearfully plundered and laid waste by barbarians in the 20th Century as the Roman Empire was in the fifth—with this difference, that the Huns and vandals who ravaged the Roman Empire came from without, and your Huns and vandals will have been engendered within your own country by your own institutions." [5]

There is something of a vacuum now in national organizational leadership in the direction of social justice. The vacuum has been created, at least in part, by the default of leadership by organized labor.

Don't take my word for that. Listen to Walter Reuther when he accuses organized labor of vegetation and inertia regarding the great social and economic issues of our time. Or listen to A. H. Raskin who wrote:

"Suddenly they are all gone—the pioneers who gave fresh direction to the American labor movement in the first feverish thrust of the New Deal. In the marble palaces they erected as monuments to labor's new found eminence sits a new breed of union civil servants. It is a corps of organization men, bland, faithful, uninspired, drifting into an era of limitless technological change with compass points set in the Great Depression. In a society confident of everything except what reason it has for being, no element is more serene, more complacent, more satisfied of the eternal rectitude of its ancestral policies and practices." [6]

Here, it seems to me, is a void presenting the opportunity of a century for leadership to a profession that truly represents all Americans, of whatever color, creed, or economic and social circumstance.

It is an opportunity for leadership, for constant evolving of just goals, and the opportunity to form a powerful political coalition to these ends.

I think we will miss the boat if we assume that the role of teachers in such a vast movement is that of only of educating the public. Education, of course, is important. But teachers' efforts must go far beyond and present a united, vigorous activist front to move the nation toward its destiny.

What specifically are the larger goals that teachers must, I think, exert every ounce of power to induce acceptance by the people?

Teachers must fight to induce our people to shift from their traditional interests to the great social issue of our time.

Teachers must fight for a shift from obsession with equality of opportunity (which has become something of a sterile cliche) to equality of the human condition.

Teachers must fight for a shift from obsession with property rights and protection of those rights to obsession with the recognition of the rights of persons.[7]

Teachers must lift up their faces and their wills against the ugly facade of racism. Racism, be it black, white, yellow, brown, or whatever, has no place in an open-ended society. No nation on earth, especially this one, as the acknowledged leader of the free peoples of the world, can long exist as an affluent island in a sea of cultural, social, and economic deprivations, among its own people; or in the world, for that matter.

Neither can any of our national groups withdraw unto themselves and operate for their kindred only the semblance of an exclusive country club. And this is just as applicable to any of our minority groups as it is to the majority.

There is an innate dignity about a decent human life, with its God given potential of living in the upper reaches of the human spirit and its aspirations, that ought never to be violated by another living being. That dignity ought to be as sacred to me as is my own; and, if I violate it, I demean my own stature. Again, this is as applicable to minorities as it is to the majority. This is not a one-way street, and those who assume and act as if it were, simply return us to the outmoded paths of the past.

This means the right to full education in the best sense. This means occupational opportunities that are as equal as a just society can make them, in consonance with divergent talents. This means the right to equal protection under the law and equal treatment before the law. This means compensatory education for those neglected children we imperfectly categorize as deprived. Actually, this is not an ethnic problem. It applies almost all across the board, to all races, and cultures, where the birth right of high quality education has been denied them. These are children of our rural areas, where the cruel and still lingering inequalities of local controls wreaked their inadequacy upon their own children. The problem of our ghetto children of all races is that they migrated to the cities and slum schools, as fugitives from slum schools in the first place.

Certainly, this means compensatory reeducation of our teachers who come into the schools from deprived opportunities.

This means a teacher in every classroom with whatever group of children, with a fanatical zeal and the understanding and skills, to make certain that each child has his chance at a decent education.

It is a thing of which we cannot be proud that Indian children, or Latin children, or children of migratory workers are still being short changed.

A teacher in New Mexico told me sometime ago that she had three cultures represented among her children. She knew she was failing to reach the Indians and Latins, and she asked why of one bright lad among the Latins. He said "Because when you touch one of us, you cringe."

In Texas, I keep hearing stories about the sad consequences of some schools mandating that all teaching be in English. One story is that a supervisor overheard an Anglo child conversing on the playground in Spanish with his Latin friends. According to the story, he was immediately summoned to the office and punished. I cannot vouch for the authenticity of this story, but I have heard it repeated many times.

Decentralization of our population

I think, too, this means a steadily escalating migration from our inner cities to suburbia and beyond. I think this means the decentralization of our small industries so that virtually every small town has a sustaining industry. I think this reversal is needed to cure the economic plight of the rural areas. Presently 70 percent of our people occupy 2 percent of our land while 40 percent of our land is occupied by cattle.

There is no lasting solution really to the inner city problems. You solve one and open up 10 more. The partial answer, at least, is to reverse this flow. And federal funds must be heavily involved.

Our real long range answer is to get our people out into the open country into sunlight and fresh air, where they can live in dignity and security and their children can grow up preserving their identity. I know this idea is generally held by the experts to be an impossible dream. But in my view, it must come to pass.

Meaning of the open-ended society

Teachers must lead the fight to persuade our people to embrace the full meaning of the open-ended society—and to thank God that they have the opportunity if they will only seize it. This means convincing our people that we can have the authoritarian society, or we can have the free society. We can't have both. And we can't have a hit-or-miss, off-and-on sometime one and sometime the other.

To do this we must convince our people that fixed goals and diminishing alternatives are marks of the authoritarian society.

To do this we must convince our people that an open-ended society is characterized by a proliferation of alternatives.

To do this we must convince our people that the open-ended society will always be marked by controversy, dissent, and intramural quarrelling—because these are the means by which the majority makes wise decision and determine new and ever-shifting objectives.

To do these things, teachers must themselves reflect a sense of enduring values and exercise an abnormal amount of self restraint.

I have said that this country is in trouble. It is. And it may be in much more critical trouble than we think.

The circumspect thing for me to do here, obviously, is to engage in easy banalities, and leave the disturbing things for others to say. But that would be intellectual dishonesty on my part.

Just here is one of the chief weaknesses in this country today. The voice of reason is being shouted down under the glib guise of the right of dissent. The posture of the moderate is being derided and hooted at and trampled underfoot by the far-left activists. Reason and moderation are being intimidated into silence and inactivity by intellectual lynching parties.

The popular thing for me to do here, I know, is to hold forth the alluring picture that teachers are on the glory road, by virtue of a newly-found activist vigor, by virtue of a newly-found political muscle. It would be pleasing for me to assert that teachers, to paraphrase a statement by Mr. Justice Brandies, are headed for paradise on an escalator called evolution. But the future of teachers cannot be more hopeful than that of the nation itself. And, I repeat, this nation is in trouble. The right of dissent has been blown up, by appealing sophistries, into the right to suppress dissent of those with whom we do not agree. This is not dissent; that is anarchy.

The right of civil disobedience, in the language of Sidney Hook, has been escalated by extremists into the right of uncivil disobedience. The right to peacefully assemble and petition for redress of grievances has been distorted into the right to form mobs for the purpose, wittingly or unwittingly, of forcing redress by violence. It is frightening how easily many Americans are accepting the excuse that this nation began in rebellion. So it did. But we forget that there was then no recourse to the changing of laws or the government by the orderly process of the ballot.

Teachers have a deep responsibility here. If they are to run with the mob, if they are to indulge in the hysteria of unreason, if they are to embrace the current madness of lawlessness then the country is really in trouble—so deep and bitter it may not survive.

In my lifetime I have had two disillusioning, cruel, heartbreaking experiences with mobs. As a young college student, I witnessed the taking of the life of a human being by a mob. As a young college graduate, serving an apprenticeship as a reporter on a city newspaper, I saw the aftermaths of another life taken by a mob. In neither instance was the victim guilty of more than a mild misdemeanor.

Those two incidents burned their bitter message so deeply into my soul as to separate me forever from the vast immorality of mobism and racism, in every minute nuance of the meaning of the words.

The greatest of all possible triumphs of the involvement of teachers in politics, in

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[5] Walter H. French and Gerald D. Sanders (Eds.) *The Reader's Macaulay*. New York: American Book Company, 1936, pp. 62–65.

[6] A. H. Raskin. "Making Strikes Obsolete," The Atlantic Monthly, Vol. 217:6, (June, 1966), pp. 45–52.

[7] For a fuller discussion of this point, see Laurence K. Frank, "The Need for a New Political Theory," *Daedalus*, Vol. 96:3 (Summer 1967) pp. 809–817.

my view, is for us—all of us—to set our faces, our wills, and our actions against the mob spirit, and for the achievement of human justice through the orderly change in laws that do not serve this end.

I know, of course, that in the conditions of today, with the swift flow of events and forces, the chaotic co-mingling of sky-high aspirations and jumbled value judgments, this view is considered old hat by the activists. But I know, too, that this nation must have some anchorages in responsibility and accountability. These anchorages constitute a complex of factors—teachers, ministers, home, church and synagogue, mass media, the enlightened community, and others. These anchorages must reflect and defend some reasonable norms of dissent and behavior. The argument that a relatively small group such as teachers is lost in a vast morass of mass mores and is powerless to affect the national climate tends to deny the basic premise for the very existence of the public schools.

If ever there was a time in the history of this nation when its people could identify without a doubt a cross-roads and choose the direction they must pursue, it is now. I covet for teachers a vital part in blazing the new trail that must be traveled.

Ideologically, that cross-road is marked by the house we live in as a people. It is an old house that must give way to a new and viable structure.

Elias Liberman epitomized this need:

"I am tired of echoes in the old house;
Echoes of ancient hatreds and historic feuds;
Echoes of outworn slogans;
Echoes of pompous fools long dead;
Echoes of statesmen whose folly is more enduring than bronze.

Man's mind reaches past the stars,
Probes into the atom,
Measures waves of ether in the infinite spaces,

His soul trembles at a brother's pain,
Sees light through jungle darkness,
Sings with faith and tenderness the vastness of divinity.
But he still lives in an old house,
An old house full of echoes.

Tear down the rotted board;
Scrap the bat-haunted chambers;
Stop the babbling of simian tongues
Pretending to blabber wisdom.
It's time to build new towers for a new age."

And one of the keys to the building of the new structure is teachers who care, who care about their profession and who care about the destiny of every child who comes to them and who care about the future and who care about their country.

CHARGE OF BIGOTRY TRIGGERS REPLY

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. UTT. Mr. Speaker, it has become popular to ascribe racism to any act by any person in opposition to legislation which in any way appears to favor a minority race.

As so used, the term is derogatory to anyone of the Caucasian race, but those who openly and arrogantly espouse black racism escape castigation. In like manner, discrimination when practiced by a Caucasian is evil, but becomes holy when practiced by blacks, according to liberal thinkers of today.

Mr. Morris Ryskind, in his June 7, 1968, article appearing in the Washington Star, clearly expresses his views on this subject, and effectively delineates the fallacy of supporting or opposing any person on the basis of race, religion, or national origin. I have been a longtime friend and admirer of Mr. Ryskind, not only as a brilliant writer, but as a man of principle and integrity.

The article follows:

CHARGE OF BIGOTRY TRIGGERS REPLY

(By Morrie Ryskind)

In a number of letters from blacks—Negroes is an offensive term to them—I'm accused of racism. Here is a composite: "You didn't like Dr. King, and you disapprove of Dr. Abernathy, Rap Brown, Stokely Carmichael and anyone else who advocates black power. Though you are a member of a minority group yourself, you show no sympathy for other minorities seeking their place in the sun. You want only Uncle Tom."

Well, though I'm Jewish, I do not hold that every Jew is, ipso facto, a noble human being. There are Jewish hoodlums, thieves and chiselers, as in every other group. And I don't think that being a member of a "minority" entitles them to any special privileges.

The black power I admire is that shown by Willie Mays, my favorite ball-player, who earned his place by his ability, and not because someone came around with a quota list and demanded he play left field because he was colored and his race had suffered indignities. You'd have to root for Willie even if he were white.

Similarly, I go for Hank Aaron of the Atlanta Braves, whom it's always a pleasure to watch. But I still retain my fondness for Babe Ruth, who was white. And I didn't root for Sandy Koufax just because he was a fellow-religionist.

Archie Moore stands high as a boxer in my book—but even higher as a man. He was chosen as "Mr. San Diego" last year by a community grateful to him for taking colored youngsters off the streets and teaching them that earning your way is a far more satisfactory life than looting. Don't call him Uncle Tom, incidentally, to his face. He still has a punch.

I also admire George Schuyler, the famous colored writer it has been my privilege to know for over 30 years. No man has more consistently preached the now-derided "American Way." And if you think I've been rough on the blackmail of "black power," you ought to read Schuyler on it.

I didn't like the methods of Bugsy Siegel—who was Jewish—any more than those of Dutch Schultz and the Capones—who weren't. Nor do those tactics appeal to me more when they are employed by blacks.

In Washington, for example, colored gangs have suggested to white storekeepers that they might protect themselves against possible arson and looting by displaying a lithograph of Dr. King in their windows. The cost is only $50; and for an additional $30 a month, they will provide all-year protection . . . The late Mr. Schultz made a pretty penny by offering similar insurance against "accident" to New York merchants.

I didn't like the Rosenbergs—who were Jewish—spying on us for Russia. Nor did I like the clandestine activities of Alger Hiss—who is Gentile.

By the same token, I think little of Dick Gregory's talk to the graduating class of Yale early this year: "Henry Ford hired 6,000 niggers (sic) in two days. Why do you think he hired them? The fire got too close to the Ford plant. Don't scorch the Mustangs, Baby! Do you realize how long it would have taken through peaceful channels to get 6,000 black folk hired and through those tests?"

Obviously, those 6,000 must have included many totally unversed in the know-how required to work even on an Edsel. But that doesn't matter, apparently.

And more from the same speech: "We just got an insane law to say you can't burn an American flag. I say, what in the . . . is an American flag but a . . . rag like all the other flags all over the world? I'm not interested in rags."

Dr. Abernathy talks with God—he says—but when he speaks with us mortals, he sounds just like Gregory. "We will raise hell!" he declared, unless Congress gives him what he demands.

I think sadly of Oscar Joel Bryant, the young Negro policeman recently slain here in Los Angeles, shot down by black gunmen while he was trying to prevent a Negro shop from being looted. And it is my belief that the young hero died for America, and that he did more for his country and his race than all the Abernathys, Carmichaels and Gregorys put together.

And if that's bigotry, make the most of it.

WHY I'M FOR ROCKEFELLER

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. SCOTT. Mr. President, the New Republic of June 15, 1968, contains an article by my able and distinguished colleague from Kentucky [Mr. MORTON], which cogently and perceptively states the case for the presidential candidacy of Gov. Nelson Rockefeller. I ask unanimous consent that Senator MORTON's excellent article be printed as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHY I'M FOR ROCKEFELLER

(By THRUSTON B. MORTON)

I am deeply concerned whether the leadership of either the Democratic or the Republican parties is sufficiently aware of the tremendous responsibilities they share in 1968. Perhaps as never before, the American people are going to need, demand, the best each party has to offer. As never before, the political power structure should put the public interest before narrow self-interest. But don't bet on it! At this writing, the odds are that the entrenched and too traditional party bosses will choose, or guide the selection of, their party's nominee, and that the coronation ceremonies at each convention this August will reflect more the desires of the pols than the polls.

Far too much depends on the sagacity of our national leadership at this time to permit the choice of a new President to be determined by entrenched party functionaries, for these are unusual times, and they demand unusual foresight and freedom of action.

That is why I have come to the conclusion that Nelson Rockefeller is the only Republican candidate who can win this fall, and who can thereafter unite a divided nation. He is the only tested political leader who can make the tough decisions, with his eyes and his options open. He is, in my opinion, the only Republican who can win other than a Pyrrhic victory.

In political terms, he must redirect the Republican Party from its self-imposed minority status to a role of national responsibility. This would require moving more in the

direction of the Republican governors, who occupy 26 statehouses where a substantial majority of our citizens reside, and away from the traditional position of a more or less responsible opposition in the Congress.

In a tumultuous year that has produced a multitude of crises at home and abroad as well as presidential possibilities, it seems appropriate to discuss Governor Rockefeller in relation to the declared and potential candidates in both parties. It is also pertinent to examine the issues to which Governor Rockefeller and all the challengers must address themselves.

All of us at the moment, are in a state of shock over the assassination of Robert Kennedy on the very day of his political triumph in California and South Dakota. We shall never know what greater triumphs he would have achieved. We can only salute him and sorrow what has been lost by this monstrous, mindless act of terror.

The candidacy of Vice President Humphrey, more by circumstance than design, represents the last will and testament of an Administration largely discredited by its pursuance of unrealistic goals abroad, and unfulfilled promises at home. The currently embattled President of France, Charles de Gaulle, has frequently and hypocritically referred to US foreign policy as tempted by a "taste for intervention." The policies which Vice President Humphrey must defend, and logically extend, are premised upon a taste for government intervention into the affairs of every citizen and too many nations. The foreign policy which Mr. Humphrey has helped formulate has led this country down a garden path of overcommitment, such as Vietnam, from which we must now attempt to extricate ourselves. Such outdated policies, for which both political parties share some degree of blame, must be changed. Can a man whose nomination will largely depend upon the support of President Johnson repudiate the foreign adventures of his benefactor?

Just as dated are the old New Deal dogmas of domestic government intervention, based on the illusion that a Great Society can be built from the top down. Such divergent social scholars as Milton Friedman and Daniel Moynihan, and disparate pressure groups as the NAM and ADA, generally agree that the remedy for our urban and racial ills will no longer be found in an increased multiplicity of federal bureaucracies. Rather, a new blending of resources and responsibilities must emerge in which the full initiatives of state and local governments, the private sector, and Washington, can be utilized. Humphrey is product and proponent of an approach to domestic problems that has outlived its usefulness. Can he, in any measurable degree, depart from the populist ideology stretching from Roosevelt to Johnson, and urge a radical realignment of America's diverse strengths to deal effectively with our immense weaknesses?

Governor Rockefeller is committed, by word and deed, to the proposition that a new mix of energies can and must be applied now to pressing social needs. As governor of New York, he has demonstrated that action programs can be originated and carried out at the state level, and that they can be massively as well as soundly financed. No other presidential candidate, of either party, has comparable credentials in this area. Rockefeller is a manager and an innovator with the proven capacity to develop a new set of relationships between the private and public sectors than can cope with present-day realities. One of these realities is that the federal government must continue to play a major role in our social and environmental betterment. The other is that while the level of welfare spending must continue to rise, the greatest increase will come from outside the Washington establishment.

Senator Eugene McCarthy, a modern man for all seasons, appears destined to be rejected by the Democratic big city bosses and party power brokers. They have seen him organize the young and the alienated into orderly and effective campaigners. They don't like what they see. Gene McCarthy is threatening to let light and air into the smoke-filled room and the political operators prefer to work in the dark, out of sight. Senator McCarthy has, almost singlehandedly, forced the heavy hand of the Administration on the issue of Vietnam and opened that national tragedy to the glare of political debate that it demands. For this our nation owes him an unpayable debt. Regardless of the outcome of present and future diplomatic maneuvers, McCarthy has made it possible, if not likely, for the US to change a course destined for disaster.

And that is not all. He has succeeded, I hope lastingly, in turning on our nation's most valuable asset, the young, who had been turned off by the misguided direction of our involvement in Vietnam and its disruptive repercussions here at nome. In a sense, he deserves to be elected President. But that, realistically, is not the way the system works. Logistics and organization will win out.

On the Republican side no less than the Democratic, the incredible events of recent months have opened up a new challenge and a new opportunity. These earthshaking events have also raised a number of serious questions, that under different circumstances might have fallen simply within the purview of our party leadership, but now deserve and demand the country's attention. For the answers may well spell not only the future of the Republican Party and our two-party system. They will also have a profound influence on whether we, as a party and as a nation, heal our social wounds or permit them to fester—whether we face the world as it is rather than as it was.

Will the Republican Party continue as the smallest of our three political groupings, trying harder but trailing behind Democrats and Independents? There is only one of the leading contenders in my party who has consistently shown that he can command the support of a great majority of independent voters and siphon off a very substantial percentage of registered Democrats. That man is Nelson Rockefeller. In recent national polls, Governor Rockefeller runs as strong, in two out of three cases stronger, than Richard Nixon. But, even more important, in the big population industrial states Rockefeller has a decisive lead. He runs between 10 and 20 percent ahead of Mr. Nixon against any Democrat with California voters. In the key states of Ohio and Pennsylvania, current private polls show Rockefeller the only Republican who could win. All the primaries have conclusively proven that Dick Nixon has the hearts and votes of an overwhelming percentage of registered Republicans. Such support and unity are valuable and deserved, but while no one can unite Republicans like Richard Nixon, neither can anyone so unite Democrats.

I must add that divisiveness within my own party is not going to be a major factor this year because too many of us still bear the scars of four years ago, and because most are looking to possible victory ahead rather than dwelling on defeats in the past. Governor Rockefeller has made it clear, perhaps at some cost to his early campaign, that he will have no part of the acrimony that tore us apart in 1964. But ducking acrimony does not require ducking the issues and ducking debate. Nelson Rockefeller will not do this, nor will I. But 1968 is a far piece from the last presidential campaign, and I am confident that all the candidates and all Republicans will support whoever emerges on top from the convention in Miami.

Can strict party unity and orthodoxy prevail, however, in an unorthodox age rent with political dissensions? In this uncertain land and time, there is growing disillusionment with both the Republican and Democratic parties. The greatest growth in political clout is developing among those of all ages, of all incomes, of all geographic areas, who cannot pledge blind allegiance to any party. Their accomplishments and their hopes have outdistanced the narrow party platforms of the past.

This new power center is going to weigh carefully objectives with capabilities, aspirations with possibilities, and their new realism is tempered with confidence in themselves and hope for the future. This mighty but unmeasured mass of Americans will not buy the old terms of inevitability, from poverty at home to "victory" abroad. They are growing accustomed to change; they want it.

If the philosophy of Nelson Rockefeller can be simply summarized, I believe it is adaptability to change. Labels such as liberal and conservative have gone out of style, have lost whatever relevance and meaning they ever had. The Governor of New York understands the desperate need to develop flexible programs to deal with rapidly changing crises in our cities, in our schools, in our environment, and in our very attitudes, which, in the final analysis, will determine if our nation will pull together, or come apart. As governor, Rockefeller has proposed, pushed through a frequently uncooperative legislature, and then wisely administered complex programs in housing and mass transportation that are bigger than those of the federal government. At the same time, he has never let size and complexity override individual initiative and individual welfare.

Rockefeller also understands the complexity of change around the world, and the unfortunate fact that US policies have largely failed to keep pace with this change. We have become locked into foreign policy positions that have too much in common with the circumstances of 1948, and too little with 1968 and the tidal waves that are sure to come. For instance, 20 years ago Nelson Rockefeller foresaw the need for economic assistance to open up the hinterland of Latin America. He warned of political and social upheaval if the United States did not move speedily to develop a sense of partnership with our neighbors to the south.

Will the Republican Party lead the revolution of discontent at home and around the world or fight it? Will we lead the search for accommodation among peoples and nations, or obstruct it? I believe our party has the leadership and the vision to guide the manifest disorders in the cities and in the universities away from violent overthrow and toward peaceful solution. We can if we take a positive approach, talking more about construction and less about condemnation.

Twenty years ago, a Republican leader in the US Senate urged passage of legislation for federally sponsored programs to deal with water pollution, public housing, aid to education, fair employment and health care. "I believe," he said, "the American people feel that with the high production of which we are now capable, there is enough left over to prevent undue hardship and maintain a minimum standard floor under subsistence, education, medical care and housing, to give all a minimum standard of decent living and to all children a fair opportunity to get a start in life."

Sounds like Michael Harrington! But, it was the late Robert Taft. If "Mr. Republican" rejected the notion a generation ago that such programs were "pie in the sky," one can hardly describe massive rebuilding of our ghettos and some form of incentive income supplement as "pie in the sky" today. The Republican Party that Nelson Rockefeller represents has a recorded tradition of charting bold new courses of action, and if we follow the Taft example, we will nominate Rockefeller in August and then elect him.

Here and abroad, there is a crying need for accommodation, between races, between rich and poor, between nations, between ideologies. I remember only too well the shrill cries of fear and obstruction that one year ago echoed in the Senate and from a very

vocal minority across the land. We were then considering ratification of a consular treaty with the Soviet Union, the Fiat deal, East-West trade and other calculated and cautious measures to break down the barriers to better understanding between opposing (but decomposing) ideologies. One group was formed calling itself CEASE, or the Committee to End Aid to the Soviet Enemy! Such narrow-minded, simplistic views contribute nothing to a reasoned and rational foreign policy and are counterproductive to our national security and our national interest. Governor Rockefeller has convinced me, and I am sure he will convince his party colleagues and the American people, that he stands for enlightened self-interest in American relations with friend and foe alike.

I am convinced that he believes, as I do, that we are overcommitted and overextended around the world, that we must weigh more carefully the balance of military and economic aid, and that it is imperative that a new Administration immediately reexamine precisely what is and what is not vital to our national security. Nelson Rockefeller would pledge vision not invasion, mobility not mobilization.

The presidential elections of 1968 offer the Republican Party its last best hope to put together a national political coalition built upon the ashes of the once all-powerful New Deal. We can do it this year. We can offer the 12 million young and overwhelmingly responsible Americans, who will vote in a national election for the first time, a candidate and a platform that will command their interest and support. We can offer our bewildered and despairing underclass, black and white, urban and rural, a new sense of participation. We can guarantee them a helping hand to progress, within a framework of equality before the law, and order tempered with understanding.

A century ago, the fledgling Republican Party did promise democracy to the oppressed, offered land to the homeless, education to the illiterate, freedom to the slave. Some called our party revolutionary in those days, but Republicans were proud of it and displayed the adventurous spirit that made America first a continental nation and then a world power.

We can do it again. I deeply believe that the aspirations and the realistic objectives of the great majority of Americans have more in common than not. If we stress progress, if we outline problem-solving, if we accentuate improved human relations, if we put the positive before the punitive, then we can and will elect a Republican President in 1968. Only a fool or a charlatan would promise peace and quiet, order and obedience in a time so fraught with confusion, difficulty and disruption. There are rough days ahead. But whether our society survives and prospers may depend on where we put the emphasis. Governor Rockefeller has demonstrated that he understands the importance of relating human needs to material priorities. Only the Republican Party can give the American people the opportunity to give him their support. The big political question in coming weeks is—will it?

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. SCHERLE. Mr. Speaker, this is the 140th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

THE FACULTY OF AGRICULTURE AT THE UNIVERSITY OF KABUL

HON. GALE W. McGEE

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. McGEE. Mr. President, back in the days when I was teaching history at the University of Wyoming, before my election to the Senate, the university began what has become a significant association with the Nation of Afghanistan and with its University of Kabul. This association has grown over the years since it began in 1953. In the current issue of the Wyoming Alumnews, Prof. Robert Pfadt reports:

The University of Wyoming is developing through a United States Agency for International Development (USAID) assistance program a modern college of agriculture which is shaping the destiny of this emerging nation, Afghanistan, more than did all the conquerors of the past.

The importance of the college is pointed up by the fact that although the economy of Afghanistan is 85-percent agricultural, modern advances is the science of growing crops and raising animals had not reached this remote part of the Asian Continent until recent years.

Mr. President, I share the pride of the University of Wyoming in the work its college of agriculture in particular has been carrying forward for the past 15 years to help Afghanistan increase its food production, develop its educational institutions and improve its people's health and welfare. I ask that Professor Pfadt's article from the May–June issue of the magazine of the University of Wyoming Alumni Association be printed in the Extensions of Remarks in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MODERN AGRICULTURAL METHODS: MORE EFFECTIVE IN AFGHANISTAN THAN ANCIENT CONQUERORS

(By Robert Pfadt, professor of entomology)

HALF WAY AROUND THE WORLD from Wyoming in a rugged Asian country that has witnessed the crossing and plundering of ancient armies—of Darius, the Persian King of Kings; of Greece's Alexander the Great; of the ruthless Mongolian Genghis Khan; and of Babur, the founder of the long-lived Mogul dynasty—the University of Wyoming is developing through a United States Agency for International Development (USAID) assistance program a modern college of agriculture which is shaping the destiny of this emerging nation, Afghanistan, more than did all the conquerors of the past. The economy of the nation is 85 per cent agricultural, but until recently modern advances in growing crops and raising animals had not reached this remote part of the world.

Begun in 1956, the College of Agriculture, or Faculty of Agriculure as it is called by Kabul University, was not much more than a name. It consisted of seven American advisors from Wyoming and three Afghan agriculturists who held no higher than a bachelor of science degree. The Faculty was poorly housed in three rooms of an old building which had no laboratories, no central heating and irregular electrical power.

Although the Faculty is still young and growing, remarkable achievements have been made since those early days. The Afghan staff now consists of 27 members; four hold doctorate degrees, 11 hold master's degrees and 12 faculty assistants hold B.S. degrees. In 1964 the staff moved to a modern building which has well-equipped laboratories and classrooms, faculty offices, central heating and consistent electrical power.

Still the Kabul University calendar reflects the time when all buildings were rough-hewn and unbearably cold in winter. The vacation period is not in summer but in the coldest months of the year, January, February, and March. Another noticeable difference from an American campus is the weekly schedule. Students go to school from Saturday through Thursday morning. Friday is the day off as it is the holy day of the week for the nearly 100 per cent Moslem student party.

Students attending the Faculty of Agriculture study in English, since this language is the medium of professors. The course titles are much the same as those listed by American colleges of agriculture and are taught in much the same way.

Interestingly, not all courses on the campus of Kabul University are taught in the American way. The instruction by both the Afghan and the American pro-faculties sponsored by European universities, naturally, conduct their classes as they have learned to do in Europe. This means that students are not obliged to attend lectures; they have no fixed texts, instead they have access to a library; they are not given regular quizzes but must wait until the end of the school year to take comprehensive examinations. If the student fails, he is allowed to study on his own during the vacation period and take "second chance" examinations at the beginning of the next school year. If he passes he is allowed to continue his studies.

Afghan college students are supported entirely by their government. Tuition is free, students use texts which belong to the Faculty, they are housed gratis in University dormitories, they receive meals free, and they are given a small payment each month to purchase incidentals. In spite of all this subsidization, Afghan students act with a great deal of freedom. They strike and demonstrate to change things they don't like or to get what they consider their due. College students have strong political influence in Afghanistan.

Even though an efficient agriculture is essential to the economy of newly emerging nations such as Afghanistan, the status of the agricultural scientist has remained low in this country, causing difficulty in the recruitment of adequate numbers of students. The source of the Faculty of Agriculture's students has been mainly from the two vocational agriculture high schools of the country. This year a welcome change took place. Applicants for admissions came also from the many lycee high schools in Afghanistan and swelled freshmen numbers. The enrollment in the freshman class of the Faculty of Agriculture jumped from 50 in 1966 to 180 in 1967. Young Afghans are recognizing more and more the importance of a college education. This year enrollment for the whole University increased 15 per cent and reached an all-time high of 3,815.

Students have had a choice of studying three branches of agriculture: plant science, animal science, and a combination curriculum of agricultural economics, education, and extension. To fill other needs of Afghan agriculture, the Faculty initiated two new curricula this year, one in agricultural engineering in cooperation with the Faculty of Engineering, and the other in agricultural education in cooperation with the Faculty of Education. Ten engineering juniors have

already chosen the curriculum in agricultural engineering.

Building a college faculty is especially difficult in a country that has only one University from which to draw its members. The Wyoming team started the process of faculty building in 1960 when the first class of 12 students was graduated. Nine were sent under the participant program to American universities, four to Wyoming and five to other institutions, for advanced study. Upon completion of the master's degree, each of them returned and became a faculty member.

From each succeeding graduating class, the Wyoming team has selected top students to do graduate work in leading American universities, including the University of Wyoming. As the years passed some of the better master's degree holders were sent to earn doctorate degrees. To date only two doctoral degrees have been developed in this way. Four others are still working toward this degree. Three of the four Ph.D. holders currently on the staff did their doctoral work in Germany.

Because research is a new concept in Afghanistan, even experienced scientists have found it difficult to conduct successful research. When the Wyoming advisors first came, they had a great deal of enthusiasm for research and great expectations of its benefits. But carefully planned and executed trials of crop varieties, fertilizers, and cultivation methods were rarely completed successfully. Roving livestock—sheep, cattle, donkeys or camels—usually broke into the plots and grazed the crops indiscriminately before results could be recorded. A research farm enclosed by a tight, strong fence was a necessity if the needed agricultural research for Afghanistan was to bear fruit.

After many attempts 50 acres of good farm land were obtained in 1965. Immediately the Wyoming team began to develop the area into an agricultural research farm. With this facility, the Faculty has now begun to do research in earnest and has already completed several significant projects, with published results appearing in a new series of technical bulletins.

Because a thin, flat, whole-wheat bread, called *nan*, is the staple food of Afghans, wheat has proved to be the major subject of research projects. Titles of the first three technical bulletins read: "Fertilizer Trials on Wheat in Afghanistan," "Seeding Rate and Row Spacings on Wheat in Afghanistan," and "Influences of Three Mechanization Schemes Upon Wheat Yields." Research such as this will help to assure sufficient supplies of wheat for the Afghan people and may eventually allow for wheat exportation.

Other universities besides Wyoming assisting Kabul University in faculty development are Teachers College, Columbia University, the Faculty of Education; Indiana University, with administration; and a group of universities including Purdue, Carnegie Tech, and Notre Dame with the Faculty of Engineering. The Wyoming team presently consists of 13 professional advisors, the United States engineering team, 12, and the TCCU team 35.

Not all assistance to Kabul University comes from America. The German University of Bonn is developing the Faculty of Science, while the University of Cologne is helping with the Faculty of Economics. The French Medical College of Lyons is developing the Faculty of Medicine. The USSR has recently assisted in the erection of a polytechnic institute which will train engineers to the master's degree level.

The University of Wyoming's international program, part of a larger effort of USAID, is an important component of the United States' mission to help lesser developed nations increase their food production, develop their educational institutions, and improve their people's health and welfare.

POLICE SUPPORT, YES—UNCONSTITUTIONAL SEARCH AND SEIZURE, NO

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. LEGGETT. Mr. Speaker, on June 6, 1968, the House of Representatives passed H.R. 5037, known as the Omnibus Crime Control and Safe Streets Act of 1968. There are a number of provisions in this bill that are good, and that I have consistently supported; title I, for example, which provides such needed aid and assistance to the local police forces.

However, I cannot support the full bill as enacted. The swift and undeliberate enactment of this measure would seem to be an unthoughtful response to the death of Senator Robert Kennedy. A fitting memorial to Senator Kennedy would be a bill worthy of this champion of equal justice for all, a bill which will in fact deter crime. If Senator Kennedy were alive today I am confident he would not have supported this measure.

Since the bill was assured of enactment, my vote is designed to point up the deficiencies and unconstitutional aspects of this law. I view my action as a call for truly adequate and comprehensive legislation against the rising problem of criminal behavior in the United States, and, therefore, cannot support an act noteworthy for its omission of those features required to adequately deter crime, and noteworthy for those provisions which will undermine the basic rights of all citizens necessary in a democracy.

Title II also tends to extinguish those procedures held basic to a concept of orderly judicial process and determination of guilt by giving judicial officers wide latitude in admitting confessions, without the corresponding directions necessary to a full determination of the truth and/or voluntariness of such dubious confessions.

Enactment of this section gives credence to the false notion that the Supreme Court is responsible for crime in this country. Such notions are not only false, but are an insult to the fundamental propositions of equal justice underlying our Constitution.

Finally, authoritative sources indicate that the provisions of title II may be unconstitutional, as the judicial solutions evolved decade by decade were developed upon basic inarguable constitutional rights. While it is clear that Congress is free to develop legislation regarding judicial procedure, such legislative determinations must be based upon constitutional principles.

Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them, for it is axiomatic that a right guaranteed against infringement by the United States, cannot be extinguished by an act of Congress. To extinguish such a right requires nothing less than an amendment to the Constitution.

The provisions incorporated in title III are equally repugnant to the notions of a free society. While wiretapping is undoubtedly helpful in the apprehension of criminals and investigation criminal activity, it is equally a danger to the privacy of the innocent individual if indiscriminately applied. Title III is deficient in the minimum judicial oversight necessary to insure the intelligent and safe use of a technological development which could open the private lives of citizens to a degree not even dreamed of by George Orwell in 1984.

The firearms control incorporated in title IV is distinguished for its ommissions and loopholes rather than its affirmative provisions.

The right of the citizen to own and use firearms is not challenged, but with this right goes the responsibility to make sure that the use of a potentially lethal weapon is adequately controlled.

Title IV merely attempts to prohibit interstate shipment of handarms and destructive devices. However, numerous categories of persons are exempt from these provisions, "dealers" among them. Under title IV any individual could presumably qualify as a dealer by the payment of a $10 yearly license fee and some intent to deal in firearms.

Second, rifles and shotguns are entirely omitted from these provisions.

Finally, there is no provision for registration of any class of firearms. Intelligent, well-balanced firearms legislation designed to protect the rights of individuals to own long guns and handguns while keeping such weapons out of the hands of criminals and incompetents is urgently needed. Title IV is so thoroughly deficient in this respect that its passage is worse than no bill at all, for it may impede the development of well-written and intelligently debated legislation.

For the above reasons I have found it impossible to support a bill that is potentially a danger to democratic principles but which does not provide meaningful protection against the rising rate of crime in this country.

CONSUMERS UNION HIGHLIGHTS NEED FOR ODOMETER LEGISLATION

HON. WILLIAM PROXMIRE

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. PROXMIRE. Mr. President, the June issue of Consumer Reports, published by Consumers Union, contains a constructive article entitled "How Long Is a Used-Car Mile?" and highlighting the need for a Federal odometer law. As the sponsor of a proposal which would require motor vehicles to be equipped with tamperproof odometers—mileage indicators—I wish to bring this article to the particular attention of Senators.

The article points out that after the implementation of strictly enforced odometer legislation in California prices for most used cars began to fall sharply while prices for low-mileage models re-

mained steady or increased. This was a boon to the California consumer, but not so good for his neighbors in contiguous States. Out-of-State car wholesalers can come into California, buy high-mileage used cars at a very cheap price, roll back the mileage indicator after the car has been transported out of California, and reap a huge profit as a result.

California car dealers want the law repealed. They would prefer to roll back all mileage indicators to zero. As Consumer Reports indicates the dealer philosophy in this instance would have to be considered as "a little knowledge is dangerous. Don't give 'em any." A viable and sensible alternative is a Federal law. If it can work in California, it can work in the country at large. Consequently I sincerely hope that the Committee on Commerce will have an opportunity to take action on my odometer legislation in the near future.

I ask unanimous consent that the text of the Consumer Reports article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW LONG IS A USED-CAR MILE?

The prudent buyer must presume used-car dealers guilty of tampering with the mileage readings on their cars until proved innocent. A "fully reconditioned low-mileage" cream puff must be suspected of being nothing better than a car with its odometer rolled back. For there is no nationally established measurement for the mile on car lots. A used-car mile is hardly a statute mile—it's often a lot longer.

What if odometers did not lie? The prudent shopper would, of course, still have a tedious checklist of inspections and tests to perform before buying a used car (see page 412 of the 1968 Buying Guide Issue). But he *could* learn from the odometer, other things being equal, roughly how much transportation to expect from the vehicle under consideration. Whether a car has gone 25,000 or 50,000 or 75,000 miles can, after all, make a considerable difference. One might predict, for instance, that under the effects of true mileage information, prices would go up for low-mileage cars and down for high-mileage cars.

Such a prediction is proving accurate in California, one of the few states where law has come to the used-car lot. Anyone tampering with an odometer in California commits a crime. The law is being enforced, and, according to *Automotive News*, car leasing and renting companies, which sell thousands of cars on the resale market, are feeling the effects of a sharp drop in prices. The only exceptions are low-mileage models.

Prices start falling steeply, the report states, after a two-year-old car has gone 30,000 miles. Beyond that distance, it loses about $10 of value every 1000 miles.

California is now a bargain paradise for out-of-state car wholesalers. They can buy high-mileage, low-cost California cars and sell them at a good profit in other states, where retail dealers can roll back the odometers. What's good for California thus is not so good for their neighbors.

Across the border in Arizona, the used-car credibility gap has grown so wide that one group of car dealers recently agreed, with the official blessing of the State Attorney General's office, to reset the odometers of all used cars at zero. Dealers put stickers on the car and on the sales contract in which they disavowed any knowledge of the true mileage. But shoppers would have none of it, and as a result the practice is being dropped.

Nevertheless, California car dealers want the odometer law repealed in favor of the Arizona approach. "If [rollbacks to zero] were to become a uniform practice," wrote one industry member, "the emphasis on mileage would soon disappear. Used-car buyers would learn to look at the actual mechanical condition of a car without worrying too much about how much mileage showed on the [odometer]."

In other words, a little knowledge is dangerous. Don't give 'em any.

Motor vehicle regulations are different in each state—but a mile is a mile. What's needed is full, honest and uniform disclosure. The logical solution is a Federal odometer law at least as strong as California's.

CHAIRMAN OF TVA CALLS FOR ATTENTION TO QUALITY IN LIFE

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. JONES of Alabama. Mr. Speaker, I recently had the great privilege of attending the sesquicentennial celebration of Athens and Limestone County in the heart of the north Alabama district which I represent in the Congress.

At the celebration, the main address was delivered by Chairman Aubrey J. Wagner, of the Tennessee Valley Authority Board. In concise terms, Mr. Wagner traced the monumental development and growth of the area, especially that of the last 35 years.

More than that, he excited the progressive and forward looking spirit of the people with his definition of the future potentials and the requirements for achieving them.

Because Mr. Wagner's remarks about the needs for creating those things which make for quality living have significant application to all sections of this Nation, I include his address in my remarks at this point and I commend it to the attention of my colleagues:

REMARKS BY AUBREY J. WAGNER, CHAIRMAN OF TVA BOARD, AT ATHENS-LIMESTONE SESQUICENTENNIAL CELEBRATION, ATHENS, ALA., MAY 11, 1968

It is always a pleasure for me to come to north Alabama. As I have said many times, it is one of the real show places in the Tennessee Valley, And it is always particularly a pleasure for me to come here when Bob Jones is in the area. We have worked toegether for many years on projects and programs for the development of this region.

We in TVA greatly appreciate the opportunity to participate in your sesquicentennial celebration, and I wish very much that weather had permitted it to be at our new Browns Ferry nuclear plant as you had planned.

Anniversary occasions are good times for reflection, and especially, when you reach the age of 150 years. For nearly one-fourth of that period, we in TVA have been working side by side with you in Limestone County, and Athens, and in all north Alabama. And in those 35 years we have worked together we have begun—through extensive cooperative programs in which many of you are personally involved—to sweep away some of the economic problems that beset this area in the 1930's. I think it would be fair to say there has been more progress made in these 35 years than in the whole 115 preceding them, making up the 150 years of your anniversary celebration.

Our newest effort in this area is our Browns Ferry nuclear plant. The plant, I believe, represents a culmination of the efforts of the past. And it stands as a symbol of the future. Some of you will recall, as I do, that in the early 1940's there was great activity at Oak Ridge in east Tennessee and ultimately there was unveiled a plant for enriching uranium, now a facility of the Atomic Energy Commission. Its initial production went to make the first atomic bomb and nuclear energy was introduced to the world as a munition.

I think all of us take much more satisfaction now in the use of atoms for peace. As Wally McDow has said, great potential lies in the use of the atom for purposes of peace, a potential just now beginning to be realized. And the Browns Ferry plant is a powerful expression of that new potential.

I have said that this plant also represents a culmination of the past. And it has been a vigorous past. Just 12 years ago all north Alabama used only 700,000 kilowatts of electric generating capacity. The figure is now about 2 million kilowatts, and in the next decade it will go to 4.5 million kilowatts—more than double in another 10 years.

Since we have been working together here, more than 50,000 jobs in manufacturing have been added in north Alabama and half of those have come in the last decade.

Personal income in north Alabama is up $1 billion since we began this developmental program. I could cite many, many more statistics of growth, but especially for those of you who live in this area, statistics are not needed. Your eyes alone tell you a more dramatic story of growth and progress than figures will provide.

Whenever I fly over this area, I always hope for a clear day so that I can see the new developments on your waterfront and at Huntsville. Each time it seems that something new has been added; either there is an expansion of an existing plant or 600 or 800 acres have been opened up for a new plant. Now there is the new Browns Ferry plant—and in the future I am going to look for further growth in Limestone County along the north bank of the river. This is the kind of evidence that no one can deny.

This new nuclear plant is also a symbol of future. It particularly symbolizes the place of energy—electric energy in our future—and I mean giant electric energy. It is a well-known fact that the nations of this world which have made the most progress are those which have available to their people the largest quantity of electric energy.

And this is a giant plant. When completed it will have cost $392 million—$392 million paid by the people who use electricity in the Tennessee Valley and by borrowings on the strength of this electric system. There is no Federal subsidy in this program. And don't let anyone tell you there is! It is being paid for by the people and the industries in this region.

The plant will have a generating capacity of 3.5 million kilowatts, which is nearly twice as large as any plant of any kind operating anywhere in the world today. It is more than the entire generating capacity of the whole TVA system in 1951. And it is about enough capacity, in this one plant, to serve the requirements of the whole State of Alabama today.

This isn't all we are doing to meet the power needs in this region. At our Paradise plant in west Kentucky, we are adding a third unit which will have 1,150,000 kilowatts of capacity. We are breaking ground for construction of the Cumberland City coal-burning plant in the western part of the Valley, with a capacity of 2,600,000 kilowatts in two units; and we have just bought the reactors for a new two-unit nuclear plant which will generate over 2,000,000 kilowatts.

So, in all we are adding about 9 million

more kilowatts in this generating system at the present time. The TVA system capacity is now 18 million kilowatts; by 1974 it will have increased 50 percent to 27 million kilowatts; and our basic planning is aimed at a 50 million kilowatt system in the 1980's. To put these figures in perspective, this whole region in 1933 had a generating capacity of less than one million kilowatts.

These figures are a sign and index of economic growth and of economic strength. But this new plant in north Alabama is a symbol, too, of the place that science is going to play in our future, in the future of this very specific area. This plant and its use of the atom provides a third leg to the very important science triangle here in north Alabama.

We have long had the fertilizer research and development plant at Muscle Shoals. It is *the* most important fertilizer research center in the world, and its results are used worldwide. People come here from all over the nation and around the world to study and confer on matters of fertilizer science and fertilizer technology.

Then the NASA facility at Huntsville gives us prominence in space research. It is one of the most important space research centers in the world.

And now we are adding the atom to these two other fields of science. While Browns Ferry is a production facility, rather than research, it will serve as a basis for acquiring new knowledge, new insights into peaceful uses for the atom. I should add that, along with these three important scientific legs, the growing complex of chemical industries, electro-metallurgic industries and their satellites in north Alabama is one which is repeated few places. These are all reasons why the future of this region is so bright.

We must recognize, however, that a bright future means more than just scientific achievements, or jobs, or economic growth. We must begin to give attention, as are the President and the Congress, to the kind of environment that we are building—the kind of living environment that we are creating for our people. First, all of it must be a physically superior environment. We need clean water. In the Tennessee Valley, we have it—we have more cleaner water than almost any river basin that you can find. And it is cleaner now that it was 35 years ago. But we need to take the steps to insure, as we grow industrially and as our population increases, that we keep it clean.

We are concerned also about clean air; and incidentally the Browns Ferry plant will make an important contribution there. If it were a coal-fired plant, it would burn about 9 million tons of coal a year. It would produce about 1¼ million tons of ash each year and a part of that ash would go into the atmosphere. There would also be discharges of sulfur dioxide in the atmosphere to take care of. The nuclear plant will instead use only about 150 tons of nuclear fuel a year, and there will be no pollutant discharged into the atmosphere.

Across the nation, many people have asked about radio-activity from such a plant. I can put this in understandable terms for you by saying that if, as a member of the public, you sat continuously for one year at a point near the plant where you would get the greatest possible exposure to radiation, and if, during that year, the most adverse possible conditions of plant operation and of weather persisted continuously (an almost inconceivable set of circumstances), you would get, cumulatively, somewhat less radiation than you would get in one complete set of teeth X-rays. The experts have told me that, when I had X-rays several years back for a kidney stone, I got more radiation in that one set of X-rays than I would have gotten under the conditions I just listed. So, this plant is safe, and it will not pollute the atmosphere.

The environment that we are creating must also be a planned environment—its physical development must be planned. Some of you will remember that about three years ago I talked to the Athens-Limestone Chamber of Commerce about planning and the need for it—the need for regional units and for county units to be tied in with the excellent planning organizations that already exist locally in Athens, in Decatur, in Huntsville, and in other cities in the area.

I think it would be a fair question to ask ourselves, as we face the next 150 years, just what we have done in this planning field. Because it is going to take more than nuclear plants and more than industrial plants and more than NASA installations to build this area into the kind of place that we want our children and their children to inherit from us. We must have a physically superior environment. We must also have a culturally superior environment. We must create those things which make for quality living—those things which make it possible for each youngster as he grows up to achieve a sense of personal fulfillment, to feel that he is able to use his life in a way that counts, a way that is self-satisfying to him.

And so, today, we look back on 150 years of development and we look ahead to a bright future. We in TVA would like to feel that we are building Browns Ferry a symbol and as a shining new scientific tool to jointly solve the problems of the future. We must remember though that plants like Browns Ferry are only tools and not the end themselves. The end we seek is to bring peace into the minds and into the hearts of men—all men—and to create for them an environment in which each can experience this sense of personal achievement, personal fulfillment.

CLEMSON UNIVERSITY AND UNIVERSITY OF SOUTH CAROLINA STAND FIRMLY AGAINST STUDENT VIOLENCE

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. THURMOND. Mr. President, the June 5, 1968, edition of the Columbia Record, Columbia, S.C., carried an editorial entitled, "Clemson, University of South Carolina Take Firm Stands."

In this very pertinent editorial, the able editor, John A. Montgomery, cites the steps taken at the University of South Carolina and Clemson University to avoid disorder on the campus. Each institution cites the arrangements established for orderly redress of grievances in the machinery of the school's administration. At the same time they have notified the student body that disorder manifested by acts of violence, unlawful use and misappropriation of property, facilities, as well as criminal and public acts which reflect adversely on the good name and reputation of the school will not be tolerated.

Pointing out that the majority of Carolinians, including students, support these regulations, the editor applauds the University of South Carolina and Clemson leaders for their action.

Mr. President, I ask unanimous consent that the editorial to which I have referred be printed in the Extensions of Remarks in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CLEMSON, THE UNIVERSITY OF SOUTH CAROLINA TAKE FIRM STANDS

The University of South Carolina has now joined Clemson University in insisting that the pursuit of truth in the academic marketplace of ideas not be disrupted by violent campus minorities. We applaud both institutions for their clarity of intellectual judgment and resolute determination to keep the states tax-supported universities from becoming centers of senseless, lawless rebellion.

Clemson acted first, on May 28 of 1965, when its board of trustees bluntly rejected interference with the orderly process of learning. Specifically, the Clemson board took note of "the occurrences of disorders on some campuses of colleges and universities in which students, employees and persons not affiliated with the institution have participated.

"These disorders have been manifested by acts of violence, unlawful use and misappropriation of institutional property and facilities, criminal acts and public acts which reflect adversely on the maintenance of discipline and on the good name and reputation of the institution, its student body and faculty."

Taking note of the orderly redress of grievances and the machinery already provided by the school's administration, Clemson positvely and specifically "interdicted" all of the disorderly acts.

More recently, Clemson made it crystal clear that it would not allow "small minority groups" to interrupt or disrupt placement services of business firms recruiting on campus. "Violation of this policy," said Clemson, "may result in severe institutional penalties or penalties assessed by civil authorities."

Within the past week, the University of South Carolina's board followed suit. The University here reaffirmed the authortiy of the school's president to suspend summarily anyone threatening the "security, safety or operation of the university."

Specifically prohibited are "physical obstruction or intereference, interference by noise and actions which offend or outrage normal sensibilities."

Rights of students to protest within lawful and established channels always have been granted to students of the state's public institutions. But, as the policies of both Clemson and USC make abundantly clear, the state of South Carolina just isn't going to abide those rebels who try to take over school buildings, violate the rights and privileges of other students as they dishonor the name of "freedom," obstruct business recruiting on campuses, or otherwise make the pursuit of learning impossible.

The overwhelming mass of Carolinians, students included, support the convictions of the institutions' boards. And should either Clemson or the University confront such rebels, we fully anticipate the chief administrative officials using—quickly—their full disciplinary powers.

THE PLIGHT OF OUR MERCHANT MARINE

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. KEITH. Mr. Speaker, I am sure that many Members of the Congress

share with me a sense of alarm at the latest turn of events in our Nation's merchant marine program. After 3 years of delay, sidestepping, and backtracking, the administration has issued its long-awaited call for a new maritime program—but the note sounded was one of retreat.

Secretary of Transportation Boyd has outlined a program this week which would virtually scuttle what is left of America's merchant fleet as well as the shipbuilding capacity which is vital to the national defense. The massive building effort which is so desperately needed to revitalize our fleet and restore its role as a carrier of America's commerce has been forsworn by the administration, and there is now a clear danger that the American merchant marine will be allowed to shrink to a mere token force on the world's oceans.

The announced program would scuttle more than our ships, Mr. Speaker—it would scuttle a policy established more than 30 years ago by the Congress to protect our Nation's commerce and security. The Merchant Marine Act of 1936 declared that it was essential for the United States to have a merchant fleet which could, first, carry a substantial portion of the Nation's commerce, and, second, serve as a naval auxiliary in time of war. Secretary Boyd's message would, in effect, discard these great purposes and degrade the status of the fleet to that of a part-time military shipping service.

Government construction subsidies would be limited to the minimal number of ships required for auxiliary naval service in wartime. The result of such a policy could be to phase out the vital commercial role of our fleet and allow America's trade and supplies for her industries to be transported entirely by the ships of foreign nations. The lifelines of American commerce could end up in the hands of foreigners on whose loyalties we could never depend.

What would be the effect on our shipyards? Secretary Boyd suggests that they will be kept alive by a minimal subsidy program, while the bulk of American ships will be built in foreign yards. This is a plan which the Congress rejected last summer, and which the administration had said it would abandon. Members of the House Merchant Marine and Fisheries Committee have expressed their strong belief that foreign building is unsound economic policy and unsound defense policy.

Economically, foreign building would mean that millions of dollars in business each year would be sent abroad, dealing a serious blow to our balance of payments at a time when we are suffering from a dangerous deficit. It would also mean the exporting of thousands of jobs to foreign yards, adding to our unemployment problems. From the point of view of our defense requirements, we cannot allow the erosion of a modern and vigorous shipbuilding capacity. Foreign building would bring a flight of labor and capital away from the domestic industry and endanger our ability to produce ships during a war emergency.

The Merchant Marine Committees of the House and Senate, Mr. Speaker, will continue to hold hearings on these proposals in the coming weeks, and I am sure that they will soundly reject them as a blueprint for defeat. No great nation can allow the seas around it to become a foreign lake. No great nation can afford to risk economic isolation by allowing its access to world commerce to be controlled by others. I am sure the Congress will act to ensure that we can still depend on the men and ships of the American merchant marine to sustain our Nation's commercial and defense strength around the world.

In connection with the national debate over our merchant marine policy, Mr. Speaker, the Boston Herald-Traveler has recently published an excellent and extensive supplement on the state of American seapower today. Several of these fine articles deal with the issues of our merchant marine and shipbuilding industry which the Congress is now debating. For the interest of all the Members of the House, I include a number of these articles in the RECORD, as follows:

MERCHANT MARINE SOLUTION: A PROGRAM

(By Joseph Curran, President National Maritime Union of America, AFL–CIO)

If we listed all the things that should be done about the American merchant marine and are not being done, we would fill a book. But it can be summed up very simply: we need a program.

We need a program that takes into account all that a strong merchant maritime means to our country and spells out what will be done to assure our country of the American flag shipping and the American shipbuilding capacity the U.S. must have.

We have not had such a program since World War II. We developed a program during that conflict because our life depended on it and because the American seamen and the industry were able to perform miracles. But ever since, our merchant marine has been declining disastrously.

The Soviet Union, meanwhile, has been building her merchant marine at a faster rate than any other country. Now they have passed us and they are headed for being the greatest maritime power in the world within the next few years.

We need a program that takes into account Relations Commerce Committee for the preparation of a report that spells out in clear cold terms what the Soviets have done and what it means. From this report, we can see they hope to use their merchant fleet to practically control the world's trading, drain other countries of their currencies and exert tremendous potential influence on developing nations.

At about the same time that report was issued, we had a report by the U.S. Maritime Administration that—believe it or not—there is now more American-owned vessels tonnage under Liberian and Panamanian flags than there is under our own flag. This should have every American beating at the door of the Maritime Administrator and the Secretary of Defense.

Not only does their report set forth the shameful facts about this American "runaway" fleet—which has grown by over 25 per cent in the last seven years while our American flag fleet has been shrinking—but it goes on to repeat the misguided "effective control" theory, claiming that these foreign flag ships, "are available to the U.S. Navy in an emergency," simply because they are American owned.

At least four times during the Vietnam emergency, when the Defense Department tried to use foreign flag ships to carry military cargoes to our fighting forces, the crews refused to sail and the cargo had to be transferred to U.S. ships after serious delays.

Anybody willing to face facts would find proof in this experience that the claim of "effective control" over any ships under foreign flag with non-citizen crews is a dangerous mistake.

The fostering of the runaway fleet is dangerous in another respect. Year after year, these runaway ships have been one of the biggest factors in the dollar drain that the President says is threatening the economy of the free world. They represent an investment by Americans abroad of more than 6-billion dollars.

Every year they take billions out of the U.S.—in payment for cargoes carried: in wages lost to American citizens and paid to foreign nationals; in taxes not paid by the giant U.S. corporations that own the ships and in maintenance and supplies bought abroad.

If the President is really worried about our unfavorable international balance of payments position, he can set the balance straight and turn it in our favor just by putting a stop to this "runaway flag" device which our Navy and the Maritime Administration seem determined to protect.

Yet we are more and more being placed at the mercy of foreign flag shipping. If it were not for the fact that the World War II ships in our reserve fleet could still be patched together—and American seamen were willing to undergo the risks and hardships of sailing these rustbuckets—we would not have been able to handle the requirements of Vietnam without giving up almost all service under our flag to any other part of the world.

There are many other serious elements in our maritime crisis. Nothing is being done about American flag passenger ships although every other maritime nation—especially the Soviet Union—is building and expanding their operations in this important field.

We have laws that require our passenger ships to be safer than any other ships in the world in the way they are built, operated and manned. Yet other countries dominate this trade out of our ports with ships that are far short of our standards, some of them actual floating firetraps.

We have almost completely ignored the tremendous challenge and opportunity that is right in front of us in the field of fishing. Soviet fishing fleets, combining espionage and research along with floating fish factories, range the world, including the waters right off our shores.

The Soviets know how important this field is in the battle for world leadership. People are multiplying by the billions. The ability of the land to feed the population is dwindling. That means the world is going to have to turn increasingly to the seas for food. A nation's ability to compete in the field of fishing may well decide the ability to survive in the world of tomorrow. But we are lagging far behind.

How long can we continue to maintain our posture as a world leader if we do not have a strong merchant marine under our own flag? One only has to look at a globe to see how dependent on ocean transport our country is. Without ships of our own to carry a substantial portion of our commerce and to back up the armed forces in an emergency, we will be virtually helpless.

In normal times, we will have to pay whatever foreign shipping operators demand, with disasterous effects on our balance of payment. And in an emergency, we will have to beg and pray that the ships we need will be made available to us at any price.

The maritime unions and maritime management are today united as never before in

our history in support of a constructive program along the lines to be recommended by the Senate Interstate and Foreign Commerce Committee.

Such legislation is not in the interests only of the industry, it is in the interests of the American people. We ask the American people to get behind their merchant marine before there is no more merchant marine to get behind.

DECISIONS ON U.S. SHIPBUILDING NEEDED NOW

(By Edwin M. Hood, president, Shipbuilders Council of America)

Nearly three-fourths of the U.S. Navy fleet and a like amount of the nation's merchant marine consists of ships built under World War II crash programs. The efficiency and utility of these vessels are fast approaching a point in time when replacement with new and modern ships can no longer be deferred if realistic consideration is given to the interests of national security and economic well being.

Ascendancy of the Soviet Union as a world power has been accompanied by a spectacular increase in that nation's naval and maritime strength. The United States may today claim title to the world's leading sea power but only marginally, and the Russians are closing the gap. The swing in the pendulum of ocean strength has been accomplished in less than 20 years—since World War II.

The Soviet Navy, with nearly half of its warships built in the past ten years, is second only to the United States. Russia's merchant marine numbered 1,400 large merchant ships, as of the first of 1967, whereas our merchant fleet—even though aided by reactivated, over-aged, reserve fleet ships for Vietnam service—numbered 1,040.

A striking example, of our merchant fleet obsolescence may be seen in the privately owned U.S. flag dry cargo fleet—combination passenger cargo, freighters and dry bulk carriers—which today consists of 663 vessels. In the absence of an awakened shipbuilding program, and considering only ships of 25 years of age or less, the fleet will consist of a mere 244 ships on January 1, 1972. The Russian merchant fleet today has four times the tonnage and seven times the ships under construction, or on order to the U.S.

On the economic side, the import-export trade of the United States constitutes approximately one fourth of all the world's oceanborne commerce, yet more than 90 per cent of our nations commercial lift is made in foreign flag bottoms. More alarmingly, 66 of the 77 materials recognized as strategic, must be imported to the United States from overseas areas, and 96 per cent of the total volume of these imports arrive in ships flying flags of other nations.

Clearly the nations balance of payments problems are affected by the unhealthy role the U.S. merchant marine plays in international trade. President Johnson has stated with respect to the some seven per cent of foreign water borne trade carried by the American merchant marine "Even at the present level, it earns or conserves about $1 billion of foreign exchange every year, making it a major factor in our balance of payments position."

Decisions are needed now to get on with shipbuilding programs to overcome the inadequacies of previous years. To fail to do so will virtually spell extinction for the nation's merchant marine and diminish the size, stature, and capabilities of our Navy in these most challenging of times.

The nation's private shipyards stand ready to meet the challenges of vigorous shipbuilding programs to off-set the problems of obsolescence in both Navy and merchant ships and to revitalize the nation's position as a sea power second to none.

MERCHANT MARINE RUSTING AND OBSOLETE

(By Hastings Keith, U.S. Representative, Republican, of Massachusetts)

The American Merchant Marine, once the backbone of America's defense mission in two World Wars, is now rusting and obsolescent, unfit to support America's military commitments around the world.

During World War II, our mighty merchant fleet formed a "bridge of ships" to our forces in Europe and Asia, carrying the vital supplies and weapons to our soldiers and our allies in the war against the Axis.

The war was won by America's titanic productive capacity—the ability to turn out assembly-line tanks and planes and weapons by the thousands—and by her huge sea lift capacity which carried this amazing output of supplies to foreign beaches. No enemy could stand up under the tremendous weight of America's supply effort.

I remember Winston Churchill's famous characterization of the American effort which eventually became so overwhelming. "You have to understand these Americans," he said. "At first they do very little.—Then somewhat more.—Then comes the flood." We must remember that it was the American merchant marine which carried the flood of assistance to Europe.

This great defense capacity has dwindled away in the 20 years following the war. Our Merchant fleet is now not adequate for either of the two great purposes envisioned for it by the Congress in the Merchant Marine Act of 1936: (1) to carry a substantial portion of America's foreign trade and (2) to act as a fourth arm of defense. Modern merchant vessels were intended to carry our commercial trade in peacetime, and in wartime would be on call to carry supplies to U.S. forces overseas.

At a time when an expanded merchant marine has been critically necessary to insure continuous supply of military material to our forces in Vietnam, however, we find that 80 per cent of our merchant fleet will reach the end of its economic life within the next five years.

The bulk of supplies going to Vietnam are now being carried in obsolete vessels which are over 20 years old—many only days away from the scrap heap. These are part of the Navy's ancient Reserve Fleet, and many of them are just barely seaworthy.

Why can't our government call on the private merchant marine to provide many more large modern vessels for the carriage of war material? The truth is that it cannot take the few modern ships we have out of the foreign trade without facing the permanent loss of commercial routes to foreign competitors and the resultant loss to our critical balance of payments.

Our fleet is not one-fifth the size it would have to be in order to keep our share of world trade as well as do double duty in a military crisis abroad.

An admiral in the Navy's logistical supply service told me at a recent conference that the U.S. probably would never again have the ability to support a war effort of the size of World War II with its own fleet. And we have seen that even a medium-sized conflict such as Vietnam has strained our ocean transport capacity to the breaking point.

There is no mistaking that this erosion of America's seapower has reached the level of a national emergency. But what has our government done about it? In his Inaugural Address of 1965, President Johnson promised the nation a new maritime policy to upgrade and modernize our merchant marine fleet.

The President seemed to recognize the vital importance of a healthy and growing fleet to America's place in world trade. He also seemed to recognize its crucial defense role as an auxiliary to our Navy in wartime.

While the nation waited, however, our fleet continued to decline, and the government did nothing. Additional numbers of our old and rusting ships dropped out of world trade. America has carried steadily less of her commerce in her own vessels—now down to a shocking seven per cent, the lowest figure since 1921.

America's shipbuilding industry, once the greatest in the world, also continued downhill. We now rank 14th in the world—behind even Spain and Yugoslavia.

Members of the Congress, especially on the House Merchant Marine and Fisheries Committee, of which I am a member, called more and more urgently for the President to deliver on his promises. To this very day, however, he has refused to cooperate with the Congress in framing a new maritime policy.

The Congress has thus moved forward on its own, and has opened public hearings on a sweeping new program to rebuild our seapower. The Chairman of our Merchant Marine Committee has said that "D-Day" is approaching for America's maritime industry, whose survival as an economic and national defense asset of the Nation is threatened.

We still hope for the Administration's cooperation. As the leader in world trade and the key barrier to further expansion by the forces of communism, the United States has a greater and more urgent need for self-sufficiency in maritime requirements than any other free world nation.

On a trip to the Soviet Union in January of 1966, I saw personally the tremendous efforts which the Communists are making to transform Russia into the supreme power on the high seas. The Soviet fleet has increased 10 times since 1950 and is growing by 100 new vessels every year.

This presents an impressive challenge in time of war, but is equally important in time of peace. A strong merchant fleet is a powerful means of carrying American commerce and influence to peoples all around the globe—a means of carrying the peaceful message of American trade and plenty.

MERCHANT MARINE STRAINED BY WAR

(By Richard Lamere)

The war in Vietnam has put a serious strain on the resources of the American Merchant Marine. Nearly 97 per cent of the supplies and equipment required by the forces in Vietnam today arrive in Southeast Asia by sea. More than 400 ships are in full-time use hauling everything from gasoline to guns and band-aids to bread to the men in the ships, planes and on the ground in Vietnam.

Another 550 cargo ships are hauling to the conflict area on a "part-time" basis. About 60 tankers are needed to support the needs for petroleum products in Southeast Asia. In all, about half of the American flag dry cargo fleet and about one third of the American flag tanker fleet are required to support Americans and our Allies in Vietnam.

Providing the shipping space to carry the masses of cargo required in Vietnam is the job of the Navy operated Military Sea Transportation Service. When the build-up began in 1965, the Military Sea Transportation Service, MSTS in governmentese, controlled a fleet of 176 ships. Today this fleet totals about 570, an increase of nearly 400 ships in three years.

MSTS spokesmen report that almost the entire increase is due to the requirements of Vietnam. Most of the ships in use are owned or operated by private shipping companies under contract to the MSTS. For these services, the government pays about $1.6 million per day to the ship owners and operators.

The number of ships required is the product of two factors, distance and quantity. Vietnam is half-way around the world from Boston. Before the closing of the Suez Canal, which had little permanent effect on the Vietnam support via sea, it made little difference whether a ship headed eastward or south from Boston en route to Southeast Asia.

The difference via Suez or Panama was a matter of a few hours steaming time. Most ships were routed from the East Coast via Panama so the affairs in the Middle East did little to disrupt the supply lines.

The quantities of material required staggers the imagination. MSTS reports that during 1967 its fleet delivered an average of more than one-million measurement tons of material to Vietnam each month. Thus far in 1968 the total remain about the same.

Translated into "understandable" quantities, this means that each day MSTS controlled ships delivered enough dry cargo to Vietnam to bury a football field over 30 feet deep.

Modern conflict requires huge amounts of petroleum products—i.e. fuel for jets, gas for planes and trucks and oil for ships. It takes more than 125 million barrels of fuel annually to keep the jets flying, the trucks moving, and the ships steaming in support of the Vietnam effort. Were this all gasoline, it would be enough to supply the entire state of Massachusetts for three years.

The cargo ships required to get goods to the conflict area have come from three sources. About 100 Navy owned and operated ships are in use. Over 130 have been chartered from private operators. More than 110 now in service were withdrawn from the merchant ship reserve fleet.

The latter group is operated by private contractors who provide the crews and services needed to keep them moving, as directed by the MSTS. Most of the more than 60 tankers hauling petroleum products are privately owned and operated under contract with MSTS.

The crews on the ships are all civilian merchant seamen. Those working in Navy owned ships are hired through Civil Service. Those working for private operators are hired by the operators, usually through union hiring halls. The Maritime labor unions have responded magnificently in recruiting personnel to man the extra ships.

On occasion, ships have been delayed by crew shortages but the number of sailings delayed is small compared with the number of trips. Most of the delays have come during vacation periods or around the Christmas holidays when the men who spend two to three months away from their families going to and from Vietnam take the opportunity to stay home for a few days.

Why Not Subsidize the Merchant Marine?

(By Paul Hall, president, Seafarers International Union of North America, AFL–CIO)

In assessing the state of the maritime industry, two facts must be kept in mind:

1. This is an exceedingly complex industry.
2. This is a declining industry.

Let's examine, first, the complexities of the industry.

Within its framework are a whole range of diverse interests—the subsidized segment and the unsubsidized; liners and bulk carriers; dry-cargo vessels and tankers; coastwise and intercoastal operations; the Great Lakes fleet; and the inland waterway operations.

Merchant shipping is private enterprise—yet, in a very real sense, it is also an extension of the American government. Maritime is a vital force in our foreign relations; it is a key to our international balance of payments; and it is a necessary adjunct to our military forces in time of trouble—our "fourth arm of defense," is what Congress and the Executive Branch have termed it.

Given this unique status, and given the economic realities of competing with low-cost, low-wage foreign operators, maritime relies to a large degree on the amount of tax dollars that are invested in its operations.

So the merchant marine is largely dependent on a favorable attitude on the part of government—and if that attitude is hostile or neglectful, as has been the case almost without exception since the end of World War II, then maritime's problems are magnified.

Which leads us to the second point: The declining state of the industry:

Every segment of our economy has its normal "ups" and "downs"—but for maritime, there are more "downs" than "ups." In our industry, the pattern of decline has historically been interrupted only in periods of military conflict—we have rocked along from crash program to crash program, and the valleys in between these peaks have been deep and wide.

Those who criticize the maritime industry constantly focus on what they term its "inability" to compete without government assistance and support. But government support of industry is a fact of American life.

Maritime labor generally holds to a course of optimism for this industry—we are less inclined to look backward to yesterday's problems.

My own union is intensifying the work it is doing at all levels of manpower training—from the entry ratings, to upgrading and on to preparing our members to obtain their licenses.

This is our evidence of faith—our belief that maritime does have a future, that it will have a responsibility to this industry to see that the manpower is available as more and more ships become available.

The Seafarers are not alone in stepping up the training tempo—in varying degrees, most, if not all, other unions in this industry are doing the same thing—building bridges into the future.

Maritime Day Has Special Meaning for Boston

(By Charles F. Duchein, president, Navy League of the United States)

Boston, the birthplace of American sea power, celebrates Maritime Day with special significance.

Sprinkled with the saltwater of seafaring experience since Colonial days, the expansive maritime view of Bostonians promises to add vitality to the unfolding oceanic renaissance.

What better time to blueprint the building of the World's foremost Merchant fleet than on Maritime Day in Boston?

Where better to talk of burgeoning trade, and the task of carrying that trade for the long-term prosperity than in Boston with maritime minded Bostonians!

Such talk is timely. For vigorous measures to rectify a serious defense weak spot are highlighted by the rapid rise of Russian sea power. The current situation dictates a radical course change, a counter-march, in maritime affairs.

This step-up in maritime program was presaged by Congressional legislation in 1966. That year, the Sea Grant College program launched as part of the historic Marine Engineering and Resource Development Act, provided both modus-operandi and incentives for expanding intellectual effort. The Sea Grant College movement, in the final analysis, will depend upon the great centers of learning to spark its success.

Such recognized universities, as MIT, Harvard, Boston College, Boston University are destined to play a special role in oceanic advancement.

The first step forward is the revitalization of our mercantile fleet. Concurrently, the seaports of yesterday must be given futuristic facilities and a modern profile.

The United States, now a raw material deficient nation, is dependent upon waterborne commerce to bring to our shores from all corners of the earth the many primary products for the swift moving industries of the 20th Century.

Of the 77 strategic materials the nation needs, 66 must be imported. Dependence upon foreign flags can prove suicidal strategically. Alarming is the fact that over 90 per cent of the tonnages of these strategic supplies arrive in ships of other nations.

Rebuilding the American Merchant Marine to a competitive posture should be a primary policy aim.

The father of the Sea Grant College idea, Dr. Athelstan Spilhaus, envisages the future opportunities of the oceans in these terms:

"The ocean will offer us military, recreational, economic, artistic and intellectual outlets of unlimited scope.

"Our Sea Grant Colleges and Universities", he counsels, "must focus on commitment on the sea and seek to impinge all our intellectual disciplines on the mastery, exploitation, and preservation of the sea. We must seek through a welding together of science, art, literature, engineering, medicine, law, public administration and politics to develop a public which will not only homestead our new spaces in the sea but colonize and civilize them through an integrated interdisciplinary education in the Sea Grant Colleges."

These educational incentives of the Sea Grant College Program reenforced by the Russians, with their burgeoning maritime power are now turning our minds toward the frontiers of the sea. Unquestionably, the dynamics of Russian maritime policy, reflected in huge naval and merchant marine construction programs, will accelerate the orientation of our national policy seaward.

The Soviet Union, clear of its century long land-locked confinement, is looking increasingly toward the sea to strengthen her political, economic, and military position.

Senator Warren G. Magnuson, Chairman of the Committee on Commerce, prefaces the Library of Congress treatise, "Soviet Drive for Maritime Power" as follows:

"There is no question that the U.S. Merchant Marine has continued to deteriorate since the publication of the earlier committee print in that revitalization of our fleet has become of even greater necessity."

The U.S.S.R. emerged as one of the fastest growing maritime nations, while the U.S. Merchant Marine continues to decline.

Russia by 1965 had built a largely new and magnificently efficient merchant fleet—80 per cent were built during the decade; in contrast, 70 percent of U.S. ships are over 20 years old.

The dynamic Soviet drive for maritime supremacy serves as a warning, but, the deplorable plight of the American Merchant Marine has yet to become a matter of national concern. Consequently, the program to regain a competitive posture has been slow in coming. To place proper focus on the strategic—sea lift—security relationship, 98 percent of the supplies and logistic support for Vietnam go by sea; and, so does our world trade.

Imagine the decisive competitive advantage in "turn about time", to be gained with a fleet of nuclear powered merchant ships. That the controversial "Savannah" continues to sail the seas, in itself, reassures one that the stage is being set for the U.S. to return, with renewed vitality, to the oceans of the world.

To meet the mounting challenge at sea, I suggest these several measures to gain their special oceanic contribution:

First, establish a major center of oceanic advancement under the aegis of the consortium of Boston universities and colleges. The Center might be named in honor of John Fitzgerald Kennedy. This would provide a long-term tribute to Kennedy's great moment in history—the maritime moment, when he backed down the Communist World in the Cuban Crisis, through imposing with consummate skill a de-facto maritime blockade with the sea power at his disposal.

The scientific and scholarly activity at this Center would stimulate increasing oceanic enquiry; here, sea-oriented studies and ocean research, covering the full spectrum of

intellectual disciplines relating to the seas, would serve to advance the American Maritime renaissance.

Second, establish a maritime park in Boston, similar in concept to the land related "industrial parks" situated near leading universities. There maritime-oriented individuals, organizations, and activites could pool research and study resources gaining in creative concepts and innovate ideas that serve the maritime interests of the nation. The maritime park complex, hopefully, would gain the support of all with a "stake in the sea."

The leadership of the Navy League encourages this activity, as a vital center, a pace-setter, for the reorientation of governmental policy toward the oceans. Poised on the threshold of a total oceanic program, the oceanic strategy fostered would move America toward the fulfillment of its maritime destiny.

Third, project a major program of cultural cruises for students, educators, with ships sailing world-wide from the modern Port of Boston. Ideally, these cruises would be part of the international educational program.

RUSSIAN SEAPOWER MODERN AND GROWING

(By Adm. John S. McCain, commander in chief, U.S. Naval Forces, Europe)

Soviet seapower is modern and it is growing. She recognizes the importance of the simple, seemingly innocuous looking merchant ship with its vital cargo.

The USSR, unlike the United States, is almost self sufficient in raw materials. Yet they have one of the most modern merchant fleets in the world, and it is growing rapidly.

If the present shipbuilding trend continues in a few years, Soviet Russia could have the world's largest and most modern Merchant Marine.

Further, there is a very fine line of distinction between the peaceful uses of a merchant ship and its wartime uses. In fact, this line is nearly indistinguishable because the passenger ship, for example, lends itself to wartime transportation of troops. In the Cuban crisis, it was merchant shipping that took the missiles into Cuba and others that took them out.

If we were to control the seas in wartime, then the Soviets would be confined to a limited area of the world. If they gain control of these oceans, then the reverse becomes true. They would control 95 per cent of the entire surface of the earth.

Without materials from overseas, factories would close, businesses would shut down, jobs would be destroyed—we would be an "isolated island" inevitably to lose our freedom and way of life.

These highly competitive efforts of the Soviet leadership represent a form of "war" of design and construction, of manpower and national resources, of money, of planning and organization.

Its roots lie deep in national policy and purpose: first in the realization of how completely seapower is, and will be, involved in the security and political and economic well-being of the Soviet nation. Second, it reflects the determination of the Soviets to pay the price that a total dedication to supremacy of the seas demands of a major world power.

Third, it indicates a willingness to marshal resources in developing and refining a seapower program as a prime contribution to the nation's overall progress in the world arena.

The U.S.S.R. currently ranks sixth among the maritime nations in terms of dead weight tonnage, while the United States ranks fifth with about 16 million DWT.

However, the Soviet target for 1980 is a fleet of 20 million dead weight tons and since World War II, the Soviets have acquired more than 1,000 new-built ships. U.S. shipyards now have about 51 merchant ships on order.

The important thing to remember is that the Soviet merchantmen are being seen the world over. During 1965, Soviet merchant ships called at more than 700 ports in 85 countries, nearly 65 percent of which were less developed countries of the Free World.

The Russians also with about 350 submarines possess by far the largest submarine fleet in world history. Forty of these are nuclear powered. The Soviet Union is the only country to mass produce submarines on a war-time basis during times of peace. In addition, they have transferred many of the flags of other Communist governed nations.

Communist China, for instance, now has the fourth largest submarine force in the world with about 30 submarines. Hitler embarked on World War II with only 57 submarines.

What most people do not realize is that the Soviets also possess a completely modern surface fleet. They have over 100 modern destroyers, some 20 cruisers, including missile types. The Soviets are putting both surface-to-air and surface-to-surface missiles on naval ships. The Kynda Class guided missile cruiser has both systems.

The Soviet Mine Force consists of about 300 vessels, most of which are strictly modern and most of their combatant ships, including their submarines, are equipped to lay mines.

If you add to these numbers their small vessels and auxiliaries, you will find that the Soviet Navy is operating about 2,000 ships. They are by far the second most powerful Navy in the world today in terms of physical hardware alone.

In observing operations in the Mediterranean, we have witnessed an ever-improving capability for replenishment at sea. This gives the Soviet Navy the very important capability to stay at sea for longer periods of time far from their home bases. It gives them the same capability that we have been so proud of in our Navy.

The Soviets also have by far the largest and most modern high seas fishing fleet in the world, in excess of 4,000 units. They are extremely proud of that during the last 25 years the Soviet fishery catch quadrupled from 1.4 million (metric) tons in 1940 to over 5.6 million (metric) tons in 1965. Today, Soviet Russia is the fourth largest fishing nation in the world behind Japan, Communist China and Peru.

The new Soviet five-year plan (1966–1970) for the development of the fishing industry provides for a 50 per cent increase over the 1965 fishery landings by 1970.

In that connection, Russia has had trawlers in close to both of our coasts. Often, these trawlers are equipped with more electronic equipment than one would normally attribute to just fishing.

And, of course, Soviet fisheries assistance is being extended to North Vietnam. In May 1965, for example, a North Vietnamese crew arrived in the Black Sea Port of Sevastopol to take deliveries of the first of three freezer trawlers which the Soviets are building for the Hanoi government.

Important also is the fact that the Soviet Oceanographic fleet is the world's largest, over 200 modern ships embarked on a program to discover and exploit all the riches which the oceans are capable of producing.

THE UNITED STATES CANNOT IGNORE THE SEA

(By John A. Culver)

(NOTE.—Culver is author of "Ships of U.S. Merchant Fleet" and a Naval Reserve Commander.)

The great oceans of the world cover 70 per cent of the globe. These oceans are 35 times the size of the United States. The U.S. takes up only 2 per cent of the earth's surface, housing about 6 percent of the earth's people. The U.S. is surrounded by the sea.

We cannot ignore the sea. The U.S. is a maritime nation and must act like one for our survival and the people must realize it for their well being. These oceans are the highways that bring goods to our country and these oceans can be used to bring war to our shores. Sea power is the Navy, Marines, the Coast Guard, our fishing fleet, our oceanography fleet, our merchant fleet and everything and everyone that support them.

The Navy's jobs are many and varied. Its first basic mission is to protect America herself. Another mission is to show America's strength as a nation in far away lands. This strength keeps danger far from our shores, our people and our industry.

The merchant marine's job is carrying the needed materials for our industry and our people. It is the lifeblood of our nation and without it we would be doomed. We depend on the sea to trade.

We need 77 strategic materials to keep our industry going. Foreign flag ships bring many of these strategic and other materials to and from our shores.

Maritime power is the American Merchant ships that carry our own products overseas and carry to us foreign products that we need. This is the part of sea power that keeps us prosperous as a people and strong as a nation.

Much effort is needed to combine America's maritime might. Combined efforts of our maritime strength should surely result in a more powerful nation, both economically and militarily. The general apathy of Americans concerning our merchant marine must be stopped.

The news media must give the people more news and insight of the ventures of our merchant marine as they give the Navy. Joint Navy and Merchant Marine ventures need to be given wide publicity so the public can read and understand the importance of this vital link to total maritime power.

Such joint ventures are: Operation Steel Pike which was a joint merchant marine-navy amphibious landing exercise off the coast of Spain in 1964, and Project Neptune which was a joint venture between the navy and merchant marine to collect oceanography data from a merchant ship on a regular scheduled voyage.

The amphibious forces and the MSTS fleet of the navy need to replace the World War II ships with new 20 knot ships. A conservative replacement program is underway for the auxiliary type ships but not for the MSTS ships; however, the merchant marine has several new ships operational that are new and exceed 20 knots.

The Department of Defense should plan a system where merchant ships could be used as naval auxiliaries as during WW II and start a similar plan for MSTS ship replacement. Such a plan would enhance both fleets and stimulate shipbuilding in the U.S.

The U.S. needs a strong merchant ship building program to prevent losing our vital sea power advantage to the U.S.S.R. The merchant marine must open up the way for Tramp operators to buy ships that are a few years old from the Government subsidized operators and plan for the subsidized operator to go ahead with his new construction. This would greatly increase the rate of building ships.

Such a plan will keep all segments of our merchant marine healthy including shipbuilding and related industries. Unless a plan of action is developed, our tramp fleet will be buried in a few years due to old age and no available replacement tonnage.

The officer corps of the merchant marine should be closely tied to the navy similar to the Merchant Marine-Naval Reserve Program of World War II. Many of Massachusetts' young men that graduate from the Massachusetts Maritime Academy serve in the Navy as well as the merchant marine. The Navy does notice the extreme value of these highly trained officers to serve in the Navy arm of our maritime power. This cohesion of the two major maritime groups molds together our maritime forces and results in better understanding and cooperation.

CONGRESS GRABS FOR FISCAL REINS

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. SCOTT. Mr. President, an article published in the May 18 issue of Business Week outlines how Congress is trying to reassert its role in the budget process. One measure to achieve this objective has been proposed in the other body by the able and distinguished gentleman from Michigan [Mr. BROWN] and many of his colleagues. I have introduced a companion measure in the Senate. I refer to H.R. 11458 and S. 3322, bills to establish in Congress an Office of Program Analysts and Evaluation, and aimed at assisting Congress in establishing budgetary priorities. This proposal, among others, is cited in the Business Week article. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONGRESS GRABS FOR FISCAL REINS

The tax-bill battle has given Congress a leg up in its long fight with the executive over who controls spending. A whole new appropriations procedure seems to be shaping up.

With luck, the tax hike-spending cut package that emerged last week from a House-Senate conference committee will end the paralyzing fiscal deadlock. It also could become a landmark in the struggle for power between the White House and Capitol Hill.

The package is the first real attempt by the Congress to shed its traditional approach to taxes and spending and confront the New Economics. And, put simply, it may be the start of a campaign by the legislative branch to take command of fiscal policy by recapturing effective control of the federal budget.

Congress' control over the budget process has slipped away over the years because it has concentrated too much on the minutiae of federal spending and has ignored the relevance of the whole.

THE MAZE

The budget goes up to Capitol Hill in January as a single document which lines up in neatly balanced columns all of the money that the executive branch has requested for the coming fiscal year and all of the expected sources of revenue. But the budget immediately disappears into a legislative maze that defies description—and coordination.

The appropriations process is a masterpiece of complexity. Each of the major agencies has a separate money bill, which must be approved by its own appropriations subcommittee. There are 13 of these units in the House and 16 in the Senate, each a little world unto itself with its own constituent interests.

Until the last bill is passed at the end of the session, there is no way to determine how much money Washington is committed to spend. The total is merely the accidental result of dozens of separate decisions. There is no way to balance what is being done at one agency with what is happening elsewhere in government. And there is no way to relate total spending to total revenues.

This approach was perhaps appropriate in an era when the federal government was small and the chief economic concern was to distribute spending with some semblance of equity. It became ineffective as the government grew too large to be managed in detail, and a positive handicap when, in the era of the new economics, Washington had to determine its total impact on the nation's economy.

Search for change

To have an effective say on the most important economic policy question—how federal expenditures are to be balanced with federal tax actions—Congress has to find a way to reverse its spyglass and view spending as a whole. This is precisely what the emergency fiscal package does, by setting a flat limit on total federal spending and ordering the executive to make the specific cuts that are required.

To some extent, of course, this arrangement undercuts the current basis of Congressional power—the ability to decide the precise dimensions of specific government programs. And there no doubt will be some resistance from those on the Hill and elsewhere with a stake in the traditional system. But there are powerful forces—which cut across the political spectrum—that are working for permanent change.

The most powerful force is clearly the chairman of the House Ways & Means Committee, Wilbur D. Mills (D-Ark.). Mills sees the fiscal emergency that stemmed from the war in Vietnam as a chance to win the beginnings of Congressional control of federal spending not only in fiscal 1969, but in later years via a tightening of the faucet for funds in the pipeline.

SOFT SPOT

Mills points to the pool of unspent appropriations, which he says will be $222-billion at the start of the next fiscal year. This, he says, "can be spent without any further action by the Congress—without Congressional appropriation of a single dollar." It is here, he says, that the opportunity lies for "real reductions and the regaining of necessary control over federal spending."

Representative George H. Mahon, (D-Tex.), chairman of the House Appropriations Committee, sees the same problem from the other side. Programs are created with little regard to how they will be financed, and the pressure on congressmen to vote for them is nearly overwhelming. "Members of Congress who get federal projects for their districts are given testimonial dinners back home," says Mahon, "There are no testimonials for those who do not."

FIRST STEP

Mahon and Mills both are fiscal conservatives. But their complaints deal more with procedure—the Congressional process for taxing and spending—than with the proliferation of Federal spending. Even if Congress were willing to exercise greater control over burgeoning government, they fear it probably would be incapable of doing so. The process does not work that way.

Liberals agree. Says one of them, Representative Al Ullman (D-Ore.), a Ways & Means Committee member: "Spending responsibility has gone downtown and all you have here is frustration." One of the main complaints about the way Congress handles taxing and spending is that the two subjects move through the legislative mill in separate streams and rarely are considered at the same time.

When the fiscal package comes to the floor of the House, probably next week, it will be one of the few times that the House has debated both taxing and spending at one time, in perspective.

GETTING TOO BIG

Congress did not always fragment power over taxing and spending. When the Ways & Means Committee was created in 1802 it had jurisdiction over both the Ways—spending—and the Means—taxes. But as the government grew, the job did too. The House Appropriations Committee was created in 1865. And with the passage of the Budget & Accounting Act of 1921, the present system was pretty much created.

In fiscal 1921, however, the "administrative" budget of the Federal government was only a little more than $5-billion. For fiscal 1969, the comparable figure requested by the Administration exceeded $147-billion. So in terms of sheer size, there is evidence that the proliferation of demands for money and taxes has overwhelmed the machinery to supply them.

Congressional response over the years to this, strictly in procedural terms, has been to divide and redivide responsibility for fiscal policy, especially on the spending side. The result? Here is the opinion of a long-time House staffman: "There is no unity, no cohesion to our appropriations process. The autonomy of our subcommittees is amazing and I don't see any hope of changing it."

BLAMING APPROPRIATIONS

It is in the 13 House appropriations subcommittees that the basic decisions of Federal spending are made. "All of the subcommittees have their little constituencies around town," says one long-time bureaucrat. "Really they are like little fiefs."

The subcommittees are targets for much of the criticism—from both in and out of Congress—about the appropriations process. The main complaints are related: that the system sacrifices consideration of broad fiscal policy for excessive concern with detail; that the system works to diffuse power and responsibility over fiscal policy to an excessive degree.

"We have Balkanized this procedure," says Representative Thomas B. Curtis (R-Mo.). "There is a committee chairmen's protective association. They say to each other 'you leave me alone and I'll leave you alone'."

Representative Richard Bolling (D-Mo.) puts it this way: "The appropriations committees want to keep their chunk of power, their little dung hills. We're idiots to let them do it."

Bolling says congressmen tend to look at fiscal policy in terms of "where the boodle is." And these days, there's more than ever of this "boodle"—federal money for projects back home.

SPENDING URGE

The pressure to spend is hard to resist. An Administration official finishes a telephone conversation and smiles wryly. "That was Senator X. He'd dying to get a new federal building for one of his cities. Yesterday he made a ringing denunciation on the floor of just this sort of project."

Every day every member of Congress is faced with such conflicting demands, and the whole legislative system was designed as a mechanism to help resolve them. But the question that bothers Congress badly is whether the mechanism will stand the strains that are being put on it now.

Turning point?

That's why last week's package from the House-Senate conference committee may be a turning point in the whole approach by Congress to taxing and spending.

The differences dividing Congress appear "concerned with the appropriate size of the budget, the wisdom of our military policy, and the need for Great Society programs," says Joseph A. Pechman, Director of Economic Studies for the Brookings Institution. The fact that the issues are so basic may be pulling Congress along to a more basic consideration of how fisca. policy fits in.

NICE TRY

Congress has tried before to build a system that would permit it to look at taxing and spending in one lump. The legislative Reorganization Act of 1946 contained a provision that was used once, then abandoned, to establish a joint committee on the legislative budget. This joint committee was composed of the members of the House Appropriations and Ways & Means Committees and the Senate Finance and Appropriations

Committees. It was to meet at the beginning of each year to recommend the maximum amount of appropriations for the next fiscal year.

The provision still is in the law, but the joint committee has not met since 1948. For one thing, with more than 100 members, it was simply too large to function with any degree of efficiency: debate of spending and taxing levels in the committee was hardly less cumbersome than debate of the same issues before the full House or Senate.

But the idea ran aground over a provision which required the committee to make its recommendations by Feb. 15 of each year. The late Senator Styles Bridges, who was chairman of the committee, said at its last meeting on Feb. 6, 1948: "It has proved impracticable to determine at such an early date as Feb. 15 an actual picture of necessary appropriations or expenditures for the coming fiscal year."

POWERLESS

The Joint Economic Committee does consider federal fiscal policy as a whole. Each year it holds extensive hearings on the President's Economic Report, which goes to Congress a few days after the budget and contains the specific rationale for the government fiscal stance.

But while the JEC is influential, it is not powerful. It serves as Congress' voice on economic policy and sometimes, by its usually informed questioning, elicits additional information about the Administration's budget plans. But because it has no legislative role, it can't directly figure in Congressional decision-making on taxes or expenditures.

PROGRAM ANALYSIS

Some recent suggestions aim to help congressmen understand precisely what they are voting on when they vote money bills. A freshman congressman Garry E. Brown (R-Mich.) has lined up impressive Republican support for a bill that would provide cost effectiveness analysis of new programs.

He proposes to set up an office of program analysis that would be an arm of Congress. It would help Congress over one of its toughest obstacles, the establishment of budgetary priorities, Brown thinks. "I get awfully tired of legislating in the dark," he says.

Wilbur Mills would like to see a Presidential commission, along the lines of the Hoover Commission, to bring outside experts in to study how Congress can better establish priorities for federal spending.

STRONGER WATCHDOG?

Another proposal is to strengthen the General Accounting Office, Congress watchdog on federal projects. The GAO in the past has also been criticized for expending its energies on trivia. But the current Controller General Elmer B. Staats is a former, long-time official of the Budget Bureau, a first-class civil servant and a man with ideas on how this might change.

The GAO, Staats thinks, would be able to gear up to do the kind of thing that Republican Brown wants. More use of electronic data processing equipment could gather together more detailed breakdowns of program areas which are now spread across many agencies.

That the present system works at all probably is mostly because of two notable characteristics of Congress: its ability to adapt and its inherent flexibility. Much of the process by which spending and taxing levels are meshed is informal. Mills chats with Mahon in the lobby of the House. Appropriations subcommittee chairmen meet agency heads at parties around town. But what bothers many observers is whether this will be enough in coming years. Such informality hardly seems appropriate to the issues and the times.

JAMES A. FARLEY, GENTLEMAN

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. ROONEY of New York. Mr. Speaker, Memorial Day is also the birthday of one whose name is a byword in the field of Government service and with the American people, the Honorable James A. Farley. On this May 30, Jim passed another milestone—his 80th birthday. John Quinn, of the New York Daily News, recently reminisced with Jim and put some of his thoughts together in an interesting article which appeared in the May 30 issue of that newspaper entitled "James A. Farley, Gentleman."

Under the permission heretofore granted me by unanimous consent of the House, I include this newspaper article:

JAMES A. FARLEY, GENTLEMAN

(On the eve of his 80th birthday a giant of a man who has walked with president and kings delivers some sage and salty comments on politics and men.)

(By John Quinn)

Fittingly, Memorial Day is also the birthday of James Aloysius Farley, the affable Irish giant—first baseman, star salesman of building supplies and candidates for high office, friend and confidant of Franklin D. Roosevelt, former postmaster general of the United States, politician extraordinary and, at 80, dean of the nation's Democrats.

"Fittingly" because Farley's legendary memory for names and dates, for faces and places, for decisions and their consequences, is still—oh, with maybe lacunae here or there—as green as the Hudson Valley hillsides among which he was born, grew to manhood and began a political career that has spanned nine presidencies and nearly 60 years.

I called the other day to ask how, from the eminence of 80 years, he viewed life and politics in these perilous times.

"Come up to the office and I'll tell you," he said. I did and he did.

The office is large, almost cavernous, and decorated in pure nostalgia. Farley, already bald and looking pretty much like the American eagle, pictured with the rest of Roosevelt's first cabinet in 1933. Farley with Popes, potentates and prime ministers. A bust of Farley by Paul Manship set upon what appeared to be a prototype of the world's first console radio ("It doesn't work, but it makes a good pedestal").

The subject of the sculpture slid his massive frame nimbly from behind his massive mahogany desk to greet me. He was dressed—as ever—in a neatly pressed double-breasted blue suit, with white shirt and blue silk tie. His grip—as ever—was firm, his smile friendly, his voice strong.

In a converation that ranged for two hours over past, present and future, he showed himself to be—as ever—well-informed, reflective, articulate, guardedly opinionated, unaffectedly pious, unrepentantly optimistic.

"I'm for Humphrey," he said (meaning Hubert) because he's the best and most experienced man the Democrats can nominate. "Besides," he added, ever the realist, "he can unite the party and win."

As to the Republican presidential aspirants, he would say only: "I'm a great friend of Nelson Rockefeller's."

The big problems? At home, the cities, of course. Abroad, America's position in the world.

Regarding the latter he was outspoken: "America has responsibilities that we cannot ignore. If we fail to meet them, Communism would rule all Southeast Asia and the Middle East.

"It is tragic that so many lives have been lost in Vietnam, however, and I hope the Paris negotiations will reach a solution that will enable us to withdraw under conditions that will protect those who look to us for assistance."

In any discussion of foreign policy, it is inevitable that Lyndon Johnson's name will arise. When it did, Farley, too, arose to his full 6-feet-2, to declaim: "Johnson will go down in history, like Truman, as one of the greatest Presidents.

"He has never gotten credit for what he did—in the Dominican Republic, for example. No President has ever been more unjustly criticized by press, radio and television. Why, the cartoonists just murder the poor man.

"Of course," he conceded, settling back in his chair, "he doesn't project a very good image. But like him or not, he's the President of the United States, and it's terrible to speak of him the way it's been done."

From the presidency and affairs of state on to the cities and affairs of hate. Internal violence has to be controlled, Farley believes, so that the problems of the cities can be attacked. "I don't care what the provocation, there must be law and order."

While not exonerating the North from the charge of racial prejudice, Farley points out that the big cities are really victims, in many ways, of an inherited ailment.

"In Roosevelt's day, we had programs like the WPA and the PWA and CCC camps (all those under 30 may write for a glossary of terms) for the unemployed. We have almost nothing today for the unskilled unemployed."

Would he care to comment on the leadership that Mayor Lindsay was giving New York City in this time of trial? Well, he really wouldn't, seeing as how "Mr. Lindsay has been able to fulfill so few of his campaign promises."

But mention of Roosevelt led, naturally, to a discussion of FDR's administration ("the first eight years were the greatest eight years in the history of the republic") and Farley's role therein:

"I don't see how people can call me a conservative. There wasn't a single piece of social welfare legislation that Mr. Roosevelt proposed that I didn't support, and that I didn't help push through the Congress."

Why, then, had he balked, in 1940, at Roosevelt's decision to seek a third term: "Because I didn't think the two-term tradition should be broken. Because there were people in the administration who were beginning to think it was theirs forever.

"Finally, because I could see that the burdens of office were affecting Mr. Roosevelt's health."

About his own career as a public official, which began when he defeated Mr. Edward Thompson ("a very distinguished fine old gentleman") for clerk of his home town of Stony Point, N.Y., in 1911, Farley is proud, bemused and grateful.

"It surprised everyone, most of all me," he reminisced of his first victory. "I was a Catholic and a Democrat in an area that was predominantly Protestant and Republican. But I knew a lot of people from playing baseball and going to dances, you know, and I won."

Of his business career, he is similarly proud: "I sold all the brick, lime, mortar and terracotta used in building the Empire State Building. It was the biggest order of its kind ever given up till then, I guess."

He has "great confidence" in the American people and is sure they will surmount their crises, foreign and domestic: "All my life, I have been an optimist. I still am."

He puts great store in truth, and his counsel to young people entering politics ("still the greatest challenge in American life") is "what my mother, Lord have mercy on her, told me when I was a boy:

" 'Jimmy, always tell the truth. It saves a lot of embarrassing explanations.' "

Right, Jim Farley, politician and gentleman. And a very happy birthday to you.

VIEWS OF THE NATIONAL GOVERNORS CONFERENCE ON THE TAX-EXEMPT STATUS OF INDUSTRIAL REVENUE BONDS

HON. EDWARD W. BROOKE

OF MASSACHUSETTS

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. BROOKE. Mr. President, I would like to place in the RECORD at this time a letter to chairman WILBUR MILLS of the House Ways and Means Committee from Gov. John Volpe, of Massachusetts. Governor Volpe's letter, written on behalf of the National Governors Conference, has reference to the provisions of H.R. 15414 relating to the tax-exempt status of industrial development bonds.

This issue is extremely complex; yet, as the Governor notes, the Congress has taken action without holding adequate public hearings. I believe that in the long run, the continued tax-exempt status of industrial development bonds is undesirable. But I believe that any change in this status should follow an orderly transitional process. Accordingly, I introduced, and the Senate accepted, an amendment which would have postponed removal of the tax-exempt status until January 1, 1969.

Governor Volpe's letter contains a detailed analysis of the problems which he and the Governors Conference foresee if hasty action is taken.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE DEPARTMENT,

Boston, May 28, 1968.

Hon. WILBUR D. MILLS,
Chairman, House Ways and Means Committee, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN MILLS: I am most appreciative of your cooperation, on rather short notice, in arranging the conference yesterday regarding industrial development financing.

My visit, on behalf of the National Governors' Conference, was prompted by a directive of the Conference Executive Committee which met last Friday.

Our concern, as expressed orally at the meeting yesterday in your office, is primarily focused upon the following specific issues, contained in the conference report on H. 15414:

1. Cities and towns have been authorized by states to utilize tax-exempt bonds in financing industrial development, as well as numerous other public services and facilities. Treasury action, through administrative procedure, assumed congressional prerogative in discontinuing these traditional procedures; and, Congress by compromising with Treasury, instead of reversing the order, seems to be registering approval of a most unusual precedent. The states protest this flagrant violation of rights by Treasury and respectfully request the Congress to restore due process.

2. Industrial development bonds, authorized in many states by constitutional amendment and tested by the state's courts, are under attack by a federal administrator. Congress seems about to validate the arbitrarily chosen May 1 deadline of Treasury without public hearings. The full impact upon the nation's economy of this action; and, the very drastic effect of the proposed legislation on non-industrial municipal bonds, of all sorts, has not been very well researched. The States most earnestly petition Congress to hold immediate hearings prior to passage of *any* proposed controls.

3. The proposed Conference Committee report, in a broad, sweeping stroke, has felled not only industrial development bonds, but also dozens of other unrelated but essential programs of city and state government. Urban renewal, model cities, open space, stream and air clean-up programs, core city employment, rural jobs programs, urban development and port authorities are but a few of the most obvious casualties of this legislation, it is apparent that the Treasury Department is launching its long-awaited campaign to eliminate all tax-exempt bonding procedures. We sincerely trust that Congress will not inadvertently aid this campaign by legislation without hearings.

4. Although most states will agree that the one million dollar ceiling, as proposed, is too low. It is far from evident just what ceiling, if any, can be constitutionally imposed, or what types of regulations and controls should be legislated to restrict industrial development bond use. Workable, acceptable and equitable restrictions may be most necessary to prevent certain abuses. Adoption of untested rules without seeking out the resultant effects through hearings may do great damage to the best financing procedure for industrial development yet devised in this country.

5. The retroactive date of May 1 will also cause tremendous hardships to certain individual companies. On the other hand, other companies who were able to obtain tax-exempt finance prior to the deadline will have perpetuated a long-term competitive advantage. In some cases such an advantage builds a monopoly which could force competing industries out of business, resulting in major job losses for certain regions.

We were pleased to learn of your own personal concerns which seemed to coincide with those of governors who have communicated with us.

Your assurances that corrective legislation would be undertaken at the earliest possible time were reassuring, even though it had been our hope that the conference report on H. 15414 might be the vehicle to make those adjustments.

We trust that Congress, before it adjourns, will initiate hearings on this issue, which is so vital to the States. The Committee of States, composed of state development directors, working with the National Governor's Conference, will begin working immediately upon the draft of a comprehensive, regulatory bill that will provide equitable standards for industrial development bond financing.

We are convinced that the action presently under consideration by Congress will cause such tremendous complications in local and state financing that immediate follow-up adjustments will be imperative. Since you have indicated a similar concern, we trust that open hearings, before your Committee, will be scheduled prior to adjournment of this session of Congress.

In conclusion, may I again express the appreciation of the National Governor's Conference, for the courtesies and consideration extended to their Chairman, to Mr. Charles Schwan of our staff, to Mr. Daniel Goldberg, and to Mr. Theodore Schulenberg, representing the committee of States' Development Directors, in our meeting yesterday. You may expect our continued interest and cooperation in resolving this matter.

Sincerely,

GOVERNOR.

H.R. 17748—OCCUPATIONAL SAFETY AND HEALTH ACT OF 1968

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. HATHAWAY. Mr. Speaker, I am today introducing, at the direction of the Select Subcommittee on Labor, a "clean" bill which that subcommittee has ordered prepared and reported to the Committee on Education and Labor, to replace H.R. 14816, the Occupational Safety and Health Act of 1968. I insert, Mr. Speaker, the text of the new bill and a section-by-section analysis to be printed at the conclusion of these remarks.

The subcommittee held extensive hearings during February and March on the original administration bill, H.R. 14816, and we were able, after taking some time to continue other hearings on other very pressing legislation, to complete our executive sessions late on the afternoon of May 29. The subcommittee staff, with the very able assistance of the House legislative counsel's office, has been working since then to perfect the legislative language embodying the changes the subcommittee made in H.R. 14816. This task being completed, the bill is now ready for introduction, and will, hopefully, be considered further by the full committee at its next regularly scheduled executive session on June 11.

The facts which led to the introduction of this bill are, I think, known to most of our colleagues, Mr. Speaker. Over the years, the Congress has from time to time enacted legislation to provide for a safe and healthful working environment for American working people in specific occupations or industries or situations. The Walsh-Healey Act, calling for sale and healthful working conditions for people working on Government contracts, the Longshoremen's and Harbor Workers' Compensation Act, providing for a safety program for workers covered by its provisions, the Federal Coal Mine Safety Act, and, as recently as 1966, the Metal and Nonmetallic Mine Safety Act, are examples of this concern which this Government has felt over occupational safety.

But it remained for President Johnson, in this year's manpower message, delivered on January 23, to call for legislation based on the premise that every American working man and woman is entitled to the safest and most healthful working environment that forethought and planning can provide. The President's message was followed immediately by the submission of a draft bill, and hearings began very shortly. Our subcommittee sat for many days taking testimony from a large number of witnesses, representing the administration, management and labor, and the safety and health professions. Almost all of the

witnesses offered criticisms—most of them constructive—of the original bill, and, when we went to executive sessions, we had a wealth of suggestions to draw from.

H.R. 17748 serves the same objectives as H.R. 14816. It still provides for the development of occupational safety and health standards, to cover workers employed by businesses affecting commerce. It still provides for enforcement of those standards, for inspection of working environments, for research, planning grants to the States, programs of training and education, and for procedures whereby the States can preserve their own jurisdiction if they are able and willing to do the job.

There are, however, substantial changes from the original bill, and it is primarily to those changes that I want to direct my remarks today.

Most Members of the House, Mr. Speaker, have seen voluminous mail on their desks in recent weeks, addressed to the provisions of H.R. 14816. Much of the mail has been in support, much—probably more—has been in opposition. Of the opposition mail, most of it has reflected the views presented to the subcommittee by business organizations—notably the views of the U.S. Chamber of Commerce, which has been in the forefront of the opposition.

This opposition has been of two kinds. First, we have had the criticisms of specific provisions of H.R. 14816—opposition to the working of the original bill. Second, we have had opposition to the very concept of legislation of any kind in this area. The only way to "satisfy" the latter type of opposition is, of course, to kill the bill outright, or to adopt such transparent dodges as appointing a commission for further study to prepare proposals which will be further studied, and then submitted back to the Congress for further study. The arguments that there is no need for legislation, that legislation will serve no purpose, and so forth, were not accepted by the subcommittee. We have assumed that there is an occupational safety and health problem of sufficient magnitude to call for Federal action, that legislation will be helpful—that it will not, of course, do the entire job—but that it will help. And that we do have enough facts before us to justify legislation now.

These are points of view between which there is no particular room for a middle position. Either you believe them or you do not. A majority of the members of the Select Subcommittee on Labor believed in these propositions. Hence this bill.

But the specific criticisms were something else again. These could each be taken, in the context of the original bill, considered in detail, further adjusted to fit into the basic concept, and adopted or rejected.

I think it is a tribute to the ingenuity and to the responsibility of the business community and the labor movement that so many of their specific criticisms turned out to be so useful. Even organizations which made it plain that no amendments would make the bill acceptable to them were still constructive enough to come up with proposals which helped make this a better bill—or, from the point of view of those organizations, make this the least of a host of evils.

A consistent specific criticism offered by business organizations, for example, was that the bill as originally introduced, did not afford a meaningful opportunity for interested parties to participate in the process of setting the standards to be promulgated under the bill. "The Secretary of Labor," to paraphrase these arguments, "will be an absolute czar. He can set any standards he wants to, and no interested party will have anything to say about it."

This was not, I am convinced, the intention of the Secretary of Labor, but H.R. 14816 did not, certainly, require him to consult with anyone before setting standards.

Early in the hearings it became obvious to me, and, I think, to most of us that it would be essential to allow for such consultation—in fact, to require it.

After the hearings were completed, and too late to be inserted as part of the hearings, the National Safety Council submitted a statement, which I also insert at the end of these remarks, setting forth its views on standard setting.

The Safety Council emphasized the need for consultation, and recommended strongly the use of "consensus" method standards. The "consensus method" of arriving at standards, as that phrase is commonly used in safety work, involves more than majority decision, and something less than absolute unanimity. It involves the concept that a safety standard should be studied by all interested parties, and should have the preponderant weight of the support of such parties.

Objections by interested parties to the formulation of a consensus standard are to be judged more in terms of the substance of each objection, and the experience of the objector and his importance in the area than simply by their numerical significance. In setting a consensus standard, for example, an objection by one highly expert safety engineer might well, in a given case, carry more than the approbation of six businessmen who are concerned in passing with this standard, but who are better qualified to speak about other standards. If this definition is not rigid, it is because the very concept of consensus rejects rigidity.

In any event, the National Safety Council urged upon the committee the concept of accepting the consensus standards developed by nationally recognized standard-setting organizations. The U.S.A. Standards Institute is perhaps the best-known such organization which operates on the consensus method.

The subcommittee had before it, then, two different, but not diametrically opposed concepts, Consultation, and consensus. We adopted, in effect, both of them.

H.R. 17748 allows the Secretary of Labor to immediately promulgate standards setting organizations, through a consensus method. In these areas, our feeling is, business, labor and the professions have already had the opportunity to consult in full and to find a least common denominator. Such standards, then, can be promulgated forthwith and given the force of law, as soon as the general enforcement authority is available.

In setting other standards, however, the Secretary must appoint advisory committees, to be composed of management and labor representatives, and representatives of the professional health and safety people, and of the State agencies. These committees will have 9 months in which to come up with standards in the area to which their mandate runs. When the advisory committees make their recommendations, the Secretary will publish them in the Federal Register and call a public hearing with at least 30 days opportunity for any interested party to file objections, comments, or criticisms. After the 30-day waiting period, and after the hearing, the Secretary may then promulgate the standards, with such modifications as the comments and suggestions submitted before and during the hearing indicate. There will then ensue a further 30-day period prior to the effective date of the standards. A party aggrieved by the standards promulgated can seek judicial review in the U.S. Court of Appeals for the District of Columbia.

Through either of these routes, therefore—the promulgation of consensus standards, or the advisory committee, we are assured that all interested parties will have had ample opportunity to participate in the process of designing the standards, and to comment on their validity.

A second major area of criticism was that the enforcement provided in H.R. 14816 was procedurally deficient and overly severe. H.R. 17748 represents a basic effort to mitigate the severity of the penalties originally suggested, and to protect all concerned with ample procedural safeguards. It is not the hope or expectation of the sponsors of this legislation that very many businessmen will ever experience the rigors of enforcement or penalty under this act.

The overwhelming majority of the members of the business community, we are convinced, are conscientiously striving to do the best job they can to safeguard their workers' lives and health. Some are motivated by the fact that safety is good business, but many more are motivated, I am convinced, by the simple fact that it is the decent thing to do. The enforcement procedures, the penalty provisions, are meant for the rare offender, the unusually careless employer who does not know what to do or does not want to spend the few dollars needed to do it. Like our laws against crime, the laws against unsafe and unhealthful occupational environments have to be on the books because of the few, not because of the many.

The specific changes made by H.R. 17748 provide for direct judicial review of the imposition of penalties for ordinary violations, and require court action to implement orders directing that a situation of imminent danger of harm to the workers be shut down. In both cases, the aggrieved employer has immediate

access to the courts. In cases of shutdowns because of imminent danger if, as I hardly believe will ever happen, there is a capricious or arbitrary shutdown order, the employer may bring suit in the Court of Claims to recover damages. Here, too, the new bill provides an extraordinary remedy for what we know, on the basis of experience, will be an extraordinary event.

A third basic complaint about H.R. 14816 went to the question of Federal-State relations. Under H.R. 14816, the Secretary had the discretionary authority to cede jurisdiction to the State "whenever, in his opinion, the provisions of such State law would reasonable carry out the objectives of this act."

H.R. 17748 includes language taken almost verbatim from the Metal and Nonmetallic Mine Safety Act of 1966. Section 12 of the new bill provides first, that there will be no period of dual jurisdiction. The Secretary's powers of enforcement and the operative effectiveness of the standards set under this act are held in abeyance until July 1, 1970. During that period while the Secretary is engaged in the business of setting—but not enforcing standards, and carrying out research and making planning grants to the States, the State's jurisdiction remains total.

After July 1, 1970, in those areas in which Federal standards have been promulgated, and only in those States where, in respect to such standards, no State plan has been approved, there will be full Federal enforcement powers. However, the State may at any time, with respect to any or all safety issues covered by Federal standards, present a plan to the Secretary of Labor.

The plan must give adequate assurances that the State's standards will be "substantially as effective"—not, I point out, the same as, just "substantially as effective as"—the Federal standards, and that the State agency will have the money, the personnel and the legal authority necessary, and that the State agency will have the right of entry into covered working environments. If the plan meets these requirements, the Secretary of Labor may accept it, and jurisdiction will then remain in State hands, to the extent provided by the plan. The State plan may be as wide as the entire gamut of Federal regulation, or it may address itself to one particular industry, or one occupation, or even to a single hazard.

Where, under H.R. 17748, the Federal Government has not promulgated a standard, State authority remains untouched whether there is a State plan or not.

Finally, H.R. 17748 provides that the operation of approved State plans will remain under continuing review by the Secretary, and, if a State is not abiding by its plan or by its assurance, the Secretary can, after due notice and opportunity for a hearing, withdraw his approval of that plan.

Other amendments to H.R. 14816 are embodied in the clean bill. Federal employees are brought under standards consistent with those set by the Secretary. A standard provision taken from other safety statutes have been inserted, specifically stating what was always the intention of H.R. 14816; namely, that nothing in this act interferes in any way with the existing rights and duties of employers and employees under workmen's compensation laws, State or Federal. The open-end appropriation in H.R. 14816 is replaced by an authorization for $10,000,000 for fiscal year 1969, $20,000,000 for fiscal year 1970, and $22,000,000 for fiscal year 1971.

Other changes will become apparent in the reading of the text of H.R. 17748, but I think these remarks set forth the essential changes which the subcommittee has made in response to the many responsible and constructive criticisms which have been offered with respect to the earlier bill.

One last word, Mr. Speaker. This bill represents, as I indicated at the beginning of these remarks, a fairly substantial gestation period. We had extensive hearings and several executive sessions. The subcommittee deliberations, while never heated, were frequently marked by vigorous differences of opinion.

I cannot predict, on the basis of any commitments known to me, what the attitudes of any member other than myself and the cosponsors will be to this bill, either in the full committee or on the floor. But I do want at this point to pay tribute to the hard work and conscientious work put in on this bill by the members of the subcommittee, and in particular by the gentleman from Wisconsin [Mr. STEIGER], who was most helpful to the subcommittee. He offered many of the amendments which we adopted, either as is, or in modified form. His participation in our deliberations was very constructive. And I believe both the opponents and proponents of this legislation owe him their thanks for his constant attention to the business before the subcommittee.

I cannot, of course, limit my praise to the gentleman from Wisconsin. The gentleman from Michigan [Mr. O'HARA], and our very distinguished subcommittee chairman, the gentleman from Pennsylvania [Mr. HOLLAND], have also given generously of their time in the development of this legislation, and in the cause of occupational safety and health.

Every American worker will be, I believe, in the debt of these unselfish and hard-working Members of this House.

The bill, H.R. 17748, section-by-section analysis, and statement referred to, follow:

H.R. 17748

A bill to authorize the Secretary of Labor to set standards to assure safe and healthful working conditions for working men and women; to assist and encourage the States to participate in efforts to assure such working conditions; to provide for research, information, education, and training in the field of occupational safety and health; and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Occupational Safety and Health Act of 1968".

CONGRESSIONAL FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds that personal injuries and illnesses arising out of work situations which result in death or disability impose a substantial burden upon, and are a hindrance to, interstate commerce in terms of lost production, wage loss, medical expenses, and disability compensation payments.

(b) The Congress declares it to be the purpose and policy, through the exercise by Congress of its powers to regulate commerce among the several States and with foreign nations and to provide for the general welfare, to assure so far as possible every working man and woman in the Nation safe and healthful working conditions—

(1) by establishing mandatory occupational safety and health standards applicable to businesses affecting commerce;

(2) by providing for the effective enforcement of such safety and health standards;

(3) by providing for research relating to occupational safety and health;

(4) by providing for training programs to increase and improve personnel engaged in the field of occupational safety and health;

(5) by more clearly delineating the responsibilities of the Federal Government and the States in their activities related to occupational safety and health;

(6) by providing grants to the States to assist them in identifying their needs and responsibilities in the area of occupational safety and health, to develop plans in accordance with the provisions of this Act, and to conduct experimental and demonstration projects in connection therewith; and

(7) by providing for appropriate accident and health reporting procedures which will help achieve the objectives of this Act.

STANDARDS

SEC. 3. (a) For purposes of this section:

(1) The term "occupational safety and health standard" means a standard which requires conditions, or the adoption or use of one or more practices, means, methods, operations or processes, reasonably necessary to provide safe or healthful employment and places of employment.

(2) The term "national consensus standard" means any occupational safety or health standard adopted under a consensus method by a nationally recognized standards producing organization.

(b) Except as provided in section 12(f) of this Act, each employer engaged in a business affecting commerce shall comply with occupational safety and health standards promulgated by the Secretary. Such standards shall be promulgated, modified or revoked by the Secretary by rule in accordance with subsection (c) or (d).

(c) The Secretary may by rule promulgate any occupational safety and health standard which is a national consensus standard. If the nationally recognized standards producing organization which adopted the national consensus standard upon which an occupational safety and health standard promulgated under this subsection was based modifies or revokes such national consensus standard under a consensus method, the Secretary may by rule modify or revoke the standard promulgated by him to the same extent. Section 553 of title 5, United States Code, shall not apply to any rule issued under this subsection.

(d) The Secretary may, by rule, promulgate, modify or revoke any occupational safety and health standard in the following manner:

(1) Whenever the Secretary is of the opinion such a rule should be prescribed, he shall appoint an advisory committee under section 4(b) of this Act, which shall submit to him within two hundred and seventy days from its appointment or within such longer period as may be prescribed by the Secretary, its recommendations regarding the rule to be prescribed, which recommendations shall be published by the Secretary in the Federal Register, either as part of a subsequent notice of hearing or separately.

(2) After the submission of such recommendations, the Secretary shall schedule and give notice of a hearing on the recommendations of the advisory committee and any other relevant subjects and issues. In the event that the advisory committee fails to submit recommendations within two hundred and seventy days from its appointment (or such longer period as the Secretary has prescribed) he may schedule and give notice of a hearing on any proposal relevant to the purpose for which the advisory committee was appointed. In either case, notice of the time and place of any such hearing shall be published in the Federal Register thirty days prior to the hearing and shall contain the recommendations of the advisory committee or the proposal made in absence of such recommendation. Prior to the hearing interested persons shall be afforded an opportunity to submit comments upon the recommendations of the advisory committee or other proposal. Only persons who have submitted such comments shall have a right at such hearing to submit oral or written evidence, data, views, or arguments.

(3) Upon the entire record before him, including the advisory committee recommendations and any evidence, data, views, and arguments submitted in connection with the hearing, the Secretary may issue a rule promulgating, modifying or revoking an occupational safety and health standard. The rule shall not become effective for at least thirty days after publication in the Federal Register.

(4) Any person aggrieved or adversely affected by the action of the Secretary in issuing a rule under paragraph (3) may obtain a review of such action by the United States Court of Appeals for the District of Columbia by filing in such court within thirty days following the publication of such rule a petition praying that the action of the Secretary be modified or set aside in whole or in part. A copy of such petition shall forthwith be served upon the Secretary, and thereupon the Secretary shall certify and file in the court the record upon which the action complained of was issued as provided in section 2112 of title 28, United States Code. Findings of fact by the Secretary, if supported by substantial evidence on the record considered as a whole, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence on the record considered as a whole. The court shall have exclusive jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of a proceeding under this subsection shall not, unless specifically ordered by the court, operate as a stay of the Secretary's action in issuing the rule.

(e) This Act shall not apply with respect to employment performed in a workplace within a foreign country or within territory under the jurisdiction of the United States other than the following: a State; Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act; American Samoa; Wake Island; Eniwetok Atoll; Kwajalein Atoll; Johnston Island; and the Canal Zone.

ADMINISTRATION; ADVISORY COMMITTEES

SEC. 4. (a) In carrying out his responsibilities under this Act, the Secretary is authorized to—

(1) use, with the consent of any Federal agency, the services, facilities, and employees of such agency with or without reimbursement, and with the consent of any State or political subdivision thereof, accept and use the services, facilities, and employees of the agencies of such State or subdivision with or without reimbursement; and

(2) employ experts and consultants or organizations thereof as authorized by section 3109 of title 5, United State Code, except that contracts for such employment may be renewed annually; compensate individuals so employed at rates not in excess of $100 per diem, including traveltime; and allow them while away from their homes or regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently, while so employed.

(b) The Secretary shall appoint advisory committees to recommend occupational safety and health standards under section 3(d)(1) of this Act. Each such advisory committee shall include among its members an equal number of persons qualified by experience and affiliation to present the viewpoint of the employers involved, and of persons similarly qualified to present the viewpoint of the workers involved, as well as one or more representatives of health or safety agencies of the States, one or more representatives of professional organizations of technicians, engineers or physicians specializing in occupational safety or health, and one or more representatives of nationally recognized standards producing organizations. An advisory committee may also include such other persons as the Secretary may appoint who are qualified by knowledge and experience to make a useful contribution to the work of the committee, but the number of persons so appointed to any advisory committee shall not exceed the number appointed to such committee as representatives of State agencies, professional organizations and standards producing organizations. Persons appointed to advisory committees from private life shall be compensated in the same manner as consultants or experts under subsection (a)(2) of this section. The Secretary shall pay to any State which is the employer of a member of the committee who is a representative of the health or safety agency of that State, reimbursement sufficient to cover the actual cost to the State resulting from such representative's membership on the committee.

INSPECTIONS AND INVESTIGATIONS

SEC. 5. (a) In order to carry out the purposes of this Act, the Secretary, upon presenting appropriate credentials to the owner, operator, or agent in charge, is authorized—

(1) to enter upon at reasonable times any factory, plant, establishment, construction site, or other area, workplace, or environment where work is performed by an employee of an employer or on a contract described in section 10(a); and

(2) to inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any such area, workplace, or environment, and all pertinent conditions, structures, machines, apparatus, devices, equipment, and materials therein, and to question any such employee.

(b) For the purpose of carrying out his duties under this Act, the Secretary may delegate his authority under this section to any agency of the Federal Government with or without reimbursement, and, with its consent and with or without reimbursement and under conditions the Secretary may prescribe, to any appropriate State agency or agencies designated by the Governor of the State.

ADMINISTRATIVE ENFORCEMENT

SEC. 6. (a)(1) If, upon inspection or investigation, the Secretary determines that any employer has violated any standard promulgated under section 3 or that any person has violated any regulation prescribed under subsection (b) of this section or any contractual requirement of section 10(a), he shall hold a hearing (in accordance with section 554 of title 5, United States Code, but without regard to subsection (a)(3) of such section), and shall issue such orders, and make such decisions, based upon findings of fact, as are deemed to be necessary to enforce such standard, regulation, or requirement. The Secretary shall give such person the information required by section 554(b) of such title at least 15 days prior to hearing. The Secretary shall have the power to issue orders requiring the attendance and testimony of witnesses and the production of evidence under oath. Witnesses shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. In case of contumacy, failure, or refusal of any person to obey such an order, any district court of the United States or the United States courts of any territory or possession, within the jurisdiction of which the inquiry is carried, on or within the jurisdiction of which such person is found, or resides or transacts business, upon the application by the Secretary, shall have jurisdiction to issue to such person an order requiring such person to appear to produce evidence if, as, and when so ordered, and to give testimony relating to the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(2) If an inspection or investigation discloses (A) that an employer has violated a standard promulgated under section 3 or that any person has violated a contractual requirement of section 10(a) and (B) that such violation may result in imminent harm to the safety or health of workers, the Secretary may (notwithstanding the provisions of paragraph (1) of this subsection) issue an order providing for the immediate cessation of such violation and for any other measures he may deem necessary to correct or remove such violation, including the prohibition of the employment of any persons in locations or under conditions where such violations exist, except to correct or remove the violation. Such order may remain in effect during the pendency of any proceeding under paragraph (1) of this subsection.

(b) Each employer shall make, keep, and preserve, and make available to the Secretary such records concerning the requirements of section 3 of this Act, and shall make reports therefrom to the Secretary, as he may prescribe by regulation as necessary or appropriate for the enforcement of this Act.

JUDICIAL PROCEEDINGS

SEC. 7. (a) The district courts of the United States shall have jurisdiction to enforce (by restraining order, injunction, or otherwise) any order of the Secretary under section 6(a)(1) of this Act. Any person aggrieved by an order issued under section 6(a)(1) may obtain review thereof by such courts based upon the record before the Secretary.

(b)(1) The Secretary shall have power, upon issuance of an order under section 6(a)(2), to petition any United States district court, within any district wherein such violation is alleged to have occurred or wherein the person to whom the order was issued resides or transacts business, for appropriate temporary relief or restraining order. Upon the filing of any such petition the court shall have jurisdiction to grant to the Secretary such temporary restraining order, injunction, or other appropriate order, as it deems just and proper.

(2) If the Secretary arbitrarily or capriciously issues an order under section 6(a)(2) and the person to whom the order is directed is injured in his business or property by reason of such order, such person may bring an action against the United States in the

Court of Claims in which he may recover the damages he has sustained.

CONFIDENTIALITY OF TRADE SECRETS

SEC. 8. In connection with any proceeding under this Act no witness or any other person shall be required to divulge trade secrets or secret processes.

PENALTIES

SEC. 9. (a) Any employer who violates any standard promulgated under section 3 of this Act or any person who violates any regulation prescribed under section 6(b) or any contractual requirement of section 10(a), may be assessed by the Secretary, pursuant to an order issued under section 6(a)(1) of this Act, a civil penalty of not more than $1,000 for each violation. Each violation shall be a separate offense. When the violation is of a continuing nature, each day during which it continues after a reasonable time specified in an order issued under section 6(a)(1) shall constitute a separate offense except during the time a review of the order under section 6(a)(1) may be taken, or such review is pending, and during the time allowed in the order under section 6(a)(1) for correction. The Secretary may compromise, mitigate, or settle any claim for civil penalties. In assessing the penalty, consideration shall be given to the appropriateness of the penalty to the size of the business of the person charged and the gravity of the violation.

(b) Any person who willfully violates or fails or refuses to comply with any order issued under section 6(a)(1) of this Act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than $5,000 or by imprisonment for not more than six months, or by both such fine and imprisonment; except that if the conviction is for a violation committed after a first conviction of such person, punishment shall be by a fine of not more than $10,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

(c) Any person who forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person while engaged in or on account of the performance of inspections or investigatory duties under this Act shall be fined not more than $5,000 or imprisoned not more than three years, or both. Whoever, in the commission of any such acts, uses a deadly or dangerous weapon, shall be fined not more than $10,000 or imprisoned not more than ten years, or both. Whoever kills any person while engaged in or on account of the performance of inspecting or investigating duties under this Act shall be punished by imprisonment for any term of years or for life.

GOVERNMENT CONTRACTS

SEC. 10. (a) Each contract exceeding $2,500 and requiring or involving the employment of any person (1) to which the United States or any agency or instrumentality thereof, or the District of Columbia is a party, (2) which is made for or on behalf of the United States, any agency or instrumentality thereof, or the District of Columbia, or (3) which is financed in whole or in part by loans or grants from, or loans insured or guaranteed by, the United States or any agency or instrumentality of the United States, shall include the requirement that no part of such contract (or any subcontract thereunder) will be performed in any place or under any conditions which do not meet the applicable occupational safety and health standards. The applicable occupational safety and health standards shall be the standards promulgated by the Secretary under section 3 of this Act, except that, to the extent that the contract will be performed in a State in which there is in effect a State plan approved under section 12(d) which provides for the development and enforcement of safety and health standards relating to one or more occupational safety or health issues, the applicable occupational safety and health standards relating to such issues shall be those developed and enforced under the State plan rather than those promulgated by the Secretary under section 3.

(b) In promulgating standards under section 3 of this Act, the Secretary shall to the extent feasible conform such standards to those occupational safety and health standards established under other laws administered by him.

(c) In addition to the remedies otherwise provided in this Act, the Secretary may declare ineligible to receive any contract described in subsection (a) of this section any person or firm, or any firm, corporation, partnership, or association in which such person or firm has a controlling interest, which is found to have disregarded its obligations under this section until such person or firm has satisfied the Secretary that it will comply with the requirements of this section.

(d) In addition to the remedies otherwise provided in this Act, the Secretary may recommend to the appropriate contracting agency that such agency cancel, terminate, suspend, or cause to be canceled, or suspended, any contract made by any contracting agency for the failure of the contractor to comply with an order of the Secretary issued under section 6(a)(1) of this Act for the breach or violation by such employer of the requirements under subsection (a) of this section.

VARIATIONS, TOLERANCES, AND EXEMPTIONS

SEC. 11. The Secretary may provide such reasonable limitations and may make such rules and regulations allowing reasonable variations, tolerances, and exemptions to and from any or all provisions of this Act as he may find necessary and proper in the public interest or to avoid serious impairment of the conduct of Government business. The Secretary shall keep an appropriately indexed record of all variations, tolerances, and exemptions granted under this section, which shall be open for public inspection.

EFFECTIVE DATE: FEDERAL-STATE RELATIONSHIP

SEC. 12. (a)(1) Except as otherwise provided in this section, this Act shall be effective on the first day of the first month after the date of its enactment.

(2) Sections 6, 7, 9, and standards promulgated under section 3 shall not take effect until July 1, 1970. Section 10 shall not apply to contracts entered into before July 1, 1970.

(b) Nothing in this Act shall be deemed to prevent any State agency or court from asserting jurisdiction over any occupational safety or health issue with respect to which no standard is in effect under section 3.

(c) Any State which, at any time, desires to assume responsibility for development and enforcement in such State of occupational safety or health standards relating to any occupational safety or health issue with respect to which a Federal standard has been promulgated under section 3 shall submit a State plan for the development of such standards and their enforcement.

(d) The Secretary shall approve the plan submitted by a State under subsection (c), or any modification thereof, if, in the judgment of the Secretary, such plan—

(1) designates a State agency or agencies as the agency or agencies responsible for administering the plan throughout the State,

(2) provides for the development and enforcement of safety and health standards relating to one or more safety or health issues, which standards are or will be substantially as effective in providing safe and healthful employment and places of employment as the standards promulgated under section 3 which relate to the same issues,

(3) provides for the right of entry and inspection of all workplaces subject to the Act,

(4) contains assurances that such agency or agencies have or will have the legal authority and qualified personnel necessary for the enforcement of such standards,

(5) gives assurances that such State will devote adequate funds to the administration and enforcement of such standards, and

(6) provides that the State agency will make such reports to the Secretary in such form and containing such information, as the Secretary shall from time to time require.

(e) The Secretary shall, on the basis of reports submitted by the State agency and his own inspections, make a continuing evaluation of the manner in which each State having a plan approved under this section is carrying out such plan. Whenever the Secretary finds, after affording due notice and opportunity for a hearing, that in the administration of the State plan there is a failure to comply substantially with any provision of the State plan (or any assurance contained therein), he shall notify the State agency of his withdrawal of approval of such plan and upon receipt of such notice such plan shall cease to be in effect

(f) The provisions of section 6, 7, 9, and standards promulgated under section 3 of this Act shall not apply with respect to any occupational safety or health issue in a State in which there is in effect a State plan approved under subsection (d) which provides for the development and enforcement of health and safety standards relating to such issue.

RELATIONSHIP TO OTHER FEDERAL PROGRAMS

SEC. 13. Nothing in this Act shall authorize the Secretary to regulate, or shall apply to, working conditions of employees with respect to whom another Federal agency has statutory authority to prescribe or enforce standards or regulations affecting occupational safety or health. The Secretary shall coordinate, to the greatest extent practicable, the occupational safety and health activities of all Federal agencies.

FEDERAL AGENCY SAFETY PROGRAMS AND RESPONSIBILITIES

SEC. 14. (a) It shall be the responsibility of the head of each Federal agency to establish and maintain an effective and comprehensive occupational safety and health program which is consistent with the standards promulgated by the Secretary under section 3. The head of each agency shall—

(1) provide safe and healthful places and conditions of employment, consistent with the standards set under section 3;

(2) acquire, maintain, and require the use of safety equipment, personal protective equipment, and devices reasonably necessary to protect employees;

(3) keep adequate records of all occupational accidents and illnesses for proper evaluation and necessary corrective action; and

(4) make an annual report to the President with respect to occupational accidents and injuries and the agency's program under this section. Such report shall include any report submitted under section 7902(e)(2) of title 5, United States Code.

(b) The President shall transmit annually to the Senate and House of Representatives a report of the activities of each Federal agency under this section.

RESEARCH AND RELATED ACTIVITIES

SEC. 15. (a)(1) The Secretary of Health, Education, and Welfare, after consultation with the Secretary and with other appropriate Federal departments or agencies, shall conduct (directly or by grants or contracts) research, experiments, and demonstrations relating to occupational safety and health.

(2) The Secretary of Health, Education, and Welfare shall from time to time consult with the Secretary in order to develop specific plans for such research, demonstrations, and experiments as are necessary to produce criteria enabling the Secretary to meet his responsibility for the formulation of safety and health standards under this Act; and the Secretary of Health, Education, and Welfare, on the basis of such research, demonstrations, and experiments and any other information available to him, shall develop such criteria.

(b) The Secretary of Health, Education, and Welfare is authorized to make inspections as provided in section 5 of this Act in order to carry out his functions and responsibilities under this section.

(c) The Secretary of Labor is authorized to enter into contracts, agreements, or other arrangements with appropriate public agencies or private organizations for the purpose of conducting studies related to his responsibilities for establishing and applying occupational safety and health standards under section 3 of this Act. In carrying out his responsibilities under this subsection, the Secretary shall consult with the Secretary of Health, Education, and Welfare in order to avoid any duplication of efforts under this section.

(d) The Secretary, after consultation with the Secretary of Health, Education, and Welfare, and with the appropriate official in each State as duly designated by such State, shall establish such accident and health reporting systems for employers and for the States as he deems necessary to carry out his responsibilities under this Act.

TRAINING AND EMPLOYEE EDUCATION

SEC. 16. (a) The Secretary of Health, Education, and Welfare, after consultation with the Secretary of Labor and with other appropriate Federal departments and agencies, shall conduct (directly or by grants or contracts) educational programs to provide an adequate supply of personnel to carry out the purposes of this Act.

(b) The Secretary is also authorized to conduct (directly or by grants or contracts) short-term training of personnel engaged in work related to his responsibilities under this Act.

(c) The Secretary, in consultation with the Secretary of Health, Education, and Welfare, shall provide for the establishment and supervision of programs for the education and training of employers and employees in the recognition, avoidance, and prevention of unsafe or unhealthful working conditions in employments covered by this Act, and to consult with and advise employers as to effective means of preventing occupational injuries and illnesses.

GRANTS TO THE STATES

SEC. 17. (a) The Secretary is authorized, during the fiscal year ending June 30, 1969, and the two succeeding fiscal years, to make grants to the States to assist them (1) in identifying their needs and responsibilities in the area of occupational safety and health, (2) in developing State plans under section 12, or (3) in developing plans for—

(A) establishing systems for the collection of information concerning the nature and frequency of occupational injuries and diseases;

(B) increasing the expertise and enforcement capabilities of their personnel engaged in occupational safety and health programs; or

(C) otherwise improving the administration and enforcement of State occupational safety and health laws, including standards thereunder, consistent with the objectives of this Act.

(b) The Secretary is authorized, during the fiscal year ending June 30, 1969, and the two succeeding fiscal years, to make grants to the States for experimental and demonstration projects consistent with the objectives set forth in subsection (a) of this section.

(c) The Governor of the State shall designate the appropriate State agency, or agencies, for receipt of any grant made by the Secretary under this section.

(d) Any State agency, or agencies, designated by the Governor of the State, desiring a grant under this section shall submit an application therefor to the Secretary.

(e) The Secretary shall review the application, and shall, after consultation with the Secretary of Health, Education, and Welfare, approve or reject such application.

(f) The Federal share for each State grant under this section may be up to 90 per centum of the State's total cost.

(g) Prior to June 30, 1971, the Secretary shall, after consultation with the Secretary of Health, Education, and Welfare, transmit a report to the President and to Congress describing the experience under the program and making any recommendations as he may deem appropriate.

EFFECT ON OTHER LAWS

SEC. 18. (a) Nothing in this Act shall be construed as repealing or modifying in any way any other Federal laws prescribing safety and health requirements.

(b) Nothing in this Act shall be construed or held to supersede or in any manner affect any workmen's compensation law or to enlarge or diminish or affect in any other manner the common law or statutory rights, duties, or liabilities of employers and employees under any law with respect to injuries, occupational or other diseases, or death of employees arising out of, or in the course of employment.

AUDITS

SEC. 19. (a) Each recipient of a grant under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such grant, the total cost of the project or undertaking in connection with which such grant is made or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination of any books, documents, papers, and records of the recipients of any grant under this Act that are pertinent to any such grant.

REPORTS

SEC. 20. Within one hundred and twenty days following the convening of the first session of each Congress, the Secretary and the Secretary of Health, Education, and Welfare shall jointly prepare and submit to the President for transmittal to the Congress a biennial report upon the subject matter of this Act, the progress concerning the achievement of its purposes, the needs and requirements in the field of occupational safety and health, and any other relevant information, and including any recommendations they may deem appropriate.

APPROPRIATIONS

SEC. 21. There are authorized to be appropriated to carry out this Act not to exceed $10,000,000 for the fiscal year ending June 30, 1969, not to exceed $20,000,000 for the fiscal year ending June 30, 1970, and not to exceed $22,000,000 for the fiscal year ending June 30, 1971.

DEFINITIONS

SEC. 22. For the purposes of this Act:

(1) The term "Secretary" means the Secretary of Labor or his duly authorized representative.

(2) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States; or between a State and any place outside thereof; or within the District of Columbia, or a possession of the United States, or between points in the same State but through a point outside thereof.

(3) The term "person" means one or more individuals, partnerships, associations, corporations, business trusts, legal representatives, or any organized groups of persons.

(4) The term "employer" means a person engaged in a business affecting commerce who has employees, but does not include the United States or any State or political subdivision of a State.

(5) The term "State" includes a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, and Guam.

SEPARABILITY

SEC. 23. If any provision of this Act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SECTION-BY-SECTION ANALYSIS OF H.R. 17748

A bill to authorize the Secretary of Labor to set standards to assure safe and healthful working conditions for working men and women; to assist and encourage the States to participate in efforts to assure such working conditions; to provide for research, information, education, and training in the field of occupational safety and health; and for other purposes

SECTION 1—ACT IS ENTITLED "OCCUPATIONAL SAFETY AND HEALTH ACT OF 1968"

SECTION 2—FINDINGS AND PURPOSE

Congress finds that occupational injuries and illnesses impose a substantial burden upon interstate commerce. The purpose of the Act is stated to be the assurance of safe and healthful working conditions by establishing and enforcing safety standards, supporting research, training programs, adequate reporting procedures for accidents and injuries, by providing assistance to the States in conducting research and development in carrying out their responsibilities under the Act, and by clearly delineating Federal and State responsibilities relating to occupational safety and health.

SECTION 3—STANDARDS

Provides that employers shall comply with specific standards to be prescribed by the Secretary of Labor under carefully fashioned procedural safeguards. The bill does not provide a general requirement that employers provide safe and healthful employment in the absence of such standards.

Briefly, the steps which the Secretary of Labor would be required to follow in setting occupational safety and health standards are the following:

1. When the Secretary wishes to promulgate a rule or regulation prescribing an occupational safety or health standard he must first appoint an advisory committee, which shall include among its members: (a) an equal number of persons qualified by experience and affiliation to present (i) the viewpoint of the employers involved, and (ii) of persons similarly qualified to present the viewpoint of the workers involved; (b) one or more representatives of State health or safety agencies; (c) one or more representatives of professional organizations of technicians, engineers and physicians specializing on occupational safety or health; (d) one or more representatives of nationally recognized standards producing organizations; and (e) any other persons as the Secretary may wish to appoint who are qualified by knowledge and experience to make a useful contribution to the work of the committee. (The number appointed in this category not to exceed the number appointed under headings (b), (c), and (d)).

2. Within 270 days (nine months) following its appointment, or within any longer period prescribed by the Secretary, the advisory committee is to submit recommendations to the Secretary regarding the measures to be prescribed.

3. The Secretary must publish the recommendations of the advisory committee in the Federal Register. This may be done in a subsequent notice of hearing, or separately, as where the Secretary does not wish to proceed with rulemaking on the subjects and issues involved.

4. After the submission of the advisory committee's recommendations, the Secretary,

if he wishes to proceed with rule-making shall schedule and give notice of a hearing. The notice must contain the recommendations of the advisory committee and any other relevant subjects and issues of which the Secretary may wish to consider, such as any materials developed from the research programs to be developed under section 15 of the bill, or how any standards to be established are to conform, to the extent feasible, with those promulgated under other laws by him, as provided in section 10(b) of the bill. The notice must be provided at least thirty days before the scheduled hearing. Whenever the advisory committee has not filed recommendations with the Secretary of Labor within 270 days from its appointment, or such longer period as may have been prescribed by the Secretary, the noticed subjects and issues need only be relevant to the purpose for which the advisory committee was appointed.

5. Interested persons would be given an opportunity to submit written data, views, and arguments concerning the noticed recommendations of the advisory committee and any other noticed subjects and issues. Only persons who have submitted comments shall have a right at any hearing to submit oral or written evidence, data, views, or arguments. In the absence of comments requesting a hearing, the Secretary would not be obligated to hold one.

6. The Secretary would formulate any rule or regulation after consideration of the entire record before him. In the event a hearing is held, it would be subject to the procedural requirements of sections 7 and 8 of the Administrative Procedure Act, as codified in 5 U.S.C §§ 556 and 557.

7. Any person adversely affected or aggrieved by a rule of the Secretary may obtain review thereof by the Court of Appeals for the District of Columbia.

The Secretary has an alternative avenue for prescribing occupational safety and health standards. Without regard to the procedural requirements of section 4 of the Administrative Procedure Act, as codified in 5 U.S.C. § 553, or the steps outlined above, the Secretary may apply any standard adopted under a "consensus method" by a nationally recognized standards producing organization. A standard so adopted would be known as an "adopted national consensus standard." In applying a "consensus method," as contemplated by the bill, it is not enough for a standards producing organization to formulate its standards alone. There must be an opportunity for persons outside the organizations having a substantial interest in the application of the standards to comment upon them. In varying circumstances, such persons could include employers, employee organizations, insurers, government agencies, etc. There should be a general concurrence, although not necessarily unanimity, concerning an acceptance of the standards.

The section expressly provides that the Act shall not apply to employment performed in a foreign country or in a territory with United States jurisdiction other than the following: a "State" as defined in section 22, Outer Continental Shelf Lands, American Samoa, Wake Island, Eniwetok Atoll, Kwajalein Atoll, Johnston Island, and the Canal Zone.

SECTION 4—ADMINISTRATION

To assist the Secretary in carrying out his responsibilities under the Act, he is authorized under subsection (a) to use the services, facilities, and employees of Federal and State agencies. The Secretary is further authorized to employ outside experts and consultants.

Subsection (b) deals with the establishment and composition of the advisory committees which would participate in the standards-setting process under section 3 of the bill. (See the analysis of that section for details on the membership of such advisory committees.)

SECTION 5—INSPECTIONS AND INVESTIGATIONS

The Secretary or his designated representative is authorized to make inspections and investigations of the premises subject to the Act. The Secretary is authorized to delegate such authority to another Federal agency or to an appropirate State agency.

SECTION 6—ADMINISTRATIVE ENFORCEMENT

When an inspection or investigation by the Secretary of Labor discloses a violation of the occupational safety or health standards promulgated under section 3, findings and conclusions to that effect must be made under section 6 before any penalties may be assessed under the bill. In addition, findings and conclusions concerning record-keeping violations and violation of Government contract requirements under section 10 must also be made under section 6.

Paragraph (1) of section 6(a) requires that a formal hearing be conducted. Notice of the hearing must be given to the employer at least 15 days before it is held. The Secretary is empowered to issue orders requiring the attendance and testimony of witnesses and the production of evidence in connection with hearings under this section. These orders are judicially enforceable.

The hearing is subject to section 5 of the Administrative Procedure Act as codified in section 554 of title 5, United States Code. The findings and conclusions resulting from the hearing are judicially reviewable.

Paragraph (2) of section 6(a) permits the Secretary to order the immediate cessation of any violation of safety or health standards whenever the violation may result in "imminent harm" to the safety or health of workers. In addition, the Secertary may order such other measures as he may deem necessary to correct or remove the violation, including the prohibition of the employment of any persons in the area where the violation exists except to engage in its correction or removal. The findings of the Secretary under this paragraph would be the subject of a subsequent formal hearing under section 6(a)(1) and, in addition, would be subject to judicial review under section 7.

Subsection (b) of section 6 requires employers to comply with record-keeping and reporting rules to be prescribed by the Secretary of Labor in enforcing the Act.

SECTION 7—JUDICIAL PROCEEDINGS

Subsection (a) vests jurisdiction in the district courts of the United States to enforce any order of the Secretary under section 6(a)(1). Similarly, the subsection gives the district courts jurisdiction to review orders under section 6(a)(1) which are brought by persons aggrieved by such orders. The scope of the court's review would be that described in section 10(e) of the Administrative Procedure Act, as codified in section 704 of title 5, United States Code.

Paragraph (1) of subsection (b) empowers the Secretary of Labor to seek in the district court a restraining order or injunctive relief to enforce an administrative order providing for the cessation of an occupational safety or health violation which may result in "imminent harm." The employer would have similar access to the district courts to review such an administrative order.

Under paragraph (2) of subsection (b), an employer is given a cause of action against the United States in the Court of Claims where the Secretary of Labor's investigators arbitrarily or capriciously issue orders in alleged "imminent harm" situations.

SECTION 8—CONFIDENTIALITY OF TRADE SECRETS

Provides that no one can be required to divulge a trade secret in any proceeding under the Act.

SECTION 9—PENALTIES

Any employer (or in the case of a Government contract, any contractor or subcontractor) may be assessed by the Secretary a civil penalty of up to $1,000 for each violation of the standards set by the Secretary. Each violation is a separate offense. Each day of continuing violation thereafter is a separate offense, except during: (1) a reasonable period specified in the enforcement order for correction of the violation, and (2) the period during which the enforcement order is subject to review, or such review is pending.

The assessment of such penalties will be made pursuant to an order issued by the Secretary under section 6(a)(1) of the Act.

The size of the business and the gravity of the violation must be considered in assessing the penalty.

The Secretary may adjust or otherwise settle any claim for civil penalties.

It would be a misdemeanor to willfully violate an order issued under section 6(a)(1) of the Act, and a felony to use force against a person engaged in enforcement activities under the Act. Varying fines and prison terms commensurate with the seriousness of the offense are provided for.

SECTION 10—GOVERNMENT CONTRACTS

Each contract exceeding $2500 which is federally financed or assisted must contain a requirement that the work to be performed under the contract will be done under safe and healthful conditions which meet the standards set by the Secretary under the Act, or which meet State standards in a State having a plan approved under section 12 applying to the workplace.

The Secretary may declare any person (or business entity in which such person has a controlling interest) who disregards his obligations under the Act ineligible to receive contracts subject to the Act until the person satisfies the Secretary that he will comply with the Act's requirements. In addition, the Secretary may recommend to a contracting agency that a contract be cancelled, terminated, or suspended where a contractor or subcontractor does not comply with an order of the Secretary.

The procedural requirements of section 6(a)(1) would apply to actions to enforce the contractual requirements of section 10, and to actions bearing upon eligibility for any future contracts subject to the Act. Any such actions would be subject to judicial review, as provided in section 7.

SECTION 11—VARIATIONS, TOLERANCES, AND EXEMPTIONS

Section 11 of the draft bill authorizes the Secretary to make reasonable variations, tolerances, and exemptions to any of the provisions of the draft bill, so long as they are not inconsistent with the purposes of the Act. He is required to keep an indexed record of the tolerances and exemptions open for public inspection.

SECTION 12—EFFECTIVE DATE; FEDERAL-STATE RELATIONSHIP

Subsection (a) provides that the Act becomes effective on the first day of the first month after enactment, except that the enforcement sections (6 and 7), the penalties section (9), and the standards to be set under section 3 will not be effective until July 1, 1970. Also, section 10 will not apply to contracts entered into before July 1, 1970.

Subsection (b) provides that the State may assert jurisdiction over any issue where there is no applicable Federal standard.

Subsections (c) and (d) provide that if a State wishes to develop and enforce its own standards in place of those which have been established by the Secretary under section 3, the State shall submit a plan to the Secretary who shall approve the plan if in his judgment it meets certain criteria set out in the subsection. These criteria are similar to those applicable to State plans prepared under the provisions of the Federal Metal and Nonmetallic Mine Safety Act; i.e., a State agency, or agencies, must be designated

as responsible; the State standards will be "substantially as effective" in providing safe and healthful employment as the Federal standards; State must have right of entry and inspection; the State will have the authority and personnel to enforce the State standards; State will have adequate funds; and the State will make necessary reports to the Secretary.

Subsection (e) provides that the Secretary shall make a continuing evaluation of how the State plan is working. If the State is not complying with its plan, the Secretary shall, after notice and opportunity for a hearing, withdraw his approval of the plan.

Subsection (f) provides that the enforcement sections (6 and 7), the penalties section (9), and the standards set under section 3 shall not apply in a plan-approved State.

SECTION 13—RELATIONSHIP TO OTHER FEDERAL PROGRAMS

Section 13 provides that nothing in the Act authorizes the Secretary of Labor to regulate, or applies to, working conditions of employees with respect to whom another Federal agency has statutory authority to prescribe or enforce standards or regulations affecting occupational safety or health. However, the Secretary of Labor is to coordinate, to the greatest extent practicable, the occupational safety and health activities of all Federal agencies.

SECTION 14—FEDERAL AGENCY SAFETY PROGRAMS AND RESPONSIBILITIES

Makes the head of each Federal agency responsible for maintaining a comprehensive and effective safety and health program to protect the employees under his jurisdiction. Such programs shall be consistent with the standards set by the Secretary under section 3 of the Act. The Section enumerates various duties of the agency heads in connection with their program responsibilities.

The head of each executive agency must make an annual report to the president, and the President must make an annual report to the Congress on agency activities under this Section.

SECTION 15—RESEARCH AND RELATED ACTIVITIES

Provides that the Secretary of Health, Education, and Welfare is responsible for conducting research, demonstrations, and experiments relating to occupational safety and health after consultation with the Secretary of Labor and other appropriate Federal agencies. The Secretary of HEW may conduct such activities either directly or by grants or contracts.

The Secretary of Health, Education, and Welfare is directed, on the basis of such research, demonstrations, and experiments, to develop criteria which will enable the Secretary of Labor to meet his responsibilities under the bill for formulating occupational safety and health standards. In order to coordinate the responsibility of the Secretary of Health, Education, and Welfare, for developing criteria, with the corresponding responsibility of the Secretary of Labor for formulating occupational safety and health standards, they are directed to consult for the purpose of developing specific plans for the research, demonstrations, and experiments to be undertaken by HEW. For the purpose of carrying out his responsibilities, the Secretary of Health, Education, and Welfare is authorized to make inspections similar to those authorized for the Secretary of Labor under section 5.

The section authorizes the Secretary of Labor to contract or otherwise arrange for the conduct of studies by public or private organizations. It provides for consultation between the two secretaries in order to avoid duplication of efforts.

The Secretary of Labor, after consultation with the Secretary of Health, Education, and Welfare and the States shall establish accident and health reporting systems for employers and the States.

SECTION 16—TRAINING AND EMPLOYEE EDUCATION

The section directs the Secretary of HEW to conduct (directly or by grants or contracts) educational programs to provide an adequate supply of personnel to carry out the purposes of the bill. The Secretary of Labor is authorized to provide, either directly or by grants or contracts, short-term training to up-date the skills of the personnel already engaged in occupational safety and health work.

The Secretary, in consultation with the Secretary of HEW, shall provide programs for education in the field of occupational safety and health for both employers and employees. The Secretary is also directed to consult and advise employers on occupational safety and health matters.

SECTION 17—GRANTS TO THE STATES

The section provides for a three-year grant program for the states to assist them (1) in identifying their needs and responsibilities in the area of occupational safety and health and (2) in developing plans under section 12 and (3) plans for (A) establishing systems for the collection of information on the nature and frequency of occupational injuries and diseases; (B) increasing the expertise and enforcement capabilities of the personnel engaged in occupational safety and health programs; and (C) improving the administration and enforcement of State occupational safety and health laws which are consistent with the objectives of the draft bill. In addition, provision is made for experimental and demonstration programs for three years carrying out the enumerated objectives. The Federal financing of the grant programs may be up to 90 percent of their cost.

State governors are required to designate the appropriate State agency or agencies to receive grants, and the Secretary of Labor reviews applications submitted by these agencies after consultation with the Secretary of Health, Education, and Welfare.

The Secretary of Labor after consultation with the Secretary of Health, Education, and Welfare is require to transmit a report to Congress and the President describing experience under the program and including any appropriate recommendations.

SECTION 18—EFFECT ON OTHER LAWS

Section 18 of the bill provides that nothing in the bill shall be construed as repealing or modifying in any way other Federal occupational safety and health laws; e.g., the McNamara-O'Hara Service Contract Act, the Walsh-Healey Act, the Longshoremen's and Harbor Workers' Compensation Act.

This section also makes it clear that the bill does not alter in any way the rights or liabilities of an employer or his employees under existing state law, common law, or statutory, dealing with compensation for work-connected injury, disease, or death. A similar provision is contained in the Federal Metal and Nonmetallic Mine Safety Act.

SECTION 19—AUDITS

The Comptroller General is given express auditing authority dealing with the grant programs.

SECTION 20—REPORTS

The Secretary of Labor and the Secretary of Health, Education, and Welfare are required to submit, once every two years, a joint report to the President for transmittal to Congress on the progress being made in the field of occupational safety and health and on the needs and requirements in that field. The report may include recommendations.

SECTION 21—APPROPRIATIONS

Authorizes up to $10,000,000 for fiscal year 1969; $20,000,000 for fiscal year 1970; and $22,000,000 for fiscal year 1971.

SECTION 23—SEPARABILITY

This section contains a separability provision.

SECTION 22—DEFINITIONS

This section includes definitions of the terms "Secretary", "commerce", "person", "employer", "employee", and "State".

STATEMENT OF HOWARD PYLE, PRESIDENT, NATIONAL SAFETY COUNCIL, ON OCCUPATIONAL SAFETY AND HEALTH ACT OF 1968

The National Safety Council has been chartered by the Congress of the United States "to further, encourage, and promote methods and procedures leading to increased safety, protection, and health among employees and employers," as well as in all other aspects of American life. 36 U.S.C. 463(1).

For fifty-five years, the National Safety Council's service to safety has been made possible by the cooperation and support of a growing voluntary membership that has probably done more for the safety of the worker on the job than any other association of interests in the world. Today the United States can point with pride to a record of safety for the worker that is characterized by a wide range of very low accident frequency and severity rates.

Although the progress being made is noteworthy, it is undeniable that some employers—government as well as private—are not doing as effective job in occupational safety as can be done.

The President has appealed to the Congress for a Congressional declaration of national policy that, so far as possible, all workers in the United States should be furnished "safe and healthful employment and places of employment." The issue before Congress is how best to achieve these goals.

Already the Administration's Bill, S. 2864 and H.R. 14816, has served a useful purpose by focusing both public and professional attention on occupational safety and health.

In the National Safety Council, we have had intense and fruitful discussions, involving some of the nation's ablest and most innovative safety advocates in industry, labor and other fields of participation and concern.

We have very carefully noted the testimony that has been presented for the consideration of the Congress by associations of employers, of labor, of medicine and other organizations interested in safety. Nearly all of the groups involved include National Safety Council members. Thus, we must undertake to meet our responsibility to the Congress, and to safety, from an environment of divergent views.

There is considerable consensus that the health and safety objectives of the Bill need some attention *now*. If the Congress concurs and its judgment is that legislation should follow the pattern represented by the Occupational Safety and Health Act of 1968, then we respectfully urge that our recommendations be given every possible consideration to more effectively achieve the intent of the Bill.

If the Congress concludes only that more Federal leadership and help to the states is needed at this time, we believe our recommendations will still be pertinent to the nature of the Federal response.

ACCIDENT FACTS

Since much of the statistical material that has been presented to the Congress has been attributed to the National Safety Council, we would like to summarize the record in this regard before submitting our specific legislative views and proposals.

1. *The Total Injury Experience* in 1967 showed the following number of injuries by principal class:

	Deaths	Change from 1966 (percent)	Disabling injuries
Total	112,000	−1	10,700,000
Motor vehicle	53,000	0	1,900,000
Home	28,500	−3	4,300,000
Public	19,500	0	2,400,000
Work	14,200	−2	2,200,000
Nonmotor vehicle	11,200		2,100,000
Motor vehicle	3,000		100,000

The total occupational deaths account for 13 per cent of the total accidental deaths and the total occupational injuries account for 21 per cent of the total of the injuries. If we were to exclude occupational motor vehicle deaths and injuries, which this Bill is not likely to reach effectively, we are now concerning ourselves with 10 per cent of the total accidental deaths and 20 per cent of the total injuries sustained by the American people.

2. The present Bill coverage does not reach all the types of work deaths and injuries that occurred in 1967. For example, National Safety Council data show that the 14,200 deaths and 2.2 million injuries resulting from work activities occurred in the following industry or government groups:

Industry	Deaths	Injuries
Trade	1,300	420,000
Manufacturing	1,900	480,000
Service	1,800	320,000
Government	1,500	280,000
Transportation and public utility	1,700	200,000
Agriculture	2,700	230,000
Construction	2,700	230,000
Mining and quarrying	600	400,000

If we exclude the population of those whose work places are already covered by existing standards issued by other Federal agencies and those excluded under the definition of "employer" in Section 21(d), the number of deaths and injuries to be affected by this bill become less than the 10 per cent and the 20 per cent respectively cited above.

We have a single purpose in providing these facts—to set work injuries in their true national perspective. Unless the Congress and the American people visualize the specific nature of the problem dealt with by the Occupational Safety and Health Act of 1968 and the context of the entire accident situation, the resulting possible misunderstanding, frustration and disappointment may handicap effective action. For the National Safety Council, a single avoidable death or injury is tragic—and should be prevented—whether it occurs at work, at home, on the highway, or in a public place or building.

LEGISLATIVE AND ADMINISTRATIVE RECOMMENDATIONS

Two of the major aspects of the proposed legislation are the *development of regulations* and *their enforcement*. We shall treat each separately.

Development of regulations

We are all familiar with the safety standards that have been developed by nationally recognized standards-producing organizations such as the United States of America Standards Institute and the National Fire Protection Association. Such standards have been voluntarily developed and adopted under the consensus principle.

The consensus principle basically involves two essentials:

1. Securing representation of those groups that would be affected by the standards.

2. A predominant acceptance by such groups.

The consensus principle implies much more than the concept of a simple majority of those represented, but not necessarily unanimity. Standards thus developed are truly national consensus standards. (The U.S. Bureau of Standards has published an excellent guide to the consensus procedures it uses.)

The National Safety Council believes that national consensus standards concerned with safety are an important factor in achieving greater safety effectiveness. We therefore strongly support the voluntary development, promotion, and use of such national consensus standards, and will continue to assist in all ways in the development and subsequent revision of such standards within the limits of the Council charter and funds.

The Council has urged that its members adopt these national consensus standards as criteria that should be met within their own organizations. Further, the Council has consulted with various state departments of labor and has urged that the states use the national consensus standards as a basis for developing regulations governing occupational safety. Unfortunately, most state regulations governing occupational safety are deficient when compared to national consensus standards. The Council believes that for those states that are deficient in this area, the adoption of national consensus standards would significantly upgrade their regulations governing occupational safety.

We strongly recommend that the promulgation of standards be subject to the following conditions:

1. All initial standards promulgated under this Bill shall be limited to existing safety standards developed under the consensus principle by nationally recognized standards producing organizations. By definition, such standards are national consensus standards. (Hereinafter all standards developed under the consensus principle and promulgated into regulations under the provisions of this Bill shall be defined as "adopted national consensus standards.")

2. Insofar as possible all subsequent standards promulgated under this Bill be based on safety performance requirements. Where it is not practicable to define such performance, detailed specifications should be used as examples of methods approved in advance, but the way should be left open for other methods giving equal protection.

3. That there be a provision in these adopted national consensus standards for variation where the need for such variation exists, subject to consideration by adequately composed Boards of Review.

4. That the Secretary of Labor be directed to submit to an Advisory Committee (which we shall discuss in detail later) any and all proposed standards for promulgation under this bill for the Advisory Committee's review and recommendations.

5. Where a situation exists that is not covered by any of the national consensus standards promulgated under the conditions just described, and if the Secretary of Labor deems a standard necessary, the Secretary should be authorized and directed to request the appropriate national standard-producing organization to develop a national consensus standard.

The National Safety Council is aware that the amount of time required to develop a national consensus standard is sometimes extensive. Therefore, the Secretary, in consultation with the Advisory Committee, should be authorized to set a reasonable time limit in his request. If the time limit set by the Secretary is not met, then the Secretary should be authorized, in consultation with the Advisory Committee, to appoint an Ad Hoc group of consultants and representatives from the involved industries and groups to develop a national consensus standard. After consideration is given to the recommendations of the Advisory Committee with respect to such a national consensus standard, the Secretary of Labor shall have the authority to promulgate such a standard into regulations for the purpose of achieving the intent of this Bill.

6. Finally, the Secretary of Labor should be directed to promulgate such national consensus standards into regulations as promptly as feasible and practicable, but if and only if the above conditions are satisfied.

7. The states should be urged by the Secretary of Labor to promulgate appropriate national consensus standards as state occupational safety regulations. If such were accomplished, many states would upgrade the quality of their occupational safety regulations, including their coverage of interstate commerce, and would avoid a set of double standards should the Bill under consideration be enacted into Law.

Enforcement of standards

With respect to the enforcement of the adopted national consensus standards issued under the Bill, the general thrust of the National Safety Council's recommendations is to strengthen and encourage state enforcement.

Federal-State Relationships

Since it is appropriate and accurate to note that there is considerable room for improvement at both Federal and state levels of government with respect to the future of occupational health and safety, every effort must be made to assure an effective Federal-state partnership for progress.

To this end the Bill and the Committee's report should indicate a Congressional intent that the states progressively undertake the enforcement of all the adopted national consensus standards. The report should further indicate that the Secretary should move toward such a goal as expeditiously as feasible.

The adopted national consensus standards should be enforced by the state, within its border, under a state plan which in the determination of the Secretary of Labor complies with the following requirements:

1. A state agrees to enforce the adopted national consensus standards within its border;

2. The state has legal authority under state law to carry out the approved plan;

3. The state's enforcement, including the availability of qualified personnel, will reasonably carry out the intent of the Bill.

Where a state plan includes an agreement by the state to enforce only a portion or portions of the adopted national consensus standard, the Secretary should approve such plan, and the state shall enforce within its border such portion or portions of the adopted national consensus standard if in the opinion of the Secretary such a limited state plan will reasonably tend to carry out the objectives of the Bill. The remainder of the adopted national consensus standards not enforced by the state should be enforced by the Secretary of Labor.

Where a state plan has not been approved by the Secretary and there exists no agreement by the state to enforce a portion or portions of the adopted national consensus standards, all of the adopted national consensus standards shall be enforced by the Secretary of Labor.

Where a state fails to submit any plan by a deadline date, but subsequently submits a plan or further plan, the Secretary within a reasonable period of time will make a determination whether or not he will approve such a plan.

The Secretary of Labor shall retain the authority and right to periodically review performance and activities of approved state plans or approved limited state plans to assure continued compatibility of such plans and their enforcement under the requirements of the Bill. If, after notice, hearing, and reasonable opportunity to assure such compatibility, the Secretary makes a determination that the approved state plan or approved limited state plan no longer warrants approval, he may revoke such approval

and undertake Federal enforcement of the adopted national consensus standards within such state.

The Congress should express in the Bill the Congressional intent that, to the extent feasible, the Secretary shall use state services, facilities and qualified employees, with state consent and subject to reimbursement, to carry out the Secretary's responsibilities for enforcing the adopted national consensus standards in the period prior to state assumption of such enforcement under an approved state plan.

Section 12(b) of the present Bill should be deleted since it may create what could become a troublesome and confusing conflict. Hopefully this conflict can be avoided under the Council's recommendation for the state enforcement of the adopted national consensus standards.

In describing the purpose of this proposed legislation, Secretary of Labor Wirtz testified that "What we are talking about is bringing up the laggards to a level of responsibility." The Secretary continuously stressed the role of the states in this program. The National Safety Council believes that these two goals are interrelated and both can best be achieved by a combination of national consensus standards, state adoption of the national consensus standards into state regulations, and general assistance and upgrading of the level of state occupational safety administration.

The Federal planning grants to the states, available for a three-year period, should be designed to enable the states to undertake enforcement of the adopted national consensus standards at the earliest possible time. In addition, such planning grants should be made available to aid the states in planning other occupational safety and health programs not subject to this Bill. Such grants hopefully will enable states to upgrade their own occupational safety programs to that envisioned by the Secretary of Labor.

In addition to the planning, research and demonstration grants already provided for in the Bill, Federal grants (or reimbursement) should be provided to the states for *operational* and *administrative* purposes, under the following conditions:

1. Such operational and administrative grants shall be made to each state with an approved state plan for the purpose of carrying out such plan;

2. Such operational and administrative grants should also be made, under appropriate circumstances, for operation of a state's occupational safety and health program applicable to fields not subject to the Bill, whether or not the state has an approved state plan;

3. Authorization for such grants for operational and administrative purposes should not be limited to the three-year period now applicable for planning grants;

4. The National Safety Council expresses no views as to the specific Federal-state matching ratio, but does urge that the Federal portion be sufficient to serve as an effective incentive to the states to undertake their full role in preventing occupational injuries.

We are submitting for the Committee's review a statistical analysis which cites data available from the States of California and New York. The analysis indicates that the fatality rate in these states, which allegedly have good state standards and good enforcement procedures, is in the order of 30 per cent below the national average. This is an improvement well worth seeking in other states.

General

The National Safety Council urges that the Bill shall authorize the Secretary of Labor, at his option and in consultation with the Secretary of Health, Education, and Welfare to concentrate his efforts in the particular areas of occupational safety and health as he may find to be most in need of improvement. Such intent should be included both in the Bill and the Committee's report. The National Safety Council believes the adoption of this priority concept will produce the most effective results that can be achieved within the framework of this Bill.

For all initial national consensus standards promulgated under this Bill, the National Safety Council urges that the effective date shall be one year after the date of first public notice of promulgation. With respect to revised national consensus standards subsequently promulgated under this Bill, the Secretary should be directed to provide a reasonable period of time between the date of promulgation and their effective date.

Penalties

As a result of discussions with knowledgeable persons, the National Safety Council believes that the present language of the Bill in connection with penalties is more inclusive than intended. It seems reasonable to believe that penalties which might involve "closing the plant" would rarely arise, therefore, the National Safety Council believes that the public interest and the cause of safety would be better served by providing (1) graded penalties dependent on the seriousness of the violations, (2) appropriate procedures for the assessment of penalties.

1. The following seems to be a reasonable classification of violations for this purpose:

a. Disaster potentials.

b. Imminent grave harm.

c. Other violations.

For violations threatening disaster potential, the inspector should be authorized to issue an order requiring correction or cessation of operation either immediately or within a specified reasonable time, with a penalty of $1,000 per day for non-compliance. In such instances, the Department of Labor should be required immediately to seek a court injunction in a Federal District Court, and the Statute should give such proceedings priority over all other matters on the Court's calendar. This process will protect against unfounded or capricious action and, at the same time, ensure the prompt enforcement required by the seriousness of the situation.

Where the violations threaten imminent grave harm but not disaster potential, the penalties for non-compliance with the regulation should be a fine up to $1,000 and a penalty of $1,000 per day should apply for the failure to comply with an order to correct (or to cease operations, if affirmed by a Court).

The penalty for other violations should not exceed $100 for the violation of a regulation, with some question whether any penalty is appropriate at this stage. Non-compliance with an order to correct the violation within a reasonable time should involve a penalty of up to $100 per day.

With respect to all kinds of violations, a series of related violations should be treated as a single violation for purposes of assessment of penalties.

2. In our system of law, persons subject to penalties for alleged violation of law or regulation are entitled to formal charges and an opportunity for appropriate procedure and review, in order that the same individual may not be prosecutor, judge and jury. The National Safety Council believes that such provisions are appropriate here. Penalties should be assessed only after formal charge, and only through judicial proceedings or by an independent hearing officer under the Administrative Procedures Act.

Research and training

The National Safety Council enthusiastically and wholeheartedly endorses the provisions of the Bill for research and related activities, and for training. We hope that generous and appropriate finances will be made available by Congress to support these vital programs.

Advisory committee

We have already referred to the role of an Advisory Committee in connection with standards. We believe that such a committee has a wider role.

The Secreary of Labor, after consultation with the Secretary of Health, Education, and Welfare, should be directed to appoint a permanent, representative, multi-interest Advisory Committee, without regard to civil service laws, to advise, consult with, and make recommendations to him and to the Secretary of Health, Education, and Welfare on matters relating to the activities and programs provided for in the Bill. As stated previously, the Secretary shall be directed to submit to the Advisory Committee for review and recommendations, any and all national consensus standards proposed to be issued by the Secretary under Section 3(a).

The Secretary, as previously stated, should be authorized to appoint Ad Hoc groups of consultants and representatives to advise him and the Advisory Committee on specialized problems and with problems of particular industries.

The Secretary of Labor should also be directed to submit to the Advisory Committee for review and recommendation the proposed criteria that the Secretary establishes for releasing sole or partial jurisdiction of the provisions of this Bill to the states.

Scope of the bill

In connection with the scope and application of the Bill, we have the following observations:

1. The scope of the Bill should encompass:

a. Interstate commerce coverage, and

b. An expanded Walsh-Healy coverage as proposed, as well as contracts financed by loans and grants.

2. The Administration's Bill exempts Federal agencies from coverage in Sections 13 and 21(d). The National Safety Council realizes the difficulty that may arise when one Federal agency is required to administer the safety and health aspects of another Federal agency's operating program for either its own employees or those of its contractors, or for the public at large involved in its program. Nevertheless, the occupational accidents and diseases affecting Federal employees constitute a substantial part of the statistical alarm that has been sounded in this matter. Therefore, pending other arrangements, the National Safety Council believes that the Secretary of Labor should be authorized and directed to:

a. Assess the compatibility of the standards or regulations (and their enforcement) of all other Federal agencies having statutory authority to prescribe or enforce standards or regulations affecting occupational safety and health with the Secretary's standards issued under this Bill, excepting purely military tactical operations and activities.

b. Report such assessment, with any recommendations he may deem appropriate biennially to the President and the Congress.

3. Also excluded from the scope of the Bill are employees of any state or political subdivision of a state. Occupational injuries affecting these employees also contribute to the total occupational safety problem. Congress should make clear its purpose and policy to cover the employees of any state or political subdivision whose activity is financed in whole or in part by loans, grants or contracts from the Federal Government or any agency of the Federal Government.

Finance

The total direct and indirect cost of occupational accidents is estimated by the Council at $6.8 billion per year. (This includes $1.5 billion wage loss, $700 million medical expenses, $800 million insurance administration costs, $800 million fire loss and $3.0 billion in property damage, interference with production and time lost by employees other than the injured person.)

The cost of occupational accidents is obviously high. Therefore the National Safety Council urges the Congress to include in the

Bill specified and adequate appropriation authorizations for each of the various programs in order to assure effective implementation of the intent of the Bill which will help decrease the existing accident costs.

Simply passing a good law is not enough. Unless the Congress stays with the problem, and year-in and year-out appropriates enough funds to carry out the law effectively, we may even have a regression instead of progress. Let me cite a recent example:

The National Safety Council has done all within its power and resources to cooperate with the Congress and the Executive Branch in strenuous efforts to cope with the largest single class of accidents in this country, motor vehicle accidents. In 1966 the Congress passed two fine laws, P.L. 89–563 (motor vehicle safety standards) and P.L. 89–564 (state highway safety). We have been disappointed that Congress circumscribed execution of the fullest promise of the state highway safety law. We are aware, of course, of some of the causative factors involved. But the simple fact is that this failure of Congressional follow-through has handicapped, both in spirit and in fact, the whole state highway safety program. It is not enough for Congress to merely pass a substantive law. It *must* also follow through with sufficient funds to carry it out—especially where Congress expects, and the situation requires, cooperative efforts among Federal, state and local governments.

In connection with related administrative responsibilities, the National Safety Council strongly urges that both the Administration and the Congress strengthen, expand, and finance:

1. The occupational statistics program of the Bureau of Labor Statistics, and

2. The farm safety programs and activities of the U.S. Department of Agriculture. In this connection the Council recommends that farm safety expertise be involved in the implementation of the Act and that special cognizance be given this industry. For example, a statutory requirement to consult the Secretary of Agriculture would be well advised.

CONCLUSION

The Secretary of Labor dwelt at length on the fine occupational safety records of members of the National Safety Council. We wish all employers did as much. Indeed, there is no real substitute for such an effort if we are truly to meet the President's goal.

But good legislation, wisely administered, can further enhance the job of reducing occupational injuries. We believe that the recommendations and procedures we have described with respect to this proposed legislation will help reduce the toll of occupational accidents in our nation.

COMPARISON OF WORK DEATH RATES PER 100,000 EMPLOYED, BY INDUSTRY GROUP—CALIFORNIA, NEW YORK, AND UNITED STATES, 1965 AND 1966 ANNUAL AVERAGES

Industry group	Death rates				
	United States [1]	California [2]	New York [3]	California and New York combined	Percent difference [4]
Manufacturing	10	8.6	10.6	9.7	−3
Trade	8	6.7	8.6	7.7	−4
State and local government	15	8.8	9.2	9.0	−40
Construction	73	44.4	58.5	50.8	−30
Service	12	5.7	7.5	6.7	−44
All industries above	51	9.5	11.1	10.4	−31

[1] National Safety Council estimates.
[2] Rates developed from death totals in "California work injuries, 1966 and 1965;" employment totals in "Employment and Earnings Statistics for States and Areas, 1939–66" (U.S. Department of Labor Bulletin 1370–4).
[3] Rates developed from death totals furnished by New York State Workmen's Compensation Board; employment totals in "Employment and Earnings Statistics for States and Areas, 1939–66" (U.S. Department of Labor Bulletin 1370–4).
[4] This is the percent difference between the California-New York combined rate and the U.S. rate.

SOLVING OUR URBAN AREAS' PROBLEMS

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. SCOTT. Mr. President, the distinguished mayor of New York City, Hon. John V. Lindsay, recently made an outstanding speech in Pittsburgh, Pa. Mayor Lindsay's experiences in running our Nation's largest city and his recommendations for solving some of our urban areas' largest problems are most certainly worthy of the attention of the Senate. I ask unanimous consent that the text of his speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE CITIES IN 1968

(Address by Hon. John V. Lindsay, mayor of the city of New York, before the Allegheny County Republican Finance Committee, May 21, 1968, Pittsburgh, Pa.)

I chose the title of this address—"The Cities in '68"—because I believe this is a year of decision for the cities: a year in which the voice of the cities will be heard across the land.

This year, we shall determine the future leadership of the United States through the orderly, familiar process of a national election.

And this year, it will be decided—through a mysterious, totally unpredictable process—whether America's cities will again be torn by riots.

Both decisions—one open, the other covert—will be made in the metropolitan areas of this country; that is where almost seventy percent of the voters live, and where the worst kind of violence breeds.

The two decisions I've described are not totally separate; in many ways, they converge. To understand their similarities, I think we have to begin by recognizing that this is the first national election to be held in this country since the riot in Watts.

Watts was of singular importance because there, in the summer of 1965, we first saw the true dimensions of the trouble that has been festering in our major cities for decades. In Watts, we saw that the rioters could not be dismissed as professional troublemakers, juvenile delinquents, or ordinary criminals. We found that many rioters held jobs, lived in fairly comfortable homes, had no police records and were indistinguishable, except by color, from millions of Americans in hundreds of other cities.

We found that the looters were selective in what they took from the stores. The nationally-advertised brands, particularly those that had been heavily promoted on television, were grabbed up first.

We had to be impressed by this unexpected manifestation of brand-loyalty among the poor. We read with compassion about Michael Harrington's "The Other America." But after Watts, we knew the people in the slums have no reason to read about it. They watch the other American every night on television, and they do so, not with compassion, but with growing envy of the good life so lavishly displayed in network programming.

Most chilling of all, the nation learned in Watts that the disorders in the cities could not be attributed simply to resentment or hatred of the police. The rioters in Watts were not in rebellion solely against the absentee-owned stores that overcharged them . . . or the absence of a community hospital . . . or the neglect of the creaky schools . . . or the degradation of the welfare system.

When the rioters chanted "Burn, baby, burn" they directed it at all these things. But make no mistake about it: That cry meant us. It was a threat to Mr. Charley and all of his establishments and institutions. The virulence of the cry probably infected every racial disorder that took place in this country last summer, and the summer before.

In this year's elections, the candidates for the nation's highest office will be required to face up to the issues of violence in the cities.

They will be nominated in the cities, they will do most of their campaigning in the cities and they will win or lose according to the votes of the people who live in and around the cities.

It seems to me that to understand what is happening in our cities, and how the cities are likely to influence the course of political events, we have to understand that our cities were in trouble seventy years ago, long before the migration of the American Negroes from the farms of the South to the cities of the North. Lincoln Steffens wrote his famous book, "The Shame of the Cities", at the turn of the century. In it, he raged against poverty, slums, unemployment, dirty streets, poor transportation. Even then, the "proper" people who made up the white middle class were moving into what, at the time, were considered the suburbs.

In almost all of our major cities, those problems have intensified. To a large degree, that has been the cities' own fault: They haven't had energetic, progressive leadership. They haven't managed their own affairs wisely or efficiently. And, they exhausted their own resources trying to cope almost singlehandedly with our most critical domestic problems—problems that the Federal government only recently recognized as the nation's own.

In reacting to the trouble in the streets, we should do so within the framework of a city-wide attack against the dehumanizing conditions of the cities—conditions which often are intolerable in the ghettoes and barrios, but which are a valid, continuing source of resentment for almost everyone who lives and works in the city.

Violence in our cities is not solely a minority protest against discrimination or repression. It feeds upon deeper, more universal hostilities toward the urban environment. We need a total approach to the problems of our cities, one which strives for the rebuilding of the whole city for the benefit of all the people who depend upon it—as a livelihood or a home . . . as a place to grow up amid excitement, or grow old in tranquility.

Based on my experience and observations, the primary rebuilding job does not consist of bulldozers, or contractors, or urban renewal. It consists of rebuilding the confidence of people in their institutions of government.

Over the past decades, we've witnessed an increasing centralization of this country's power in big government, big business, big labor—big institutions of all kinds. We've become a more efficient and richer nation as a result, but we also have taken the power of government further and further away from the people it represents.

In most of our cities, government is a remote, insulated enterprise, difficult to approach and even harder to communicate with. A citizen who tried to find his way unassisted through the myriad baffles and dams of the bureaucracy usually comes to the conclusion that government's chief function is not to serve him, but to perpetuate itself.

That individual, not unlike the hippie who cannot communicate with her parents, or the sophomore who rebels against his university, drifts into an attitude of alienation and despair. He has tried to move the institutional monolith; to make it listen, to act. Having failed, he is likely to seek less formal, and ostensibly more powerful outlets for his grievances and ambitions.

This is the time when the seeds of disorder are sown.

This summer, we shall see how far this estrangement has progressed into militance.

In New York City, we have not waited for the summer; we have tried to invest in a year-round program of making city government visible—getting it out into the communities where it can be seen, talked to, and maybe pushed around a little. New York is never lacking in irate citizens to handle the pushing.

Visible government applies to the challenge of the cities a modern version of traditional Republican policies. It adheres to the rule that the most important level of government is the local level. It carries out the thesis that the best government is that in which the greatest number of people participate.

Visible government in New York is based on a twinned decentralization of city government. It works in two ways: One strives for the geographic breakdown of the huge apparatus the city operates. The second is administrative; it seeks to give people a voice in government decisions affecting their own communities.

Geographically, we're placing more city services in the neighborhoods. Instead of obliging people to come to us, we're going to them:

We have set up early childhood centers in the neighborhoods to supervise and instruct pre-school children. The centers are especially helpful to working mothers by providing daytime care close to home.

Vest-pocket parks—compact centers of rest and recreation—are being built in congested areas where large land parcels are too expensive to assemble for traditional parks.

We are scattering welfare and manpower training offices throughout the areas where dependency and joblessness are acute. Family planning clinics also are being set up as "satellites" of the central offices.

Medical and health services are being brought to the neighborhoods by family care centers, so that the ill can receive outpatients care near their homes. One objective is to keep people out of the hospitals through preventive medicine, which benefits both the patient and the taxpayers.

We coordinate many of these services through neighborhood offices of the Mayor. In these offices, neighborhood residents walk in, present their problems or complaints to city employees from that neighborhood, and receive fast, direct action upon them.

The geographic decentralization of city offices provides tangible evidence that city government is becoming more deeply engaged with its residents. But that is not enough; we are devoting equal energy to developing the voice of the community:

To grant our citizens a deserved and needed participation in the decision-making process, we are working with community representatives through urban renewal councils, police precinct councils, and youth councils. The City's Planning Commission teams with community planning boards, and the Anti-Poverty Program is administered in large degree through community corporations.

People told us they wanted a voice in the school system, which in New York is an administrative monolith that is almost incapable of adjusting itself to individual desires and needs. In response, we drew up a plan for decentralizing the school system, creating local school boards to give parents a say in the way their schools are run.

The main purpose of these groups is to obtain the community's advice and approval on programs and projects affecting those communities. As those of you who have been active in comparable organizations can attest, the advice is far easier to obtain than is the approval.

To be sure, community participation involves argumentation, recrimination and often delay. But we think it's worth it. For whether we proceed with an urban renewal project or shelve it, the people whose lives it will affect know that their views have been heard and their wishes considered. In the long run, it makes our job easier—and more rewarding.

Everything we are trying to accomplish in New York City—breaking down the bureaucracy into manageable units; striving for government impact on a block-by-block basis; granting people a say in government, and paying attention to their views—all of it is consistent with what the Republican party has espoused throughout its history.

One of our party's fundamental principles has been fiscal responsibility, and New York City is meeting that challenge—despite enormous difficulties—in two ways: First, we are maintaining a rigorous budgetary discipline to control spending. Second, we are developing new revenue sources—local, state and federal—to meet the rising demands upon our limited financial resources.

Since January 1, 1966, we have saved over $173 million through the elimination of positions, restrictions on new employment, economies and program reorientation. We have held the budgetary line against staff expansion in virtually every program area subject to control, and we are investing heavily in computers and modern equipment to increase effectiveness and to lower costs.

For the first time in twenty years, we have completed two fiscal years without having to issue budget notes to cover operating costs at the end of the year. During the same period, we increased the City's reserve funds from an insignificant $54,000 to $8 million.

My Administration inherited a budget gap of almost a half-billion dollars. To handle a deficit of that magnitude, we took the only and most agonizing course open to us: We bit the bullet and proposed a city income tax and earnings tax on commuters employed in the city. We had to win approval of the taxes from a Democratic-controlled City Council. Then we had to gain authorization from the Legislature and the Governor in a year in which all the legislators and the Governor were up for reelection.

We won the fight for the taxes, and it helped us to balance our budget that year and in each subsequent year.

Government can't do the job by itself; it needs the cooperation and support of the private sector if we are to make real progress in our cities. This partnership, one that Pittsburgh has long ago achieved and which is spreading throughout the country, represents another activation of Republican philosophy.

I could cite several examples of how this is working in my city, particularly through the "New York Urban Coalition", but I'll simply describe one aspect of our overall effort:

We organized a Citizens Summer Committee last Spring. One hundred and fifty-five businesses, most of them corporations, raised three-quarters of a million dollars for youth programs during the summer months.

They provided jobs for five-thousand youngsters. They sponsored play streets, buses to take kids to the beaches, bookmobiles, traveling theaters, airplane rides, soap box derby and dozens of other activities.

The committee played a major role in keeping New York cool last summer and it earned the thanks of the entire city. We hope to have an even broader program this year.

The longer I serve as Mayor of New York, the more I realize the importance and relevance the Republican party and urban America have for each other. Leaving aside for the moment other reasons, it's obvious why the cities are politically important to Republicans; that's where we've been losing elections.

In the incredibly close elections of 1960, for example, Republicans carried only one of the country's ten largest cities. We won in only sixteen of the fifty largest cities. Yet outside the cities, we got most of the votes in those states.

If Republicans had done only slightly better in the typical big city that year—in some instances, just ten percent better—we would have carried the entire state.

The first thing we have to do is field candidates who are willing to take on the challenge of going up against the old-line organizations in the cities. We've got to convince the city voter that the Republican party cares about him, and wants to improve the frequently degrading conditions under which he lives.

Second, I think that we must apply Republican principles to programs concerning the metropolitan areas of this country. Traditionally, we have opposed the concentration of more and more authority in government complexes that are less and less responsive to the people they serve. We should be on the side of the individual in his continuing struggle to make government institutions pay attention to human values.

Third, we have to regain the confidence of minority groups—confidence we once held for almost three-quarters of a century. We have to show that the advancement of individual rights and liberties is as strong and viable a Republican policy now as it was a century ago.

Civil rights, however, is not the only issue. We've got to stand for a better quality of life in our metropolitan areas, and that means better housing, new schools, more jobs, efficient transportation: It means the adoption of a party policy that is not directed solely toward the slum, but toward the improvement of life in the entire city—and, by extension, in the communities surrounding the city.

If we Republicans intend to stay in the game of politics, we must plan for extremely high stakes this year. We have to develop answers to the problems affecting the most people. Those problems, today and tomorrow, are in the American metropolis.

In 1932, we lost our role as a majority party because we fell behind the times. This year, we can regain that role by presenting candidates and programs that are not intimidated by the problems of the present, but have the courage to face the future.

Republicans clearly need the cities, but what is not as well recognized is that the cities need the Republican party. That's not simply because the cities should have a choice; it's because the application of basic Republican principles and practices to the crisis of the cities may be essential to their stability and their survival.

Let's rededicate our party to the principle that every American is equal under the law, that every citizen deserves an honest start in his own pursuit of happiness. Let's work as Republicans for what Republicans stand for: The protection, the support, the elevation of the individual in a mass society.

Thomas Wolfe articulated our hopes when he wrote:

". . . . To every man his chance—to every man, regardless of his birth, his shining, golden opportunity;

". . . . To every man the right to live, to work, to be himself, and to become whatever his manhood and his vision can combine to make of him;

"This . . . is the promise of America."

And this, I submit, is the promise of the Republican party.

Thank you.

UNITARIAN UNIVERSALIST ASSOCIATION ENDORSES GOALS OF POOR PEOPLE'S CAMPAIGN

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. EDWARDS of California. Mr. Speaker, in Cleveland, last May 29, 1968, the Unitarian Universalist Association adopted a resolution in support of the Poor People's Campaign. This resolution was adopted by the seventh general assembly of the association by a more than two-thirds vote and reflects the association's deep and continuing concern with correcting the social and economic ills which plague our Nation. Specific goals are mentioned in the resolution—goals of reform in jobs, income, education, housing, hunger, and the judicial system—and to give special note to this resolution, under unanimous consent I place it in the RECORD at this point.

The resolution follows:

RESOLUTION ON THE POOR PEOPLE'S CAMPAIGN

The Seventh General Assembly of the Unitarian Universalist Association urges support of the Poor People's Campaign of the Southern Christian Leadership Conference and endorses the following legislative goals sought by the Poor People's Campaign:

1. Meaningful jobs at adequate pay scales in both public and private sectors for the unemployed and the under-employed, with the government to be employer of last resort, and effective enforcement of anti-discrimination statutes.

2. A system of income maintenance, including a guaranteed minimum income for all, and family allowances modeled after the Canadian program.

3. Welfare payments brought up to realistical-defined minimum subsistence levels, with punitive and family-disruptive qualifications rescinded.

4. Redoubled efforts at school desegregation and provision of quality education for all Americans from kindergarten through college.

5. A massive program of building and renovation, to provide decent housing, both for the poor and for those on minimum incomes.

6. Adequate medical and dental care for all Americans to be implemented by a program of national health insurance.

7. Reform of the law enforcement and judicial systems to eliminate all forms of discrimination against minority-group persons and those in poverty.

8. Elimination of subsidies to farmers for non-production of crops and increased government distribution of surplus food to the hungry.

Adopted by more than a two-thirds vote.

MINERS RESCUED FROM DEPTHS OF WEST VIRGINIA COAL MINE—MOVING AND DESCRIPTIVE WRITING OF EDITOR JIM COMSTOCK AND CHRISTIAN SCIENCE MONITOR TELL OF FAITH

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. RANDOLPH. Mr. President, on May 6, tragedy struck the tiny community of Hominy Falls, W. Va., when water from an abandoned mine broke through to another mine and trapped 25 coal miners. Fifteen men were rescued and hope faded for the remaining 10 men. In a desperate attempt to drain the flooded mine, large pumps were brought in which began pumping hundreds of thousands of gallons of water from the mine.

In mining accidents, rescue efforts never cease until all men or their bodies have been recovered.

For 10 long days, rescue operations continued around the clock to reach flooded sections of the mine. Hope had been given up, by many, that the men could be found alive. Search teams pushed their way into the depths of the mine as pumps sucked the water out.

West Virginia Hillbilly Editor Jim Comstock told in moving prose of the finding of the lost men, who had survived for 10 days on only the food in their lunch buckets:

This particular group, headed by Roy Simmons, had come to a place which was wadeable and they waded. Coming out on the other side on the lake, they saw fresh shoe tracks. And a dinner pail. They followed the tracks and they came to a tent made of brattice cloth. . . . Inside the tent, six men huddled, absorbing the bodily heat of the others. It was journey's end.

As the men were recovered from this nightmare, they huddled in a group and thanked God through praise and thanksgiving.

The very talented editor, Mr. Comstock, wrote in the June 8, issue of the West Virginia Hillbilly, of the miraculous happening. There is pathos and power in "The Miracle" column he wrote. It would be worthwhile reading for Members of the Congress, and our citizens generally. An editorial also appeared in the May 20 issue of the Christian Science Monitor, entitled, "Alive and Here With Us." It, too, tells of miracles.

I ask unanimous consent to have these editorials printed in the RECORD at this point.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the West Virginia Hillbilly, June 8, 1968]

THE MIRACLE

A miracle, apparently, is the explanation for the working of the impossible if it were to happen, but doesn't. I base this conclusion on something I overheard at the scene of the recent Hominy Falls tragedy. A newsman was on the phone, reporting the fact that fifteen of the twenty-five trapped coal miners had been brought to safety. Evidently he is asked at the other end of the line about the missing ten. What are their chances? "Oh, only a miracle will save them," he said, and added that they were presumed dead. And they were indeed presumed so. It is just a part of the creed of those who go down into the bowels of the earth to bring forth its bituminous wealth that no man trapped in a mine is presumed dead until the body has been brought forth.

Later, after the ten had been brought out of the mine and were bedded down securely and very, very happily, at the Sacred Heart Hospital in Richwood, I was startled to hear my newsman friend in gentle argument with one of the six. "What do you mean 'miracle,'?" he asked. And the fellow said simply, "God brought us out." The reporter then said, "Yeah, but how about the pumps, didn't they help?" I don't know what the answer to this was. I only know that miracles apparently are miracles before they happen. Afterwards, there is some natural phenomenon behind them.

So I think we should maybe look into the nature of miracles, and evaluate what happened here. First, what is a miracle? I checked in some sources and found many things, but all definitions come down to one thing, and that one thing was said best by the philosopher Hume: "A miracle may be accurately defined a transgression of the law of Nature by a particular volition of the Deity, or by the interposition of some invisible agent."

Hume speaks of the same God that the rescued miner speaks of. More materialistic on such things, I would say, is the magazine Newsweek which, however, came out flat-footedly on the side of miracles. "Meanwhile," says Newsweek, "two miles inside the shaft, foreman John Moore had a miracle on his hands. Somehow, he and five other men had escaped the first onslaught of water that had instantly drowned four co-workers. Then they found a one-in-a-million air pocket along a ledge in the yard-high passageway."

Now, the nature of a miracle is such that it is a one-in-a-million chance, actually not the hand of God at all. Let us then say that a miracle is changing water into wine, or giving sight to a blindman. But not the air pocket. Undoubtedly all flooded mines or caves would have such. Then, how say we, was the miracle? and I answer that the miracle was a multi-faceted thing, and the men's return the least of it. First, there was the fellow Moore and his leadership, a God-given thing to certain men, a thing one is born with. Next, there was the sturdiness of the mountain people themselves, people who are toughened to many adversities, tampered to many winds. The coal miner's lot is a tough one; he doesn't scare at all.

When I think of those six men, crouched and huddled together, giving of their bodily warmth, giving of their spiritual sustence and personal courage, I wonder about those people afar off who wonder and worry about the Appalachian being. I wonder if ten Madison Avenue people could take a jug of water and split three or four jelly sandwiches among them while they crouch under a table inside an airless elevator for ten days and then crawl for two and a half hours through sewers and then come out and hold a prayer meeting or rush up the hill to the nearest telephone to dial it complacently, and then say, "Grandma, I just wanted you to know I am all right." That is guts and fortitude, and all the ingredients of what we call a miracle.

So, we'll say the miracle wasn't so much inside that mine as it was outside. Here there was an obvious, noticeable manifestation of spiritual concepts at their best; here was a systematized, concentrated effort of the ninety-and-nine to save the one. This

was the Miracle of Hominy, this utter giving of money and time and effort to demonstrate to the world that as long as there was hope, even after hope flickered out, there was a life to save. All of it, too, was the miracle of contrast to what is going on in an unspiritual way, in an unguided way, on the other side of the world where fighting men were sparing no money, no time, and no effort to destroy human lives. There will always be wars and rumors of wars, we are taught, but thank God, too, there will always be a Hominy Falls and men of valor and courage and determination to save a human life.

Yes, I think that was the Miracle of Hominy Falls, a moment out of time when people cared for others. Three doctors waiting with what they knew to do, a brother waiting to grasp a hand, a wife and mother counting minutes instead of days, this was the manifestation of love that seeped out into the world and for a brief time made a world rejoice. But even as this miracle made for happiness beyond belief, it also cast a dark shadow over the four homes wherein there would be a bitter non-comprehension of the word miracle. Their families had prayed too; their people had kept the vigil too, and their answer was bitter. And their miracle, had they one? Perhaps, yes. The miracle that comes eventually out of the realization that life somehow goes on, and that wounds heal, and memories in time take on the forgetfulness of the bitter and bring forth a sweetness. How pathetically the Associated Press man, Helger Jensen joined the bleak despair of death and the everlasting promise of life: "On the hillside, surrounded by tombstones, Hilda Walkup wept bitterly for her unborn child who would never know its father." That was Thomas Wolfe at his best, but Thomas Wolfe at his best, knew that the child would always know his father. That is one of the miracles that we take for granted.

[From the Christian Science Monitor, May 20, 1968]

ALIVE AND HERE WITH US

Human fortitude is ever an encouragement and an example for the rest of us. And so surely everybody must feel heartened and grateful for the recovery safe and well of six of the 10 men given up for dead several days ago in that coal mine at Hominy Falls, W. Va.

We honor the brave rescue workers who followed through on the creed of the coalfields and did not give up until they had firm evidence of what had happened to the missing men. We join with those others who are now seeking to comfort the families of the four who nevertheless succumbed. But most of all we rejoice at the proof which the rescue offers of the efficacy of men's simple faith in the power of God.

One of the six is a part-time minister. Asked in the hospital after his rescue what his thoughts were during his 10 days of virtual entombment, he answered that he knew in Whom he trusted and that he had decided to leave it to Him to work it out. When he emerged from the shaft, he said: "I made a vow all six of us would be out here to thank the Lord." And true to the vow, the first action of all six was to pause in prayer as they were brought to the surface just before daybreak.

Of course there will be the cynics and the skeptics who will profess not to be impressed by any of this. But the rest of us—a little tired, perhaps, and certainly frustrated and perplexed by the smart catch-phrases of our age—can share in the awe of one of those six burly men (not the part-time minister) who cried out: "Who said miracles don't happen? People say God is dead, but He's alive and here with us!"

SOVIET MENTAL HEALTH THREAT TO THE UNITED STATES OF AMERICA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. RARICK. Mr. Speaker, when the executive director of the National Committee Against Mental Illness starts praising the Soviet system of psychiatry—beware?

Could it be that the reason Russia has so many successful mental rehabilitations is that the nonrecoverers are lost—either in Siberia or by liquidation.

No, and Gorman cannot say one way or the other either.

It would seem American psychiatrists should have at least one defender on the National Institute.

I include an Evening Star report by Judith Randal for May 18, as follows:

RUSSIANS PRAISED IN MENTAL THERAPY

(By Judith Randal)

BOSTON.—This country could learn much from the Soviet Union about the care of the mentally and emotionally ill.

This was the impression left by a series of papers given here yesterday and Thursday at the annual meeting of the American Psychiatric Association. The speakers were part of a team that visited Russian mental health facilities last spring.

Mike Gorman, executive director of the National Committee against Mental Illness, said:

"The major attraction of the system is that it has removed the economic barrier to good psychiatric care for all its people. In many ways, this is the most shocking failure here in America. Under a predominantly fee-for-service system, only 3 precent of our people can afford psychiatric care."

Gorman and his fellow visitors to the Soviet Union—most, but not all of them psychiatrists—were particularly impressed by the high doctor-patient ratio, the variety of facilities available and the continuity of care for patients ranging from small children to chronically ill or emotionally disturbed adults.

"In America," Gorman said, "the child may be buffeted about between a pediatrician, a child psychiatrist, a clinic welfare agency or what-have-you with very little in the way of mutual consultation and medical follow-up. The Russian system is impressive because it is based upon joint pediatric and psychiatric responsibility for the child."

Mr. Stanley F. Yolles, director of the National Institute of Mental Health, said: "While in the United States . . . (home) visits by psychiatrists are still in the stage of creative innovation, the typical Russian psychiatrist working in a dispensary makes at least 20 such visits a month."

Alcoholism is viewed as a major problem by the Russians and they are tackling it in many ways. These range from an educational campaign using posters and films to individual and group therapy and drugs.

If an alcoholic is picked up on the streets by the police in Russia, the team reported, he is taken to a police station, but is not thrown into a cell. This is because each jail is provided with a special sobering-up unit equipped with beds and manned by a doctor and either a feldsher (corpsman) or nurse.

The American team found that regulated pay for work performed is one of the mainstays of psychiatric therapy whether the patient is alcoholic or otherwise mentally or emotionally impaired.

Those who are day patients at a dispensary work six hours there. The more severely disabled work at home, supplied by the clinic with the necessary raw materials. The setting up of workshops in hospitals and dispensaries dates back more than 40 years.

Dr. Phillip Sirotkin of the National Institute of Mental Health reported that: "All employers are required to take back mental patients at their former salary and occupation level, if adjudged mentally fit. If there is some impairment," he said, "the employer is asked to provide a suitable job, on a full or part-time basis."

In addition, there are said to be special units for the physically and mentally handicapped in many factories.

The Russians, the team agreed, credit this paid work system for the fact that only 10 to 15 percent of their mentally disabled people have to live in mental institutions, Gorman said.

CONGRESSMAN REPORTS ON INDIANA NINTH DISTRICT FARMERS' RESPONSE TO POLL

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. HAMILTON. Mr. Speaker, I recently sent to rural residents in the Ninth Congressional District of Indiana a questionnaire on farm issues.

The initial results of that poll show that farmers are greatly concerned about declining profits and increased costs, but it also shows a wide difference of opinion on how to remedy the situation.

This divergence of opinion on the part of the farmers is reflected here in Congress.

It is almost impossible to generalize about the farmer's point of view on a given farm policy question. I suppose the results really show that the Hoosier farmer is an independent fellow who thinks for himself.

Some 14,000 questionnaires were mailed to Ninth District farmers. A tabulation was made on the first 529 returns.

These returns showed:

Farmers about divided on how to handle the agricultural imports. Of the total, 207 favored reducing import quotas to encourage free trade, and 273 favored strengthening import quotas.

A majority felt that a fair practice act, protecting farmers from retaliation by processors for membership in bargaining groups should be enacted.

A substantial majority favored the creation of a strategic reserve, insulated from the marketplace.

Most felt the current feed grain policies should be continued, but were divided on wheat program policies—38.6 percent voting to abolish it, 36.7 percent favoring continuing the marketing certificates as a means of price support, and 16.3 percent wanting to continue the program with either increased or decreased acreage allotments.

Most felt the war in Vietnam would be the most important issue in the com-

ing months. Inflation was the second most-noted concern, and in order, farm prices, tax increases, farm bargaining power, and import-export policies were cited.

The results of the questionnaire and the percentage of the total vote were as follows:

I. Farm income rose from 1960 to 1966, then declined in 1967. What effect did present farm programs have?

1. Minimized the decline in 1967 and generally aided the farmer's income: 192 votes, or 36.7 percent.

2. Had no effect on farm income: 58 votes, or 10.9 percent.

3. Contributed to the market decline in 1967 and depressed farm income even more: 245 votes, or 46.2 percent.

II. Farm policy in the future should:

1. Abolish immediately all government supply and price controls on all commodities: 58 votes, or 10.9 percent.

2. Continue the present policies: 138 votes, or 24.2 percent.

3. Make more use of direct cash payment plans to support farm income: 85 votes, or 16 percent.

4. Slowly remove Government controls on a commodity-by-commodity basis so as to gradually return to a free market farm economy: 233 votes, or 44 percent.

III. Do you favor a strategic reserve bill to help adjust farm supply to market demand so long as safeguards are incorporated to insulate the sale of the reserves from the domestic markets?

1. Yes: 336 votes, or 63.3 percent.

2. No: 154 votes, or 29.1 percent.

IV. In order to give the farmer greater control over prices, do you favor:

1. A "fair practice" law protecting farmers from retaliation by processors—such as being cut off from contract markets for joining a bargaining group: 229 votes, or 42.5 percent.

2. The strengthening and extension of marketing orders to all commodities: 64 votes, or 12.1 percent.

3. The creation of a National Farm Labor Board to supervise and control farmer-processor bargaining on a nationwide commodity-by-commodity basis: 105 votes, or 19.8 percent.

4. No labor legislation for the farmer at all: 105 votes, or 19.8 percent.

V. Department of Agriculture crop and livestock estimates are:

1. Useful in aiding the farmer in marketing his products: 172 votes, or 32.5 percent.

2. Inaccurate: 154 votes, or 29 percent.

3. Should be abolished: 130 votes, or 24.5 percent.

4. No opinion: 56 votes, or 10.6 percent.

VI. In order to maintain and increase farm income do you favor:

1. Gradually reducing all import quotas to encourage free trade in world markets: 207 votes, or 39.1 percent.

2. Continuing and strengthening current import quotas on meat, dairy, and other products: 273 votes, or 51.6 percent.

VII. With respect to feed grain policies, do you favor:

1. Continuation of the current program: 227 votes, or 42.9 percent.

2. Abolishing the current program: 172 votes, or 32.5 percent.

3. Continuing only the acreage diversion aspect of the current program: 108 votes, or 20.4 percent.

VIII. With respect to the wheat program, do you favor:

1. Abolishing the current program altogether: 204 votes, or 38.6 percent.

2. Increasing the wheat acreage allotment: 29 votes, or 5.5 percent.

3. Decreasing the wheat acreage allotment: 57 votes, or 10.8 percent.

4. Continuing the marketing certificates as a means of price support: 194 votes, or 36.7 percent.

IX. Which of the following issues will be the most important to you in the following months? (List choices 1 and 2.)

1. Inflation: 209 votes, or 39.5 percent.

2. The war in Vietnam: 323 votes, or 61 percent.

3. Farm bargaining power legislation: 66 votes, or 12.5 percent.

4. Import-export policy: 28 votes, or 3.4 percent.

5. Farm prices: 207 votes, or 39.1 percent.

6. Tax increase: 108 votes, or 20.4 percent.

7. Other: 6 votes, or 1.1 percent.

CAL POLY IN GUATEMALA

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. TALCOTT. Mr. Speaker, the California State Polytechnic College, San Luis Obispo, Calif., is providing technical assistance to the agricultural-vocational school at Barcenas, Guatemala, under an AID contract.

The Barcenas school provides most of the middle-level agricultural technicians to the Government of Guatemala and private agricultural activities. The curriculum and administrative procedures have recently been improved by its director. School enrollment has been increased from 140 to 250.

In February of this year, a group of California Farm Bureau personnel undertook a farmer-to-farmer tour of Central America. This group visited the Barcenas school and evaluated its performance on the basis of their visit.

Under unanimous consent I place a number of excerpts from letters from the tour group discussing the work of the school in the RECORD at this point. It appears that this is a very productive and beneficial AID contract.

The excerpts follow:

I feel that the staff of the school were very sincere and very enthusiastic. . . . The students seemed to be very interested in what they were doing and had a high morale. . . . The operation seemed to be efficient and well-run. . . . I enjoyed my visit and all my impressions were favorable.

The visit to Barcena was a highlight of the tour. . . . Very definitely a fine program. . . . I would hope it could even be augmented.

Our opinion of the Barcena School in Guatemala has to be based on what met the eye and ear since we had no advance briefing on the school. Mr. Atlee and his team from San Luis seemed a very enthusiastic and dedicated group. From the pictures and slides they showed us we felt that the taxpayer was probably getting more for his money in this project than any we have seen (and we have seen AID programs in many other countries) and this was far superior. . . . The training seemed to be available to all levels of society, requirements included aptitude as well as attitude, it seemed to be more at the grass-roots level and would make a better living for greater numbers of people. There were 500 applicants, of which 125 were accepted in the class for next year. . . . California State Polytechnic College is to be commended for their effort in establishing this program. On the return of this team to San Luis, in our opinion, this program should be carefully studied and evaluated so that it may possibly replace some of the AID programs now in progress.

As our visit to the Barcena School in Guatemala was quite brief, only a couple of hours at most, it is difficult to know just what is being accomplished. . . . However, we saw students working on and repairing different kinds of farm machinery, shelling corn with a tractor powered sheller and doing other farm work. They were learning sanitary dairying in a clean barn, and also hog raising under modern methods. . . . Our reaction was that they were taking care of quite a large number of students with a minimum of expense.

I am not qualified to give a scientific opinion but I will make some favorable comments. We were told that there were 300 agricultural students and that they work on the farm from 6:30 a.m. to 11:30 a.m. and have classes in the afternoon. The Director said that they hoped to soon have the school provide the equivalent to a junior college education. . . . The Director seemed enthusiastic and very hopeful that they could continue to progress. We saw the horses, cattle, pigs, coffee, citrus, etc. I think the principle of having the students put in a half day's work is very good. Besides, I believe that it is especially important in Latin America that people being educated learn that they don't lose face by using their hands. I believe that assistance in agriculture given to any underdeveloped country is most advisable and will do the most good for all the people in the country. . . . We appreciated our visit to the Barcena School and our hospitable reception as well as the musical program of their newly formed marimba band.

Then the next day when we visited Barcena School we were surprised at the work there. . . . We feel they are really doing a fine job. When a native can come to school and learn to farm a better and more profitable way, and even living with other people helps him in finding other ways of doing his work. . . . The food and kitchens, the laundry projects and dormitories were well kept. . . . The efforts the field workers are doing as far as insect and pest controls were worth so much.

We were greeted at the airport by an AID man and invited to Mr. Pfeister's home (I hope this is right). We had a lovely buffet supper and enjoyed talking with the people involved, two of whom knew our son at Cal Poly Pomona. We felt their enthusiam for their work and the country and were graciously treated during our tour of Barcena School. . . . When we left to go into the Highlands I started questioning our driver about how Guatemalans felt about having us there. He was a man of above average intelligence and education and we felt his opinion was worthwhile. His answer was. 'We like having them. Our people want to learn and when we are shown better ways of doing things we will use it.' . . . . We left feeling this was one place foreign aid was well spent, particularly if they do as they said they would—withdraw and turn the program over to Guatemala when they are educated to the point of being able to handle it.

We think you will be pleased to know that one of the highlights of our recent Farmer-to-Farmer trip to Central America was an extremely interesting visit to the Barcena Agricultural School. . . . The AID people from California State Polytechnic College were most courteous and instructive in showing the facilities of the school, and in acquainting our traveling group with the students and their work. . . . The instructors and administrators seem justifiably proud of what is being accomplished, and our appraisal of their work is that it constitutes an excellent and useful service in helping Guate-

mala stabilize its economy. . . . We felt that more people should know about the project and its accomplishments, and that more information about Barcena be available to our farmers of the United States; the result could be wider interest and support. . . . Mr. Charles Atlee and Mr. Kermit Adams were very helpful in acquainting our group with a fascinating example of international cooperation.

CONSOLIDATED SUPPORT SERVICES FOR FEDERAL AGENCY OFFICES IN THE CLEVELAND, OHIO, AREA

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. FEIGHAN. Mr. Speaker, in April of this year, a newly consolidated duplicating and printing support office was opened in the new Federal Office Building, Cleveland, Ohio. It is an example of the efforts expended by the responsible military and civilian members of our Government departments and offices to combine their common support services and resources wherever practical.

The new centralized service is managed by the Navy Publications and Printing Service and is a branch of the Navy Publications and Printing Service Office, Fourth Naval District. The new office will provide both rapid-delivery duplicating and printing services and professional publication and printing management assistance to Federal agency offices in Cleveland, Ohio, area.

Consolidation of the duplicating facilities located in various Federal agency offices in the Cleveland area was recommended by the General Services Administration and was based on a feasibilty study which was made prior to opening the new Federal Office Building. The Navy Publications and Printing Service branch office, Cleveland, the largest operating office proposed for the area consolidation, was authorized to operate as the centralized service area by the Joint Committee on Printing, Congress of the United States.

As was pointed out in the GSA study, the centralized location and management of the duplicating and printing resources of Federal offices which have located in the new Federal Office Building will result in a net requirement for less equipment and manpower. The willing acceptance of recommendations and the cooperation of the offices involved in effecting consolidation are commendable.

On April 5, 1968, I attended the formal opening of this centralized facility as the guest of Mr. Burton C. Haueter, Director of the Fourth Naval District Publications and Printing Service Office, Philadelphia. The branch office was officially opened with a ribbon-cutting by Mr. Paul C. Beach, assistant staff director of the Joint Committee on Printing, and Mr. A. N. Spence, director of the Navy Publications and Printing Service, Washington, D.C. An open house reception was held for the heads of Federal agency offices in the Cleveland area. It was indeed gratifying to witness the communal spirit and interest of those attending.

GOLD AND REVOLUTION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. RARICK. Mr. Speaker, gold, or the lack of it or possession of too much of it, seems to attract revolution.

In my remarks, CONGRESSIONAL RECORD, May 28, 1968, page E4729, I raised the question as to whether the French insurrection might be because of De Gaulle's refusal or failure to surrender the French gold to the international bankers.

An interesting report by Norman MacRae appeared in the Sunday Star for June 9, which follows:

FRENCH TROUBLES MAY HELP UNITED STATES TO HOLD GOLD PRICE

(By Norman MacRae)

The troubles in France could have a gilted lining for the United States: they may be an actual support to U.S. policy of keeping the dollar price of gold down. Paradoxically, the eventual beneficiaries of the Paris riots could be the dollar exchange system and the International Monetary Fund.

The story of the battle over gold has been dramatic and probably the one that is least understood in the U.S.; largely because the gap between the U.S. authorities and their European allies has been unprecedentedly wide.

At that famous meeting of central bankers in Washington on March 17, the U.S. really did believe that it could organize a system whereby (a) the major central banks of the world (other than the non-attending Bank of France) could refuse to buy any more gold for their reserves; (b) South Africa therefore could not sell its newly-mined gold to central banks, and would have to sell it on the free market; (c) the free market price of gold could therefore actually fall below the official price of $35 an ounce, thus hitting speculators upon the head.

TRICKY WORDING

When European central bankers returned from this meeting, they were in a state of embarrassment. The U.S. had wanted the communique to say that central banks would not buy any more gold from the market. Instead the communique said merely that "they no longer feel it necessary to buy gold from the market".

The reasons for this ambiguous wording were that (a) some central banks, especially the Swiss one, felt that they were legally obliged to buy any gold offered to them at $35 an ounce; (b) other central banks, even if not under legal obligations, fully intended to buy some new gold too. However, the latter agreed sub rosa to buy any gold required from America at $35 an ounce. Europe believed that South Africa would not need to sell gold anyway, because its balance of payments was likely to be thrust into surplus by a huge inflow of capital (helped by the fact that most people outside the U.S. thought that there was a real chance of the gold price going up).

If central banks bought from the U.S. instead of South Africa, the U.S. gold reserve would fall. Immediately after March 17, there was an expectation among European central bankers that this could happen to a serious extent. If it did, their bet was that the U.S. would meet the situation by "demonetising" gold; i.e. by stopping U.S. sales and purchases of monetary gold, and cutting the dollar's link with the metal altogether.

CHANGES POSSIBLE

All the way through from late March to early May the financial authorities of Europe, apparently with blithe unconcern from the financial authorities of the U.S. therefore awaited what could become a dramatic change in world currently arrangements. It was virtually decided in Europe that the results of any American "demonstration" would be that (a) the countries of the European common market would stick to gold; so that (b) the dollar—to which the British Government decided, more or less formally, in this eventuality to tie sterling—would float down in value against both gold and continental European currencies.

The common market countries would have stuck to gold up to early May because Gaullist France although it could least well afford economically to see its currency upvalue against the dollar and sterling, was determined politically to follow an anti-American line; while Germany, which could better afford to see its currency upvalue against the dollar and sterling, would have been less happy politically to annoy the U.S., but had semi-decided in semi-secret that it must stick by France in the end.

Now, however, no French government could think of affording a gradual upvaluing of the franc against sterling and the dollar. Instead, France is having to fight hard, with all sorts of controls on capital outflow, against a devaluation of the franc. This presumption is therefore that any American demonetisation of gold would now be followed by European demonetisation, so that the gold price then really could fall temporarily below $35 an ounce.

TWO VITAL POINTS

But this fall below $35 is another thing that France, which may have to sell $500 million from its $5 billion holdings of gold during 1968 unless it borrows heavily from the IMF, could not afford either. So it seems likely that any reasonable French government which emerges from the present debacle—whether a Gaullist one or a lefter wing one—will not want to attack the dollar price of gold any more.

These assumptions of an American victory in keeping down the gold price could still be totally destroyed if the sheer weight of private speculative pressure—the rush to get out of paper money after France's crisis—crushed the calculations of governments.

But two points are worth reporting. First, some considerable private holders of gold have tentatively lowered the reserve price at which their agents are ordered to sell stocks on the market; because of considerations akin to those expressed in this article.

Secondly, South Africa is thinking of selling gold again on the free market, thus presumably bringing down the price. Although South Africa's balance of payments has soared into surplus with a huge capital inflow—here the European prognosticators, not the United States ones, have proved right—some advisers in Pretoria are seriously worried that they may now have lost a golden ally in a powerful President de Gaulle. They therefore say that it would be better to use their present balance of payments strength to remove restrictions on capital exports, even if they have to sell some newly-mined gold to pay for this.

POULTRY INSPECTION BILL

HON. JOSEPH Y. RESNICK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. RESNICK. Mr. Speaker, in considering H.R. 16363, the poultry inspection bill, reported to us by the House Committee on Agriculture, it is obvious that the exemption provisions of sub-

section 15(c)(1) are so broad in scope that the total consumer protection intent of this bill will be substantially impaired.

As reported, this subsection would exempt poultry producers selling off farms, and slaughterers and processors doing less than $15,000 volume per year from all provisions of the poultry inspection bill. Enactment of this provision, as it now stands, will seriously interfere with the administration of the Poultry Products Inspection Act, and the U.S. Department of Agriculture's attempts to assure the safety and wholesomeness of the Nation's poultry supply.

The absence of authority to require recordkeeping, the lack of access to records, and the lack of prescribed sanitary requirements for exempted operations would make it impossible to enforce the conditions of exemption that no unwholesome products be distributed and that substantial amounts of dirty and diseased poultry not be diverted through exempted slaughterers and processors into consumer food supply channels.

The exemption provisions would apply to poultry producers or processors but not to the products they produce or to third parties handling these products. This raises a serious question with respect to the availability of detention authority for misbranded products and the applicability of the poultry inspection law to the third party handling such products.

Producers and processors, in order to determine whether they come within the limits of the exemption, would have to maintain cumulative records of their sales and their wholesale value. This could present a substantial burden to some operators.

This problem would be further compounded by the fact that those exempted from all provisions of the inspection law would not be required to keep records in the first place.

There is a definite need for exemptions for certain small operators in situations where it would be very costly to provide continuous inspection service. But such exemptions can, and should be, provided without impairing protection to the consumer and the efficient administration of the Poultry Products Inspection Act.

COMPENSATION INCREASE FOR VETERANS

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, on June 6, 1968, Congress overwhelmingly endorsed an increase in veterans' disability compensation by passing H.R. 16027. It is a pleasure to be part of the team that has regularly voted to increase payments to those disabled veterans and their families who have given so much for our good country.

I believe that the improvements embodied in H.R. 16027 are essential to maintain well-deserved veterans' benefits at a level which reflects the increases in cost of living in America. In addition, I strongly support the provision to increase further the compensation rate for those veterans who are totally disabled as a result of their service to our country.

It is encouraging to note that this legislative proposal is warranted, and its provisions are based upon a social science type survey of the veterans themselves and their needs today. As a result of this study by Presidential commission, Congress has been able to pass a bill responsive to the known needs of the veterans. I firmly believe that this is an excellent legislative technique, and I am glad to vote for the bill.

Congress has provided for an increase of $100 per month in the basic compensation rate payable to the service-connected totally disabled veteran. The survey indicated that the average totally disabled veteran was unable to perform any type of gainful work and relied upon his compensation almost exclusively for his support. In order that the compensation level more closely approximates their loss in earnings resulting from totally disabling injuries, Congress has substantially increased the payment rate to these veterans.

Cost of living increases are provided to all partially disabled veterans by this bill as well. Since the last change in compensation rates in December 1965, the cost of living in America has risen by 6.5 percent according to the Consumer Price Index. These increases are essential to avoid tying veterans to a fixed dollar amount which has an ever-decreasing buying power.

In the bill, Congress has authorized the Administrator of Veterans' Affairs to furnish an invalid lift, or any type of therapeutic or rehabilitative device as well as other medical equipment and supplies, if medically indicated to certain veterans receiving compensation or pensions under the current law.

Mr. Speaker, I believe this bill well deserves the strong support which Congress has given it and our good veterans, and I am glad to be a part of the veteran's team.

REPORT TO CONSTITUENTS

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. BYRNES of Wisconsin. Mr. Speaker, under leave to extend my remarks, I include the following report to my constituents:

MEMO

MURDER . . . Last week the nation mourned the death of another national leader brutally murdered at the height of his career. Sen. Robert F. Kennedy, strong contender for presidential nomination was cut down by an assassin's bullet—bringing grief once again to a family forced to relive the nightmare of sudden, violent death in its midst and despair to the millions who believed in him as a political leader. It was a week in which others, too, mourned for their loved ones—Thomas Williams of Washington, a promising Negro high school student shot to death senselessly by a wild-eyed assailant; William King of Orlando, Florida, and Thadeus Lesnick of Fishtail, Montana, two young Marine officers, shot and killed in a Washington hamburger shop by three hoodlums. A Washington paper echoed the question in almost everyone's mind, "Has the world gone mad?"

MINORITY . . . The country has not gone mad, much as these blows to sanity would argue otherwise. It is still composed of a vast, overwhelming majority of peaceful, law-abiding, decent people of every race and creed. It is also true, however, that a lawless minority is growing more numerous and bolder in a general atmosphere of permissiveness. Mass lawbreaking—riots in the streets and violence in the universities—is one side of the coin. Individual crime, including assassination—is its ugliest manifestation.

CRIME . . . The crime figures are truly frightening. Between 1960 and 1967, according to FBI figures, murder increased 35%; rape, 63%; robbery, 86%; aggravated assault, 64%; burglary, 79%; larceny, 79% and auto theft, 100%. In those seven years, our population has increased 10%; crime has increased 88%. There is a murder in the United States every 48 minutes.

FEDERAL LAW . . . Certainly, wherever needed, federal laws must be strengthened or revised. Last week, I voted with the majority of the House to send an omnibus crime bill to the President. It establishes some controls over gun sales; tries to correct the worst results of some recent Supreme Court decisions; sets up wire-tapping rules and procedures and provides funds to aid and strengthen local law enforcement agencies. The legislation will help in the fight against crime, but let no one be misled. The basic answer to crime does not lie in new federal laws.

HOME . . . Any lasting solution depends basically upon the single, solitary, individual citizen. His willingness to obey the law; his acceptance of his responsibility to teach his children that their freedom depends on their willingness to live under the law; his courage in reporting violations and coming to the aid of others; his participation in elections and in government; his endeavors to make sure his community has the best possible police protection; his concern for his fellow man and his efforts to help solve social and economic problems in his community—this is the basic answer to the growing rate of crime. Crime cannot be stopped from Washington. It cannot be stopped with words. It can only be stopped—by action on the part of all Americans—where it takes place, in the thousands of local jurisdictions throughout America.

MEMO NOTE . . . Our mailing list is in the process of being corrected and, if you receive duplicate copies of MEMO for a week or two, please bear with us. Also, we will appreciate your prompt notification whenever any change takes place in your address.

CBS "HUNGER IN AMERICA" PROGRAM IS FILLED WITH COLOSSAL DISTORTIONS

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. FISHER. Mr. Speaker, it is popular to be concerned about the plight of poor people and to be against hunger just as it is popular to be opposed to sin and to be in favor of motherhood. Every right-thinking American wants to help the poor, particularly those who because of conditions beyond their control are unable to help themselves.

Playing upon the emotions of those who are concerned for the unfortunate, there has arisen in this country what is known as a "poverty cult." Their chief objective is more welfare and in order to advance that objective they exaggerate hunger, pinpoint isolated instances of malnutrition, and discount the magnitude and effectiveness of private charity and public assistance.

We see many evidences of this organized movement. The Poor People's March on Washington is a good example. Composed largely of well fed, able bodied men who should be at home working, the group is spending weeks of idleness in Washington agitating and demanding more welfare.

"HUNGER, U.S.A."

Here is another example: On April 22 a private group from Walter Reuther's United Auto Workers, known as the "Citizens' Board of Inquiry into Hunger and Malnutrition in the United States," released a finding of widespread poverty and inadequate nutrition. It was soon proven to be a conglomeration of unconfirmed and utterly misleading claims and distortions.

Entitled "Hunger, U.S.A.," the much ballyhooed report listed 256 counties in 20 States as "hunger areas" involving "desperate situations."

The chairman of the House Committee on Agriculture, Mr. POAGE contacted every county health officer in the 256 counties and requested the facts. With hardly a single exception, every official who answered reported they were aware of no evidence of hunger and malnutrition in their respective counties, except for malnutrition caused by improper choice of foods.

In other words, the known facts serve to brand the substance of the report as largely unfounded and a deliberate attempt to deceive the American people. It lends itself to the grand design of the poverty cult.

"HUNGER IN AMERICA"

Then came the CBS program entitled "Hunger in America." It was preceded by the Public Broadcast Laboratory's "Hunger—American Style." It is of interest to note the similarity of the titles of these reports: "Hunger—American Style," "Hunger, U.S.A.," and "Hunger in America." Each follows the same propaganda line, and the implications in each have been thoroughly refuted. There is every reason to believe that each presented a deliberately misleading picture of the extent and severity of hunger in America.

The CBS program was branded by Secretary of Agriculture Orville Freeman as "a travesty," and he spoke of "intentional distortions," and "superficialities," misinterpretations and mistakes of fact" in the contents of both broadcasts.

Mr. Freeman asked CBS for equal time to tell the American people the facts. Up to this time his request has not been granted.

A FALSE IMPRESSION CONCERNING SAN ANTONIO

Among other misrepresentations, CBS focused attention on an alleged instance of a dying child in San Antonio, and left the impression that the death of the child was in some way related to the Government's failure to provide needed sustenance.

Mr. Speaker, that left an unfair and false impression of conditions among the low-income people in San Antonio by exaggerating the prevalence of such conditions there. In a sense, it amounted to a gratuitous insult to the people who live there by leaving false impression they are neglectful of the needy—and I resent it.

If one searches long enough there can, of course, be found instances of malnutrition in almost any community, usually due to faulty diets. Knowledgeable people insist this is often due to a preference in the choice of foods rather than to the absence of more nutritious varieties.

Not long ago a nationally known authority, John B. Parrish, professor of economics, University of Illinois, following a study of the facts concluded that 96 percent of all American families have an adequate intake of nutrients. In 1920 he said only 50 percent were so fortunate. So far as I know no one in authority has disputed the correctness of those figures.

The CBS show even suggested that too much money was spent by Bexar County on HemisFair—money the network implied could have been more properly used in San Antonio to feed hungry people. This implication is ridiculous and completely out of place. The same could be said, with equal logic, with regard to every public improvement in every community in America.

The fact is that HemisFair, a truly great exposition, has generated employment for thousands. Every strata of society benefits very directly from such projects. It ill-becomes CBS to insinuate otherwise.

Other implications relating to poverty and starvation featured on the CBS program have been proven to be equally as false and misleading. Both the Secretary of Agriculture and the chairman of the House Committee on Agriculture have nailed that down.

Indeed it would be in the public interest for each of these reports, including the CBS program, to be thoroughly investigated in order to develop the true facts and also expose the motivations of those involved.

Whether a coincidence or otherwise, each of these projects and programs helps stir up more interest in welfare, and the poverty cult is the beneficiary. These welfare crusaders are now organized. Known as the National Welfare Rights Movement, it is designed to put the pressure on Congress to dish out more welfare benefits. This well financed outfit, headed by Dr. George A. Wiley, a former Syracuse University professor, has been mixed up with the Poor People's March. Last year they held a national convention in Washington.

JOBS, POVERTY, AND MORE WELFARE

Mr. Speaker, a strange paradox exists in America today. An editorial writer speaks of the emphasis on poverty, "ghettos" and jobless people, and then points out that there are at present probably more jobs available in this country that remain unfilled than ever before in our history—and he proceeds to document that fact.

The Federal Government spends hundreds of millions of dollars to provide training for unemployed people in order that they may qualify for available work. This service is available to all who really want to work.

In addition, the Congress has for years been extremely generous in providing for the unfortunate. But the poverty cult is never satisfied. Today about 36½ million Americans—nearly one out of five—share in some manner in one of the many Government programs of food distribution. During the current fiscal year the USDA is due to distribute over a billion pounds of food to needy people.

Disturbing reports are coming in some instances this generosity has encouraged able-bodied recipients to avoid work. Easy-to-get welfare checks can be a terrible disservice to these people. Unfortunately, there are those who would prefer a handout to a job. Too many are prone to look upon the right to be paid for idleness as a civil right. That is the philosophy which permeates the poverty cult.

If the poverty cult really wants to do something about poverty, hunger and want, then they should interest themselves in an all-out national crusade in support of planned parenthood; otherwise we find ourselves treating the symptoms rather than the disease.

Eligibility standards for welfare recipients should be clarified and tightened in order to limit such assistance to the really deserving. I fear we are drifting far afield into the foggy environs of the dismal welfare state.

A POLICE CHIEF TALKS ABOUT LAW AND ORDER

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. ROGERS of Florida. Mr. Speaker, I have had the pleasure of knowing Mr. William M. Barnes, chief of police, West Palm Beach, Fla., for many years.

He is highly regarded by the citizens of that community who elected him to another 4-year term of office in March of this year.

Recently, Chief Barnes addressed the Downtown Rotary Club of West Palm Beach and gave a very moving statement concerning the status of law and order in our Nation today. I should like to insert the text of that address at this point in the RECORD for the benefit of my colleagues:

LAW AND ORDER

(By William M. Barnes, chief of police, West Palm Beach, Fla.)

The time has arrived in this country when the people are going to have to make a decision. We are either going to have law and order or we are going to have anarchy. We must decide for law and order. Without it, all of the gains of the freest and most prosperous nation on earth will be lost. Without it, we will have fear, hatred, destruction, and anarchy. Without law and order, a deter-

mined and violent handful of criminals and extremists can lead the ignorant and disoriented portions of our population into an orgy of crime and violence which will only end in the looting and burning of all of the large cities of this nation. If this sort of mass crime continues it will cripple the very backbone of our society and eventually bring complete chaos and destruction to this great nation.

Because of my great concern and the concern of many other people, I am going to address my few remarks to this aspect of crime today. I would like to concern myself with the relationship between what is being *erroneously called* "civil disobedience" and the threat to our whole social structure and particularly what I will call Law and Order. We have heard from the politicians, the sociologists, the psychologists, the professors, the professional sob sisters, and the clergymen.

It is time that the concerned and interested citizens let their voices be heard. It is time for the law abiding masses in this nation to rise up and tell their leaders in Washington, Tallahassee, Albany, Springfield, and all of the other capitals that "We have had enough." It is time that our Attorney General be told that we will not stand by and see our cities sacked and burned, our laws violated with the air of a Roman Holiday while the criminals involved are excused because they were deprived of a wholesome relationship with their fathers, or that they are the victims of social and economic injustice. It is time that the people of this nation, who want to enjoy the fruits of this nation, be told that to ignore the law and live by violence and blackmail will no longer be tolerated.

How has this situation come about? How has a nation that was conceived with the idea of freedom, equality and liberty for all, allowed itself to degenerate to the state of what we used to observe in the banana republics, where we are afraid to walk our streets, afraid to leave our property unguarded, afraid to send our children to school or college, and where our nation's Capital has to be guarded by soldiers to prevent it from being burned to the ground?

I can assure you that these events did not come into being overnight. If some of today's acts of criminal activity had happened in the days of our forefathers, they would have been immediately halted with whatever force that it took to do so, and all perpetrators prosecuted to the fullest extent of the law.

We have arrived at the unenviable position we are today because we have been witnessing the rights of society piddled away on the cross of the rights of the individual by a too liberal and sick Supreme Court. We have been a witness to the never ending five-to-four decisions wherein the Mirandas, the Escobedos, the Mapps, the Mallorys, and countless other hoodlums have had their individual right to murder, loot, steal, rape, and burn upheld over the right of society to be protected and to be safe. We have fallen heir to the idea that better 10,000 criminals go free than to convict one innocent man. We have sat back and seen honest men toil and sweat and fight poverty by working so that they can be taxed to support a growing population of nonworkers and drones. In a few short words, we have seen the steady, constant erosion of the very foundation of our society by a small minority and we have stood idly by and done nothing while this condition has reached epidemic proportions.

I think that a chain reaction of events and court decisions had a tremendous bearing on the conditions that exist today. If someone had told you tewnty years ago that we would be faced with guerrilla warfare, and the looting and burning of our cities by our own people in the 1960's you would have thought them mad. Yet, these things are taking place today. I feel that some of the factors contributing to the climate and background of our current problems lie in the decisions of the courts concerning the areas of "Search and Seizure," "Preliminary Hearing and Arraignment," "Interrogations and Confessions," and others. Let us take one area, that of Search and Seizure, and briefly highlight some of the decisions that took place and shackled the hands of law enforcement in this vital field.

It is my belief that the dominos started falling in this tragic chain of events back in 1914 when the U.S. Supreme Court handed down its decision in the case of Weeks v. U.S. This decision rejected the firmly established common-law rule on the admissibility of evidence, and substituted for it what has become known as the "exclusionary rule," which is that evidence seized in an illegal manner by Federal officers will no longer be admitted in Federal Court. It had no bearing on state and local officers. The Supreme Court further extended this idea in the case of Byars v. U.S. in 1927 by holding that a search is a Federal search if a Federal officer "had a hand in it." Further extension came in 1930 in the case of Silverthorne Lumber Company v. U.S., which eliminated all evidence from investigative leads which originated as a result of evidence seized illegally and, as a result of this found evidence which otherwise would be unknown to him, the latter evidence will not be admitted. In 1956 in the case of Rea v. U.S., the court further restricted evidence illegally seized by a Federal officer from being introduced in a State Court which is willing to receive it.

In 1960, in the case of Elkins v. U.S., the Supreme Court took the next step toward the Mapp decision by holding five-to-four that evidence obtained by State officers during a search which, if conducted by Federal officers, would have violated the defendant's rights under the Fourth Amendment, is inadmissible over the defendant's timely objection in a Federal criminal trial.

Now it is important to note here that for the first 170 years of this Republic, it was the rule that the Constitution does not forbid a State from accepting in its courts evidence seized illegally by State and local officers. In Wolf v. Colorado in 1949, the court said that each State is free to decide for itself whether to accept such evidence by following the common-law rule of admissibility or to reject it by following the exclusionary rule. After the Supreme Court decision in the Weeks case, the courts of the States showed a slow but steady trend toward acceptance of the Federal pattern. By 1926 we find that 26 States had adopted it.

Now we come to the decision of the Supreme Court in the case of Mapp v. Ohio. In this case the Court decided to place the requirements of State and local officers the same as those for Federal officers regardless of any constitutional provision, law, or decision of your State. It is comforting to note that Justices Harlan and Frankfurter opposed the decision and adhered to the former viewpoint.

This then has been the history of the Supreme Court's crippling decisions in the one area of Search and Seizure. We find now that courts are saying that it is an unreasonable search to look into a narcotics peddler's garbage can in an area underneath the porch of a house after seeing the peddler put something in the can (which turned out to be narcotics). Or that a soiled handkerchief found in a sex pervert's shack (after being pointed out by a child victim who led police to the location and told them where to find it, after it was used to clean the offender after commission of his act), was merely evidentiary material and not an instrument of the crime, fruits of the crime, a weapon or contraband, and was not subject to seizure.

At this point, you might be asking just what does all this have to do with the subject of today's discussion. Well, what I am attempting to do is place this whole concept of ignoring the rights of society and the willful violation of law in, what I think is, its proper perspective.

Now, following a review of the history of Search and Seizure, we have a similar history in the field of "Preliminary Hearing or Arraignment" wherein law enforcement officers have progressively been handcuffed until we have reached the point that about all we can ask a suspect is his name and what lawyer he wishes to have.

"Interrogations and Confessions" is another field that needs no explanation at this time. You are all familiar with the decisions in the cases of Mallory, Waterman, Escobedo, and Miranda that have made a laughing stock of the investigative arm of law enforcement. As a result of these decisions by the Supreme Court, and others equally responsible, we have found the law enforcing function of this great nation virtually shackled when it comes to handling the criminal element of society.

It is my belief that at this crucial time, when law enforcement was receiving one shattering blow after another, the Civil Rights movement in this country embarked on a plan of so-called "civil disobedience" which is nothing more than willfully violating the laws of the nation in the name of bringing about social and economic justice. Law enforcement has been prevented from acting in a vast majority of cases by elected officials, up to the highest in the land, who are so busy wooing the almighty vote they are blind to what is taking place about them.

It is my opinion that a crime is a crime, regardless of whether it is perpetrated by one or one thousand, by black or white, by Protestant, Catholic, or Jew. The law should be enforced fairly and impartially for all. I see no correlation in looting, arson and assault, and the Civil Rights movement. I see no similarity in a call for guerrillas to move against society and kill "whitey" and the obtaining of a job and better housing for the poor members of our society. I see no parallel in the call for insurrection by the black militants of our society and the call for justice and equality in our courts and capitals. I see only a nation being brought to shame and humiliation in the eyes of the world. A nation being blackmailed and brutalized by a mere handful of criminals using the Civil Rights movement to further their dirty motives. It is time for us to stand up and be heard. It is time for the law abiding members of this society, both black and white, to call for an end to this nightmare and demand that our President, our Senators, our Congressmen, our Attorney General, and our police vigorously enforce the laws currently on the books, and return this nation to one of peace and tranquillity where it is safe to walk the streets and safe to own property and safe to pursue the fruits of the toil of our forefathers.

We are witness today to one of the largest criminal blackmails in our history. We are being exposed to a mammoth conspiracy that has the avowed purpose of forcing the Congress of the United States to enact certain legislation, to be determined by these blackmailers, or the country will be brought to its knees by total disruption of services and process in the Nation's Capital. Massive disruption of governmental services and agencies has been threatened by means of "non-violent civil disobedience" whatever that means.

The Nation's Capital, its streets, parkways and public grounds are threatened to be turned into a gigantic slum camping area with pit toilets dug on the lawns and shacks built under the cherry trees. When told that this is prohibited, they retaliate with the cry that they have a right to redress Congress and means will have to be found to take care of these people. And we are told that if the demands are not met and utopia is not found, then stronger methods will have to

be undertaken until "we bring this government to its knees."

Former Supreme Court Judge Charles E. Whittaker said these words, "Can anyone reasonably believe that a disorderly society can survive? In all recorded history none ever has. . . . History also shows that in each instance, the first evidence of the society's decay appeared in its toleration of disrespect for, and violation of, its laws. There is no good reason to believe that similar toleration will serve us differently."

Gentlemen, there is only one answer to our problems, Law and Order. Law and Order, and an orderly, legal, and just redress of the ills and wrongs of society. This Nation cannot survive if we continue on the course we are headed. If we are not able to turn the tide of lawlessness, criminality and anarchy, then God help our wonderful Nation.

ANNUAL MEDICAL STAFF DAY

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. MURPHY of New York. Mr. Speaker, on Sunday, May 26, Dr. Edward D. Re, the distinguished Assistant Secretary of State for Educational and Cultural Affairs, gave a most inspiring address at the annual Medical Staff Day of the Jewish Hospital and Medical Center of Brooklyn.

In his remarks, Dr. Re, a respected author and educator, took note of the remarkable achievements of the medical staff of the Jewish Hospital in meeting health needs, and related the contributions of America's scientific community to the goal of understanding and cooperation throughout the world.

I believe that Dr. Re's observations in this regard merit our close attention, for they reflect this Nation's determination to advance the cause of close, peaceful relations with the countries of the world.

Science is a key factor in our efforts to realize this worthy objective, for, as Dr. Re pointed out, "the language of science is universal." Science and international cooperation, he emphasized, "have a fortunate compatibility."

Following is the full text of Dr. Re's most informative and incisive address at the Jewish Hospital and Medical Center:

THE INTERNATIONAL COMMUNITY OF SCIENCE

(Excerpts from Remarks by Dr. Edward D. Re at the Annual Medical Staff Day of the Jewish Hospital and Medical Center of Brooklyn, May 26, 1968)

My invitation to speak here today suggested that I say something about the contributions of American science to world-wide good-will and understanding. I welcome this suggestion. One of my first concerns in my State Department position is with the international implications of American educational, scientific and cultural activities. For the success of our international activities necessarily depends on the strength of their domestic base.

It is easier to find demonstration groups to send abroad in some fields than in others. In the performing arts, for example, we have pre-formed symphony orchestras, dance companies and other artistic groups to invite into the service of our Cultural Presentations Program. The sciences usually present more of a problem, because a demonstration or performing group must usually be formed. This has of course been done. With the help of the American College of Cardiology, for example, we have sent out teams of doctors and surgeons to demonstrate their advanced techniques of heart surgery in a number of countries.

In both the arts and the sciences, therefore, we recognize that our exchanges—of the people we send out and those we bring in—reflect the productive power and the attractive power of American institutions. By "institutions" I mean educational, scientific and cultural organizations—universities, colleges, research institutes—and I of course include medical schools and hospitals, for their research and for their teaching programs.

The Bureau I head has responsibilities across the board—across both the arts and the sciences, across educational, scientific and cultural activities. I am glad to say that Congress has made it possible for us to assist and support the movement of scholarly and research people to and from our country in a variety of fields. They are carriers of knowledge about what we are doing in this country, about the levels of our achievements and of our aspirations; and they are carriers of the same insights about other countries as well.

So we seek to exchange knowledge and understanding—but professional and *human*—through exchange-of-*persons* programs. We can be proud of the contributions American institutions are making to this process by providing, or facilitating, opportunities for overseas study and research for Americans; and by offering, or assisting, such opportunities here for qualified students and researchers from other lands. The United States has made, and is making, great contributions of knowledge and expertise through *cooperative educational relations* with other countries. And we are gainers as well as givers in doing so.

There is a further point to emphasize: we now have an international community of science. We know that this is so even though no census is being taken. The operations of science today—the scale of research, the widespread communication and assessment of results, the applications of technology—have brought into close association an international community of co-workers. They normally share much the same temper of mind, the same rigid standards of work. In this community men speak the same language, seek the same goals, and have set a pattern of finding ways of reaching rational resolutions of differing views when such arise.

More than ever before science, as has been said, is an engine of change and progress. It drives human history along its imperfectly charted road. It has a preeminence today without precedent in its long history. Scientific research—increasingly organized and subsidized at fundamental theoretical levels—is a major source of the great tidal changes that are taking place in man's relation to the world of nature and to the human scene as we have known them. You who work at this great institution know the kinds and rates of change in the medical field and the implications they have—for us and for all men.

It would be wrong for me to suggest by these remarks that the Bureau I head plays a central role in the medical sciences. We do make some grants each year. But the National Institutes of Health, the National Science Foundation and other agencies of our government have the prime action for the support of American efforts at home, and to a degree overseas. We coordinate all our efforts through an interagency council. Outside of government, many foundations give further support and strength to the medical sciences both at home and abroad.

I would do my own colleagues an injustice, however, if I were to leave my Bureau's contributions to the medical sciences without a brief further comment. Taking Latin America for the year ended last July as an example, 12 medical schools and centers in 8 countries participated in exchanges in the field of medicine and related sciences through our programs. 14 graduate students from Latin America were here. In addition, 8 specialists from the United States lectured in Colombia, Peru, Mexico, and Venezuela; and, in the best two-way tradition, Latin American counterparts in comparable number came to this country.

I cite these examples not so much to give numbers, as to give examples of the *kinds* of exchange grants in this field we can, and do, support.

Perhaps a greater contribution lies in efforts we make to encourage the sense of community along professional lines in this as well as other fields. We do so sometimes by supporting special conferences and seminars and by supporting the work of international organizations like UNESCO, as well as by grants for graduate students, research scholars, teachers, professors and others—both from and to this country. We provide for traffic on the same two-way street for persons prominent in professions, like medicine, to meet informally with counterparts overseas over a period of, usually, a few weeks.

I doubt that your interest in anatomy extends to the anatomy of the State Department. But I would be derelict not to refer to the Office of International Scientific and Technological Affairs of the Department. In so doing I highlight my whole underlying thesis. This office—SCI, in the short-hand language of the Department—has as its principal concern the interactions of science and foreign affairs. The Department is increasingly encouraging scientific exchange and cooperation, because the language of science is universal and therefore a helpful bridge to understanding between peoples, and because the results of science and relating technology benefit all, therefore inviting cooperation and mutual assistance. Science and international cooperation have a fortunate compatibility.

To you of medical science, an empirical fact is perhaps more eloquent than any generality on the state of science as an international community and the importance we attach to it in our foreign affairs. The fact is this: last year U.S. Government delegations participated in more than 600 international conferences, approximately one-fifth of them in fields of science or science-related.

Secretary Rusk has said there is no such thing as a Capitalist potato blight or a Communist wheat rust. This suggests the essence of the international problems with which science concerns itself. Science, like all knowledge, knows no national boundaries. Science is, itself, international.

As other disciplines can find and develop a sense of international community across national lines, akin to that the men and women of science have found, they help the movement toward the goal of our Mutual Educational and Cultural Exchange Act. This legislation authorizes the exchange-of-persons activities in which we are engaged. It does so for the *noble purpose* of assisting, in the language of the Act, "in the development of friendly, and sympathetic, and peaceful relations between the United States and the other countries of the world." This is the goal we are striving to achieve.

FBI DESERVES PRAISE

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. WYATT. Mr. Speaker, on the occasion of the capture of James Earl Ray,

suspected killer of Martin Luther King, in London, England, this past weekend, congratulations are again in order to the Federal Bureau of Investigation. The successful conclusion to this manhunt—probably the greatest in the history of the FBI—is a tribute to the efficiency and dedication of the professional corp of law-enforcement agents in the FBI. Even more so, this is a landmark case of mutual cooperation among law-enforcement agencies on an international scope.

It is reassuring to know that the talents and techniques of the FBI can track down a fugitive in world flight. Equally gratifying are the mutual respect and willing response afforded to the FBI by its sister police organizations in other countries, particularly the Royal Canadian Mounted Police and New Scotland Yard.

I am proud to have been a member of the FBI and to have worked for J. Edgar Hoover.

AMERICAN'S CREED APPROPRIATE TO GRADUATES

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. ASHBROOK. Mr. Speaker, at this time each year I join the many people of the 17th District of Ohio in complimenting and congratulating the hundreds of graduating high school students.

Their achievement is too often lost in the furor of press accounts of beatniks, juvenile hedonists, and the lost members of their generation.

The vast majority of young persons are concerned with the problems of finding jobs, providing for themselves and their future families and building a sound basis for their lives within their particular communities.

In joining with others in honoring them I send out a copy of "The American's Creed," by William Tyler Page, which I believe is appropriate. I include at this point a copy of the creed and the letter which I send accompanying it:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C.

DEAR GRADUATE: It gives me great pleasure to extend to you at this time, heartiest congratulations on your completion of your High School education. This is one of the most significant milestones in your life.

The American's Creed is just one more way of expressing the opportunities which you have had and will continue to enjoy as a citizen. May this serve to remind you of your individual responsibility as a member of your community and country.

With all good wishes,

Sincerely,

JOHN M. ASHBROOK,
Representative to Congress.

THE AMERICAN'S CREED

(By William Tyler Page)

I believe in the United States of America as a government of the people, by the people, for the people; whose just powers are derived from the consent of the governed; a democracy in a Republic; a sovereign Nation of many sovereign States; a perfect Union, one and inseparable; established upon those principles of freedom, equality, justice and humanity for which American patriots sacrificed their lives and fortunes.

I therefore believe it is my duty to my Country to love it; to support its Constitution; to obey its laws; to respect its flag; and to defend it against all enemies.

Presented to ———.

JOHN M. ASHBROOK,
Representative to Congress, 17th District of Ohio.

CLYDE M. HUNT, PIONEER BROADCASTING ENGINEER

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. BLATNIK. Mr. Speaker, in a very well-stated, but modest article, Lawrence Laurent of the Washington Post writes of the remarkable career of Clyde Hunt, pioneer of the electronic media. His moving account of Mr. Hunt's career brings back nostalgic memories for those of us who recall when radio first came into being and was made so popular by F. D. R.'s "Fireside Chats," and vividly reminds us of the astonishing technological leap we have made in just one man's lifetime—from crystal set to the awesome complexities of ocean-spanning communications satellites.

But apart from these historical reflections, I particularly want to take this opportunity to pay justly deserved tribute to this gifted, but modest, unassuming gentleman and to say how proud we are to have lived just down the street from Clyde and Mary Hunt as neighbors and close friends for almost ten years of two of the finest people we have ever known.

As Clyde Hunt enters upon a well-earned retirement, he leaves us an impressive legacy from which all of us can learn, and I commend the following article to the attention of my colleagues:

CLYDE M. HUNT, PIONEER BROADCASTING ENGINEER, RETIRING AFTER 42 YEARS IN FIELD

(By Lawrence Laurent)

In the minds of many broadcasters in the United States only two kinds of broadcasting engineers exist. The first one is Clyde M. Hunt and the second is all the rest.

Hunt, a broadcasting pioneer with 42 years of experience in radio and television, is retiring, effective July 1. He's 63 years old and has been fighting a collection of serious ailments.

He's the soft-spoken master technician around whom a variety of legends have been built. Few who have known him for several decades have ever heard him raise his voice. He's always been at home in a storm, full of quiet competence and masterfully competent in meeting a crisis.

Arthur Godfrey likes to recall Clyde's preparation for one of President Franklin D. Roosevelt's "Fireside Chats." Five minutes before air time, a remote stopped working. Announcer Robert Trout or (Wells (Ted) Church)—Clyde can't remember which one—broke into a sweat. Assorted presidential aides were in a frenzy. "Old Clyde," Godfrey recalls, "took the whole unit apart, corrected the trouble and put it back together.

"And Mr. Roosevelt went on, as scheduled."

Those with long memories will remember the time when a President couldn't be seen for the forest of microphones. Each network and each station competed to get call letters into photographs and newsreels.

Clyde M. Hunt, with help from Col. Edward Starling, head of the Secret Service, put a stop to such nonsense. Clyde devised "a set of multiples," which is a two microphone setup, to supply the audio signals to all broadcasters.

Protests were loud, but as Clyde recalled yesterday, "We made it stick."

In retirement, Clyde may be able to document the date of his first presidential broadcast. He has a clear recollection of putting President Coolidge on the air for a speech at the U.S. Chamber of Commerce. "In those days," he remembers, "the Chamber was on H Street, where the Veterans Administration is now located."

"I remember the broadcast," Clyde says, "but I can't find any record of it."

The earliest personal presidential broadcast record he can find is of Herbert Hoover in 1928. After that, Hunt was in charge of technical aspects for CBS Radio for Presidents Roosevelt and Truman. During World War II, Hunt traveled—working for all four radio networks—to every state in the Union, to Canada and to Mexico.

Laurence E. Richardson, president of Post-Newsweek Stations, announced Hunt's retirement and noted: "He has been a source of strength to us all with his wise and understanding counsel. This, his kindness, good humor and common sense will be missed the most as he leaves to enjoy a less rigorous life."

Richardson also spelled out a few of the major contributions that Hunt made during his 36 years with CBS and Post-Newsweek Stations. He was in charge of technical aspects of the WTOP 50,000 watt transmitter in Wheaton, Md.; Broadcast House in Washington; Broadcast House in Jacksonville, Fla., the studios of WJXT as well as the 1000 foot WJXT tower.

Hunt worked in television as early as 1930. This was an experimental station, and the only program was a daily, 15-minute news program. "Nobody remembers," Hunt said, "because nobody saw the shows."

Of all the technical advances in broadcasting during Hunt's 42 years, he views the coming of television, itself, as "the greatest thing that ever happened." The next most important thing, he says, was video tape, which "made everything so much more flexible for the viewing public."

Clyde and Mary Hunt were married in 1931, and have one son. Clyde Middleton ("Middy") Hunt Jr. Middy, 26, is in Vietnam with Page Engineers.

One aspect of the Clyde Hunt legend in broadcasting concerns his ability to work continuously without food or sleep. Men who traveled on presidential tours declare that Clyde could go "for days" without ever halting the work and testing of his equipment.

With this in mind, I asked Clyde yesterday, "What are you going to do in retirement?"

His answer: "One thing I'm not going to do is any hard work."

"PLAIN TALK ABOUT HATRED AND VIOLENCE"—AN ARTICLE BY JOHN W. GARDNER, READER'S DIGEST, JUNE 1968

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent to insert at this point in the CONGRESSIONAL RECORD a most thoughtful article by John W. Gardner in the current issue of the Reader's Digest.

The article, "Plain Talk About Hatred and Violence," is one of the most valua-

ble contributions to an understanding of the problem of relations between the races in our country I have seen.

Mr. Gardner, as we all know, served with great distinction as Secretary of Health, Education, and Welfare from August 1965 until March 1968.

He now heads the Urban Coalition, a private organization of business, labor, religious, and others leaders whose purpose is to mobilize the Nation to solve the problems of our cities.

Mr. Gardner's article follows:

PLAIN TALK ABOUT HATRED AND VIOLENCE

(By John W. Gardner)

Most white people are neither haters nor practitioners of violence. Nor are most Negroes. The majority of each race earnestly wishes that constructive, non-violent solutions could be found to the racial problems that rack—and may yet wreck—the nation.

But there are whites that hate, and whites who advocate violence. There are Negroes who do the same. And, unfortunately, the whites and Negroes who do *not* hate and destroy too often quietly tolerate those who do.

Those who hate and those who resort to violence—whether they are white or black—cannot resolve the problems that divide this nation. They can only intensify the senseless spasms of emotion and savage action.

There are many levels at which we must seek solutions to the problems which are tearing the nation apart. We must attack hard-core poverty with renewed vigor—through education, job-training, employment, housing and other measures. We must attack discrimination in every form. We must take steps to ensure civil order.

But, at the same time that we are working on such basic problems, we must cope with the upward spiral of mutual fear and corrosive hostility between white and Negro communities.

Hatred and violence used to be chiefly the stock-in-trade of the white racist. Then they became the stock-in-trade of the Negro extremist. Both justified their malevolence with cogent arguments.

But today there is a curious contrast between the two. Negro hatred of whites is often expressed openly. It is frankly defended and widely discussed. In contrast, white hatred of Negroes has gone underground. It is rarely discussed publicly, rarely debated candidly. Indeed, when the President's Commission on Civil Disorders spoke of it openly, many people thought the authors of the report had done an unseemly thing.

Yet the white hatred is there. And everyone who reads this article knows it. The long tradition of white brutality and mistreatment of the Negro has diminished but has not come to an end.

It still excludes Negroes from white neighborhoods, and bars them from many job opportunities. No Negro reaches adulthood without having been through many experiences with whites that bruise his self-respect and diminish his confidence. That is hard for him to understand, living as he does in a society that bases its moral claims on the worth and dignity of the individual.

Such attitudes on the part of whites must come to an end if this nation is to survive as a free society. Each one who adds his bit to the storm of hatred does his share to move us toward a final reconing that no free American will like.

Negro extremists who advocate violence assert that non-violence did not work. It is untrue. The greatest gains for the American Negro came in response to the non-violent campaigns of Martin Luther King, Jr., and (before it turned violent) the Student Nonviolent Coordinating Committee.

It is the fashion now to belittle those gains, but they were great and undeniable. They were registered in historic civil-rights legislation and even more emphatically in social practice. Compare Negro voting patterns today with those prevailing as little as three years ago; or southern school desegregation today with practices of four years ago; or patterns of restaurant and hotel desegregation over the same period; or employment opportunities now and then.

The gains are not enough. They cannot satisfy our conscience. But they were substantial. And they came in response to non-violence.

The violent tactics of the past two years have brought nothing but deepened hostility between the two races and a slowing down of progress in the necessary drive toward social justice.

Many white liberals have now allied themselves with the Negro extremists in the sanctioning of violence. They speak approvingly of past riots as having "dramatized" the problem. They never speak of the negative consequences of the riots, but everyone who observed the session of Congress that followed the riots of 1967 knows that the negative reactions were reality, and diminished the possibility of constructive solutions.

Nor do those who condone violence ever speak of the legacy of bitterness and division that will be left by increasingly harsh outbursts of destructive interaction. What good will it do to dramatize the problem if, in the process, hatreds burn themselves so deep that the wounds permanently cripple our society? Nor do those who condone violence ever face up to the likelihood that the paroxysms of public disorder will lead ultimately to authoritarian countermeasures.

One of the difficulties in halting the interplay of fear and violence is the tendency toward indiscriminate indictment of one race or the other. One man killed Martin Luther King—and Stokely Carmichael indicts the whole white race. A small minority of Negroes loot and burn, and many whites indict the whole Negro race.

Where will it lead? Negro extremists shout slogans of hate. White racists whisper their rage. Each justifies himself by pointing to acts of members of the other race. Hatred triggers violence, violence stirs further hatred, savage acts bring savage responses, hostility begets hostility, and the storm rages on. At some point, the terrifying interplay must have an end.

We must break through the terrible symmetry of action and reaction, assault and counterassault, hatred and responsive hatred. And the only way to do that is to ask the moderates on each side to cope with the haters and the doers of violence *within their own ranks.*

There is no way for the Negro moderate to curb the white extremist, or the white moderate to curb the Negro extremist. If they try, they just give further impetus to the interplay of hostility. That is why moderate whites must curb the haters within their own ranks, and moderate Negroes must curb their own extremists.

To date, the moderates—both Negro and white—have been all too silent. It was predictable. Moderates are alike, whatever their race. They don't want to become involved. They don't want to appear controversial. They don't like trouble.

But, increasingly, the extremists of both races are giving them trouble, whether they like it or not. And it will get worse before it gets better. It's time for the moderates to speak up and assert their strength.

This "revolt of the moderates" must go on day in and day out—in offices, factories, homes and clubs. Those who promote hatred must be called to account. Those who commit or condone destructive acts must feel the full weight of disapproval by their friends and neighbors. Each contributes his little bit to the destruction of this society.

In a curious way, the whites who hate and destroy and the Negroes who hate and destroy are allies moving the rest of us toward a terrible climax. Martin Luther King understood that, and fought against both all his life, by word and deed. And so must all of us who care about the future of this society.

GEORGE W. BALL, U.S. AMBASSADOR TO THE UNITED NATIONS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. RARICK. Mr. Speaker, the news of George Ball's appointment to the U.N. was only surpassed by the news that he would take up guest residence in the White House—usually reserved for the President and his family.

Mr. Ball will be remembered by many for his unconvincing testimony before the Senate Committee on Armed Services, Special Preparedness Subcommittee in 1962 as to censoring military officers and his belief that we are not at war with communism.

See my remarks and enclosures, the CONGRESSIONAL RECORD, volume 113, part 11, pages 15101–15108.

Where are the voices of the fearless newsmen who praise Ball's appointment yet flail the Vietnam war that he, not the American people nor our fighting military men, helped manipulate by doing nothing except resisting American defense efforts against communism?

Mr. Speaker, I include Frank Capell's Herald of Freedom, box 3, Zarephath, N.J., for May 31, as follows:

HON. GEORGE W. BALL

President Johnson's "surprise appointment" of George Wildman Ball to replace Arthur Goldberg as U.S. Ambassador to the United Nations has been confirmed by his "Yes-Man" Senate. Although Sen. Strom Thurmond proved that Ball had lied while being questioned by the Senate Foreign Relations Committee, there were only four other Senators on the floor when he presented his case against Ball, three of whom voted for confirmation. Senators John L. McClellan (D.-Ark.), Robert C. Byrd (D.-W. Va.), and Howard Cannon (D.-Nev.) voted "aye." Senators Strom Thurmond (R.-S.C.) and John Williams (R.-Del.) voted "no." The Establishment marches on, with another "Untouchable" placed in a position of power by a 3-2 Senate vote.

George W. Ball was born in Des Moines, Iowa, December 21, 1909, the son of Amos Ball and the former Edna Wildman. His father had come to the United States from Devonshire, England and became an official of the Standard Oil Company of Indiana. His mother was a former school teacher whose family had moved from Ohio to Iowa after the Civil War. George graduated from Evanston Township High School in 1926 and from Northwestern University with a B.A. degree in 1930 and a J.D. degree in 1933. On September 16, 1932 he married Miss Ruth Murdoch whom he met while on vacation in Paris.

Ball came to Washington, D.C. as the protege of Prof. Herman Oliphant when Oliphant was appointed General Counsel for the Farm Credit Administration in 1933. The Communist Party had an agent in this agency in the form of Philip Reno, officially identified as a member of the Washington, D.C. Communist underground. Oliphant was a radical professor from Columbia University

who served on the National Labor Injunction Committee of the American Civil Liberties Union. Serving with him were identified Communist Harry F. Ward and other such radicals as Sidney Hillman, John Dewey, and Rabbi Abba N. Silver.

When Oliphant went over to the Treasury Department General Counsel's office, he took Ball along with him. Ball practiced law in Chicago from 1935 to 1942, becoming a close friend of Adlai Stevenson. At the suggestion of Stevenson, who had gone to Secretary of the Navy Knox, Ball returned to government service in 1942. At this time he accepted an appointment to the staff of the Office of the Lend Lease Administration, soon advancing to the position of Associate General Counsel. At the same time Edward R. Stettinius, Jr. was serving as legal adviser to the Administrator of Lend Lease.

In 1943 Ball became Associate General Counsel for the Foreign Economic Administration which combined the Office of Lend Lease, the Office of Economic Warfare and other agencies concerned with foreign economic affairs. The Foreign Economic Administration had been badly penetrated by Communists; its staff included Virginius Frank Coe, Michael Greenberg and Irving Kaplan, all identified in sworn testimony as Communists and members of espionage groups.

In 1944 Ball was appointed the civilian member of an Air Force Evaluation Board, studying the effects of tactical operations in Europe. Later in the same year he was appointed Director of the U.S. Strategic Bombing Survey, a civilian group established to assess the social, economic and physical effects of the strategic air offensive against Germany. In the spring and summer of 1945 Ball's group interviewed surviving Nazi leaders and it has been reported that some high-ranking Nazi industrialists with good international connections were quickly cleared of any wrongdoing. Working with Ball on this project was John Kenneth Galbraith, the former ambassador and well-known left-wing economist.

Ball returned from Europe to Washington during September, 1945, and for almost a year thereafter served as General Counsel for the French Supply Corp. which was obtaining huge credits in the United States for the "rehabilitation" of France. In July, 1946, Ball became a founding partner in the law firm of Cleary, Gottlieb, Steen and Ball, which firm subsequently established offices in New York, Brussels and Paris, as well as in Washington, D.C. Adlai Stevenson also became a partner in this law firm of international lawyers and registered agents for foreign countries. Among their clients have been the European Coal and Steel Community and the European Atomic Energy Commission.

One of Ball's partners, Leo Gottlieb, has strong tie-ins with the copper industry. Gottlieb is a director in the Anglo-Lautard Nitrate Corp. of 120 Broadway, New York, N.Y. This firm is headed by Harry F. Guggenheim who has interests in most of the world's copper mine syndicates and who is also active in the Guggenheim Foundation. Gottlieb is also a director of the Scientific American, a publication by Gerard Piel, husband of Eleanor Jackson Piel, law partner of identified Communist Frank Donner.

Counsel to Ball's law firm was Grenville Clark, a top conspirator and promoter of "World Rule through World Law." Ball is also a member of this top group of internationalists and active in the top secret Bilderberg group, having attended their meetings including the highly secret one held in Buxton, England in 1958 where much world planning was done.

Ball is also a long-time member of the Council on Foreign Relations (CFR), believed by many to be the actual secret government of the United States as so many of its members are in policy-making positions in the U.S. Government. Ball was a very close personal friend and associate of Adlai Stevenson over a long periods of years. In the 1952 presidential campaign Ball was the National Director of the Volunteers for Stevenson. In the 1956 presidential campaign he was Director of Public Relations for Stevenson and Kefauver, and even in 1960 he supported Stevenson for the presidential nomination. However, when the nomination went to Kennedy, Ball jumped on the bandwagon. He and another lawyer from his firm, John Sharon, prepared a 200-page foreign affairs report for Kennedy. After Kennedy's election he helped organize study groups reporting to the incoming president on economic policy, balance of payments, the gold outflow, foreign aid and commercial policy.

Ball was among the first Kennedy appointees, being appointed Undersecretary of State for Economic Affairs on January 30, 1961. On November 29, 1961, after what has been called the "Thanksgiving Massacre," he moved up to the second highest job in the State Department, Under Secretary of State. The Kennedy appointments were often people he did not know, had never met and were recommendations of important persons operating behind the scenes. Ball was reportedly recommended by Adlai Stevenson and Adam Yarmolinsky. Yarmolinsky was on the "team" which accepted recommendations and "screened" them. Ball passed the screening test as he and Adam were old friends. Yarmolinsky had worked in Ball's law office in Washington, D.C. from 1951 to 1954 when he left to work for the Fund for the Republic.

Ball remained Number Two man in the State Department until he was replaced by Nicholas Katzenbach in 1966. After leaving the State Department Ball became chairman of Lehman Brothers International, Ltd. and on December 27, 1967, his admission as a senior partner of Lehman Brothers was announced. From there he moves to become top U.S. man at the U.N., the real secret government of the U.S. which has been biding its time before showing its hand. Although officials are always careful to "sever" connections with business associates they cannot "sever" the friendships and unofficial associations made over the years.

When Ball was in the State Department one of the problems which came under his jurisdiction was the Congo and the secession of the Province of Katanga. Anti-Communist Moise Tshombe had the "peace-keeping" forces of the U.N., aided and abetted by the United States, unleased against him. Although high-sounding reasons were advanced for the indiscriminate bombing of men, women and children and the desecration of churches and shelling of hospitals by the U.N. forces, it turned out that a group of internationalists had an interest in Katanga for financial gain, and involved with those internationalists had been George W. Ball, now in a position to set U.S. policy in regard to Katanga.

An investigation made by Congressman Donald Bruce disclosed that no less than six high United States and United Nations officials involved in the Katanga incident were directly or indirectly connected with a Swedish-American syndicate engaged in African mining which was interested in the Katanga copper mines. The Union Miniere Copper Mines in Katanga produced ten percent of the world's copper and by shutting down these mines, a shortage could be created which would cause the world price of copper to rise.

The syndicate interested in the Katanga copper mines was the Lio-Lamco Complex. The following information concerning the American personnel who had been affiliated with this complex was supplied by the Securities and Exchange Commission, the Bureau of International Business Operations of the Department of Commerce, the Department of State, and the United Nations. Fowler Hamilton, until the time of his appointment as Administrator of A.I.D., was a Director of IAAC, International African American Corporation, and a Director of Lio, Liberian Iron Ore Limited. Upon his resignation, Mr. Hamilton was replaced as a Director of both LIO and IAAC by his law partner, Melvin C. Steen. Before the resignations of Ball and Hamilton, the firm was known in New York City as Cleary, Gottlieb, Steen and Hamilton; in Washington and Paris, as Cleary, Gottlieb, Steen, and Ball.

George Ball had another business association in the form of a liberal (extremely) newspaper called the Northern Virginia Sun, published in Arlington County, Va. In this venture he was associated with Philip Stern and Clayton Fritchey. Philip Stern worked in the State Department and was the censor who cut all words unfriendly to Communism out of the speeches of top U.S. generals and admirals. When his activities became a major scandal, the Senate held hearings on the "Muzzling of the Military." Stern departed from his job before he could be called as a witness and Ball appeared as the State Department's apologist. He failed miserably to explain satisfactorily why speeches of top military men had been emasculated by the deletion of such phrases as "beat the Communist challenge," "achieve victory," "destroy the virus of communism," and "emerge victorious" and any references unfriendly to Communism.

Frank Kluckhohn, noted journalist, described Ball's appearance before the Senate investigating committee in his book, "Lyndon's Legacy," as follows:

"Trying to find out from Under Secretary Ball about our State Department policies in combatting the Communist menace proved to be like trying to spar with feathers. Ball's interrogators were hard put to get a straight answer out of him and he gave consistently what Senator Thurmond termed 'studiously evasive answers' to almost every question put to him about the State Department's role in the cold war."

When previously called before a House committee and asked to hand over a copy of the so-called "Secret Ball Report" which urged stepped-up U.S. trade with Communist countries, Ball refused to produce it or to answer any questions put to him by the congressmen. So we find that Ball has no respect for congressmen and senators, refusing to answer, answering evasively and, finally in his appearance before being confirmed as U.N. Ambassador, deliberately lying.

The lie concerned the existence of a "secret electronics espionage laboratory" within the State Department. This spy set-up was used to monitor the conversations not only of well-known and highly placed officials but of members of the press, according to an article in the Government Employees' Exchange of May 1, 1968. The article stated that the "bugging room" was built into the State Department when the new State Department addition was finished in 1960 and that every telephone in the State Department Building could be monitored by it. The article stated:

"The use of the 'bugging room' by the Kennedy administration grew especially intensive after the so-called 'Thanksgiving Day Massacre' of 1961 within the State Department . . . As a result of the 'massacre,' George Wildman Ball rose to be Under Secretary of State and Walt Whitman Rostow came over from the White House to become Assistant Secretary of State for Policy Planning. . . . As Under Secretary of State, Mr. Ball assumed control of the 'espionage room' in November 1961. He relinquished control of it to Nicholas de Belleville Katzenbach when the latter succeeded him. . . ."

Mr. Ball's testimony before the Senate Foreign Relations Committee in May 1968 was as follows:

"Question. Is there such a facility in the Department of State?

"Mr. BALL. I am unaware of it. . . . I certainly would have been aware of it had there been such a room, had there been such a device and there was none. There is none."

Senator Thurmond stated on the Senate floor on May 13, 1968:

"Mr. President, I cannot understand why Mr. Ball would make such an emphatic denial. After a careful investigation, I have concluded that such an electronics laboratory does exist at the State Department. I have talked to people who have been physically present in the electronics laboratory. The subcommittee has sworn testimony that telephone conversations actually were monitored through facilities of the electronics laboratory. . . .

"On May 7, the Government Employees Exchange delivered to Representative John Ashbrook a memorandum setting forth an exact physical description of the electronics laboratory, and a history of its use."

The memorandum was placed into the Congressional Record and showed the "secret electronics espionage laboratory" to be located in rooms 3805, 3808, 3809 and 3810 of the New State Department Building, making a total floor space of 1440 square feet. In addition to this, Room 3803 which adjoined the "laboratory" was used as a "lecture and demonstration" room. This whole set-up was completely isolated and protected by a locked door sealing it off entirely. The laboratory was under the personal jurisdiction of John Reilly and Elmer Dewey Hill who perjured themselves in the Otepka Case. The memorandum states:

"In late evening and early morning hours, Mr. Hill allowed CIA officers to enter the 'island.' In later 1962 and in 1963, the White House and the Office of Attorney General requested the facility to carry out certain operations they did not wish the FBI to monitor. Mr. Ball was fully informed of the reasons for the White House decision and he understood the use being made of the facility."

The top conspirator, Ball, is now back in public life in a position to implement the policy of "disengagement" in Vietnam which he drew up while still the Number Two man in the State Department. Ball will not only be the U.S. representative in the United Nations but also an ex-officio member of President Johnson's cabinet. The Allen-Scott Report recently stated:

"With the return of former Undersecretary of State George Ball to the policy-making level of government, the Johnson Administration now is committed to end the bombing of North Vietnam. Congressional friends of the new U.S. ambassador-designate to the United Nations are saying Ball received this flat assurance from President Johnson before agreeing to take the U.N. post. . . . (Ball's) policy in addition to phasing out air attacks against North Vietnam proposed a staged withdrawal of American troops from South Vietnam. . . . The first step in Ball's program, already begun, provides for a systematic cutback of the bombing regardless of what the enemy does."

The N.Y. Times has stated editorially that it regards George Ball as a "fine successor" to Arthur Goldberg, stating that he has a "special qualification that could be of great significance at this juncture." The "special qualification" is that: "During his years as Under Secretary he was, by conviction, the Administration's inner-circle critic on Vietnam policy—the man who marshaled arguments against every successive expansion of the American military involvement."

Ball has recently written a book, "The Discipline of Power," in which he questions U.S. foreign policy. An article in Time magazine of May 3, 1968 states, however: "Despite their differences, (President) Johnson often quietly called on his former Under Secretary of State for counsel, and only recently Ball drafted a secret policy paper for the President on the Pueblo seizure."

Ball seems to be much involved in "secret papers" and "secret meetings." The Bilderbergers are a highly secret group of powerful world-planners. The name was taken from the place of their first meeting in May 1954, the de Bilderberg Hotel in Osterbeek, Netherlands. Thereafter they met every six months and held an emergency secret session at the King & Prince Hotel, St. Simons Island, off the coast of Brunswick, Georgia on February 15, 16, 17, 1957. Although this was called an "unofficial" meeting, protection was furnished by the U.S. Secret Service. Among the international bankers, foundation directors, international cartelists, etc. present were Felix Frankfurter, Kurt Kiesinger, Paul G. Hoffman, Arthur H. Dean, Eugene R. Black, Dean Rusk, McGeorge Bundy, Sen. William Fulbright, Brooks Hays, George F. Kennan, Ralph E. McGill, David Rockefeller and George W. Ball.

Frank Kluckhohn commented on Ball's seeming "ignorance" or "incompetence" in the field of Communist tactics: "Is it ignorance? Most left-wingers in the Administration seem to be, or have been, connected with George Ball, Adlai Stevenson's former law partner. George Ball seems to be at the center of a web." Ball was also at the center of the internationalist web when he joined the international banking house of Lehman Brothers.

Herbert Lehman, former N.Y. State governor and former U.S. senator from New York, was a senior partner in the international banking firm, considered one of the three top investment banking companies in the United States. Lehman Brothers has been investment banker for more than half of the top twenty retailing enterprises in America with a representative on the boards of directors of many other corporations in America. Herbert Lehman had a long history of affiliation with communist-fronts, including the National Council of American-Soviet Friendship and the American Committee to Save the Refugees. He was supported for political office by the Communist-controlled American Labor Party. His niece, Mrs. Helen Buttenweiser was attorney for Alger Hiss and his hostess for several months after his conviction for perjury. The Lehman family has intermarried with other important and wealthy families, including the Morgenthaus, the Loebs and the Lewisohns.

The Chicago Tribune of May 29, 1950 published the pictures of three men, Felix Frankfurter, Henry Morgenthau, Jr. and Herbert Lehman, accompanying a story which stated that a "person with highest State Department connections identified these three figures as the secret government of the United States." While Governor of New York, Lehman vetoed a bill requiring all teachers to take the oath to support the Constitution. As director of the United Nations Relief and Rehabilitation Administration (UNRRA) Lehman saw it turned into a tool for Soviet conquest and used to subjugate the people of Poland. No anti-Communist ever received a penny of UNRRA aid.

Lehman Brothers took in its first partner who was not a member of the family when John M. Hancock, Chairman of the Board of Directors of Lever Brothers, was made a partner. However, he had worked closely with Herbert Lehman. Ball also must have worked closely with the Lehmans to be acceptable as a partner. As U.S. Ambassador to the United Nations will George Ball represent the United States or the international bankers?

OUR INFATUATION WITH VIOLENCE

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. McCARTHY. Mr. Speaker, how many more tragic deaths must this country endure before we halt our blind allegiance to an outworn frontier philosophy, pass sensible gun control legislation, and end the glorification of violence in our country? In television and in films we are constantly bombarded with violence. We see not only simulated murder on television, but horrifyingly enough, the American public has witnessed real murder on television.

We allow our children to watch the most violent programs on TV and in the movies and then wonder why so many young people, reacting to this climate of violence, commit crimes and choose violence as a solution to their problems.

The United Auto Workers Washington Report addressed itself to this problem very pointedly in its September 25, 1967, issue, entitled "Our Infatuation With Violence." The message contained in this publication is so straightforward and pertinent to current happenings that I would like to share it with my colleagues who might have missed it.

The article follows:

OUR INFATUATION WITH VIOLENCE

Does watching real mayhem and live murder in the comfort of our living rooms have any effect upon our daily lives?

Dr. Frederick Wertham—a psychiatrist who's spent his life studying violence of all kinds—says that by the time a kid reaches 14 these days he's seen between 10 and 12 thousand homicides.

"Superman is ruthlessly efficient in carrying on a one-man crusade against crooks and anti-social forces. Never does he appeal to the process of law. Justice is represented as an affair of personal strength alone. Today the dreams of youths and adults alike seem to embody a mounting impatience with the laborious processes of civilized life and a restless eagerness to embrace violent solutions."—*Marshall McLuhan in "The Mechanical Bride."*

Remember reading about the woman who turned on the TV to catch the 6 p.m. news—just in time to see her Marine Corps' son shot to death by a Viet Cong sniper?

Or maybe you had a chance to see the 1962 championship welterweight fight. That was the one Emile Griffith won by stopping Benny "Kid" Perez in the sixth.

It was also the one the ref didn't call in time and Griffith had to keep smashing the Kid's life away while the fans screamed, "Kill um—murder da bum." Maybe your kids remember that the crowd got what it wanted. Thousands of other American youngsters do.

And how many folks will ever forget the look on Lee Harvey Oswald's face when Jack Ruby's .38 caliber slug tore his heart out?

Does watching real mayhem and live murder in the comfort of our living rooms have any effect on our daily lives? What about the fake variety that pours—in a steady stream—out of Hollywood, out of the strange world television producers live in and from the pens of thousands of writers?

Dr. Frederick Wertham—a psychiatrist who's spent his life studying violence of all kinds—says that by the time a kid reaches 14 these days he's seen between ten and twelve thousand homicides. Most have been staged for his entertainment, but a growing number have been for real.

Has it always been like this in America? Most experts think not. Back in the middle 1920's, Leopold and Loeb's calculated-for-kicks murder of a 14-year-old boy outraged the nation. Americans weren't used to this kind of behavior. They formed committees, burned crosses and wrote millions of letters demanding that the two murderers pay fully for the crime of the century.

Newspapers across the country carried the story in minute detail as front page news for

weeks and most people talked about little else for months.

But what would happen today if a couple of teenagers knocked off another kid for fun or just to prove they had the guts to do it? If the local papers in most big cities carried the story at all, it'd be on page 46—and it probably wouldn't rate more than a couple of column inches.

"In the last 20 years acts of violence and their acceptance by the American people have increased tremendously", reports Dr. Wertham.

"And the increase of violence among young people—children—has been fantastic. Twenty years ago you never even heard of a boy of twelve murdering his younger sister. But today such events are so commonplace we feel little or nothing when we read that a child of eight has wiped out his whole family with daddy's shotgun."

This kind of sensational violence usually gets coverage—even in today's kill-crazy world—and a lot of researchers say it's contagious. They point out that the combined coverage of radio, television, the papers and national magazines carries the news of a mass murder to almost every nook and cranny in the country.

And it just stands to reason, they argue, that it's going to give a few people an idea. The facts seem to bear them out. Not long after Richard Speck chopped down seven Chicago nurses in as many minutes, a Dallas college student went him one better with a sniping rampage that killed 14 before it ended. And in the month that followed that afternoon's sharpshooting exhibition, a dozen more multiple slayings were recorded.

Most of them made the local news, but didn't get picked up nation-wide. The reason? Mass killings had become as common as rice crispies and news editors decided that people were getting bored.

It seems strange that presumably intelligent, civilized people could sluff off something as inhuman as 14 mass murders in the space of three months. But the fact is that no national voice—millions of voices raised as one—either protested or demanded that something be done to keep it from happening again.

And it's even stranger when we look at what Americans do get upset about. Three years ago a concerned citizens' group launched what became a national movement for laws requiring pet owners to clothe their animals' private parts. About a year ago, after their quest had petered out, the story leaked out that whole thing was a put-on, started by a jokester looking for a cushy job and a chance to laugh privately at some highly gullible people.

It's interesting to recall that so many people were taken in by such a silly crusade. But it's highly important to remember what they were mad about and how seriously they took their mission to rid our society of the evils of exposed kittens and puppies. Yet where was their indignant voice when murder-happy killers stalked the land a few months ago?

Dr. Wertham cites another example of misdirected adult concern. A few months ago, he recalls, a toy manufacturer put some extremely realistic boy and girl dolls on the market. A seething committee of outraged parents—worried about what impact these exact replicas would have on their innocent children—demanded and got the dolls stripped from the department store's shelves.

"These parents were scared out of their minds about what exposure to the human anatomy would do to their children's mind. Yet they barely raise an eyebrow when the kids spend their allowances on comic books chockfull of barely-dressed men and women occupied almost exclusively with all sorts of gruesome and sadistic pastimes," Wertham comments.

"Worse yet—as a token of their parental love at Christmas time—they give these same kids millions of dollars worth of toy guns, whips, tanks, nuclear warheads and mock napalm bombs every year," he adds.

Violence is a commodity these days and it's peddled with the same systematic care given to the sale of all the other things nobody needs. Stop and think about the picture of the world around them children grow up with.

Not so long ago the only murders most kids knew about were Cain's of Abel and David's of Goliath. The worst act of violence they'd heard of was when the walls of Jericho came tumbling down. And these things happened in the remote past; they certainly weren't part of their everyday world.

Today three-year-old babies watch animated characters chase, beat, maim and kill each other on the morning kiddie-cartoon show while they eat their pablum.

Eight or nine-year-olds have seen more slaughter and torture and hate and bigotry on afternoon westerns than the world has known since the Inquisition. Before they reach their teens, they've learned hundreds of different ways to kill or cripple.

There're two reasons why so much of our leisure time is taken up with watching violence. It's easy to find and it's fun to watch. It's easy because selling violence has become a billion dollar business. It's fun because it's more exciting to watch someone get beaten up than it is to build a ferris wheel with an erector set.

There's no doubt in anyone's mind that this decades-long, steady diet of violence has dulled our minds to injury, death and wholesale destruction. We don't often think about the air we breathe because there's so much of it all around us. And, lately anyway, we seem to accept the most inhuman human behavior as though it were the most natural thing in the world.

Is it? Or can we put an end to the fake-kill-mania that makes the genuine thing so much easier to put up with? Dr. Wertham thinks it can be stopped, but not without some drastic changes in our calloused thinking.

One effective way to stop the sale of brutality and butchery would be an aroused citizen effort of the ferocity usually reserved only for crusades against threats to our sexual morality. That might finish off fake violence, but what about the real thing?

Many criminologists, police chiefs and politicians think controlling the sale of guns is an essential first step. U.S. Senator Thomas Dodd (D-Conn.) has already introduced an Administration-backed bill that would keep firearms out of the hands of criminals, kids and the emotionally sick all across the country. Local ordinances don't work very effectively, he says, because anyone who wants to break them has merely to step across the county line and help himself to legal weapons.

So far the Dodd bill has been throttled in committee by lobbyists for the gun industry, gun collectors and hunters. Opponents of the bill vehemently argue that criminals will rob, steal and kill whether they have guns or not, that the bad guys can always get weapons on the black market regardless of what the law says, and that a gun-curb would only make it tough on the law-abiding citizen who wants to protect himself or enjoy his hobby. Tons of mail descend on congressional offices—perhaps more on this than any other issue before Congress.

Sen. Dodd and the President say, on the other hand, guns make it a lot easier to commit crimes and the law would impose no more serious a hardship on legitimate citizens than does the requirement that drivers be licensed.

A lot of people are beginning to side with the President. A recent Louis Harris survey showed between 60 and 70 percent of the citizens polled favor a federal law such as the one proposed in Amendment 90 to Dodd's bill, S. 1.

It's our country, our children's futures and our lives that are at stake. So it's our job to stop the destruct-craze that's sweeping the nation. Even savage animals keep better order than we do.

WHAT THE DODD GUN CONTROL BILL WOULD DO

End the unquestioned sale of weapons to kids, criminals and the emotionally ill.

End over-the-counter sale of hand guns to out-of-staters.

End sale of hand guns to those under 21 and rifles or shotguns to those under 18.

Control sale of mass-destruction weapons like machine guns, anti-tank guns, bazookas and mortars.

WHAT IT WON'T DO

Keep law-abiding hunters, marksmen or collectors from buying the weapons they want.

Keep law-abiding citizens from buying weapons for home defense.

Keep parents from teaching their kids the proper care and use of firearms.

FHA CHIEF: PHILIP N. BROWNSTEIN

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. EDWARDS of California. Mr. Speaker, Mr. Philip N. Brownstein has served long and admirably as Commissioner of the Federal Housing Administration, and I was, therefore, delighted to read Mr. John B. Willmann's account in the Saturday, May 25, 1968, Washington Post of Mr. Brownstein's achievements and ideals, indicating so well the depth of his career of public service. Phil Brownstein is now in the forefront of the Department of Housing and Urban Development's fight to assist the low-income person to break the financial barriers to individual homeownership and to develop exciting, new programs to insure decent housing for all Americans. Knowing the abilities and the mind of Phil Brownstein, I am confident that we will have a meaningful and substantial effort toward this crucially important goal.

I insert this fine article in the CONGRESSIONAL RECORD, as follows:

PHILIP N. BROWNSTEIN

Almost 33 years ago, Philip N. Brownstein decreased the population of Ober, Ind., 2 per cent by leaving his birthplace and coming to Washington.

With the help of a friend, he got a job as an assistant truck driver and mail handler for the then-infant Federal Housing Administration. Today—he often works on Saturdays—Brownstein sits behind a desk in spacious Room 741 of the Lafayette Building, 811 Vermont ave. nw., as the Assistant Secretary for Mortgage Credit of the Department of Housing and Urban Development.

In that presidential-appointment post, Brownstein also serves as Commissioner of the Federal Housing Administration. As of next Wednesday, he will have held the top FHA post longer than any of his 10 predecessors. And he has been the only FHA Chief also to serve as Assistant Secretary of HUD, created in 1965.

Brownstein, whose career has included a law degree from Columbus University here

. . . four years of World War II duty in the Marine Corps . . . and 17 years with the Veterans Administration and its housing programs, now is facing his biggest challenge.

In the year that already has seen an open housing law passed, major civil disorders and property loss, and the FHA–VA interest rate ceiling raised to 6 per cent, the FHA Commissioner views the proposed 1968 housing bill as "the next piece of legislation we need to give added substance to urban life . . . by breaking down the remaining barriers to the fullest private participation in providing housing for those who are economically unable to obtain a decent home in the open market."

Swinging back on his swivel chair this week, Brownstein recalled that the original FHA insurance program for liberal mortgages amortized over 20 years made false prophets of financial experts who feared that many, many of those home loans would be foreclosed.

"Well, the record shows that the foreclosures were truly minimal considering the millions of home loans insured through FHA. At the moment, our portfolio shows only 27,000 repossessed houses that have not been resold. Our largest inventory was 56,000 in 1964."

Besides aiding many middle-class families into home ownership, that original FHA insurance program also helped to establish a new posture within the conventional (non-FHA-insured) mortgage market, where terms recently rose as high as 30 years (before the latest money pinch) on amortization and down payments fell to 10 per cent.

"It's time for us to be bold again and bring FHA insurance to the lower-income levels in the inner city. We already have rent supplements through which the Federal Government pays a portion of an individual's rent to the owner of a housing project—but this program has suffered from lack of adequate funding," said the relaxed Brownstein.

The newest HUD-proposed program would permit Federal payments to the mortgage lender as an interest rate subsidy to reduce the homeowner's monthly mortgage payment.

"This reduction," said Brownstein, "could result in the homeowner making payments on the basis of an interest rate as low as 1 per cent, depending on his income . . . With the proposed approach, families with incomes as low as $3600 a year may be able to afford a home with a $12,000 mortgage."

Besides the new programs to help poor people achieve home ownership and a recent FHA action to keep its own insurance in force in areas where civil disorders prompted some insurance firms to refuse further protection, Brownstein likes to point to another FHA achievement.

"Dramatic progress has been made in speeding up the procedures to enable home sellers to get (or not get) FHA commitments on their houses in five days and to get the credit check on the purchaser done within three days. This is the cycle in 95 per cent of the cases," he added.

However, some area builders still complain that FHA is slow in making its inspections and providing commitments to developers of subdivisions. Often builders moan about the FHA red tape. But the FHA point of view is that procedures must be followed for the protection of home purchasers and that paper work is inevitably a part of any Government program.

Brownstein is part of the Administration-HUD team that is pushing for enactment of a new housing bill this year, regardless of the realization that the Johnson regime is winding up. Recently, HUD Secretary Robert C. Weaver announced his intention to resign toward the end of this year and become a college president in New York City.

Mentioned in housing circles as a possible successor to Weaver for the balance of the four-year Federal cycle or the top HUD spot if another Democratic administration materializes in November, Brownstein remains personally implacable.

"I've been in Washington and in Government too long to look too far ahead," he said. "I didn't seek this job. But now that I have it the work is enough to keep me too busy to fish or read much of anything except reports or housing material. The mortgage money pinch is a full-time worry in itself.

"On the other hand, I'm really excited by a new FHA-supported 221(d)(3) program project that will provide wonderful new housing on an open occupancy basis for about 500 families right here in Washington (on New Hampshire Avenue, just across the District line).

"I am also tremendously heartened by the reactions of the National Association of Home Builders and the local metropolitan affiliates to the new open housing law. I am really hopeful that a financially qualified Negro family can now shop for a new home in any part of this area and get a fair shake. Let's hope that the days of the 'We will sell to you but we dont' think you'll like it out here' are over."

Whatever happens to the housing bill or in the November election, Brownstein likely will remain in Washington, which he unabashedly describes as "still the greatest city in the world."

The Brownsteins, who rented a Hyattsville apartment when he was made FHA Commissioner in 1963, now own a share in Harbor Square and occupy a two-bedroom condominium there. It's a privately development project (no FHA funds) on urban renewal land.

While their married son Michael is pursuing a combined Ph.D-MD degree, the Brownsteins enjoy in-city life.

"We're just like any homeowners anywhere. My wife fusses with her planting boxes on the balcony and I grumble about cars that drive over the edge of our lawn," said the FHA's respected boss.

WE MUST RETURN TO OUR SENSES

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. SIKES. Mr. Speaker, the Orlando Sentinel has editorialized well and effectively on the price which America is paying for coddling lawbreakers. I am pleased to submit it for reprinting in the RECORD, as follows:

[From the Orlando (Fla.) Sentinel, June 6, 1968]

WE MUST RETURN TO OUR SENSES

Painfully, and at extravagant cost, America is paying the price for coddling lawbreakers.

The tragedy that unfolded during the early morning hours Wednesday in the kitchen of a Los Angeles hotel apparently took root in the brain of an insane man, but it was nourished by a year after year erosion of respect for law in this country.

Senator Robert Kennedy and his family are the immediate victims, but all of us are equally punished.

House Speaker John W. McCormack, from the Kennedy family's home state, said it best, we think, of all those who tried to fix the cause for the type of crime that occurred so shockingly in Los Angeles.

"Those who enforce the laws," said Speaker McCormack, "are finding themselves the defendants—instead of the lawbreakers and the defiers of authority."

"We've got to support the police officer," Mr. McCormack pleaded. "We've got to bring back the respect for the man who wears the uniform."

America is facing a wholesale onslaught against authority.

Those who would weaken this nation of laws have had unwitting support from some in high places and from courts, who, in their zeal to right certain wrongs, have hastened the assault on the very fabric of America.

Tradition is dead; change is "in."

Authority is there to be challenged if not subverted or even overthrown, and by force if necessary.

The policeman is a fuzz; the criminal is indulged.

One takes what he wants; he obeys the laws of his choice.

Murder is an everyday happening; assassination of public figures threatens to become commonplace.

Such are the fruits of this strange cult that ensnarls us. It is sparked by conspirators and is fed by the well meaning but easily duped—those who are troubled by an unpopular war, those who feel they are the victims of social injustice, those who are so immature that they know not what they want.

True, it is difficult, perhaps even impossible, to protect against the isolated nut in a crowd. But who is to say that the mad man is not goaded into his insane act by all these examples of lawlessness and disrespect for authority around him.

Crime breeds more crime. Anarchy will bring ruin. We have had enough of both.

DANGERS OF A PROFESSIONAL ARMY

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. COHELAN. Mr. Speaker, proposals have been made to abolish the draft in favor of an all-volunteer military service.

It has been said that an all-volunteer army is more in keeping with democracy and the protection of individual rights than is any system of a draft.

In the past, several well-staffed and qualified groups, including the National Advisory Commission on Selective Service and the Civilian Advisory Panel on Military Manpower Procurement, have carefully considered and uniformly rejected the proposals for an all-volunteer army.

Former Secretary of Defense McNamara would not recommend an all-volunteer army.

The Secretary said:

I don't believe that kind of army would be best for our Nation. I think it would gradually separate itself from the life of our Nation. It is far better for all of us that we pour through the army, civilians who go into the army and come out of the army and who in a sense civilianize the military service and thereby tie it more closely to the fundamental elements of our National life.

Gus Tyler, in an article in the New Leader, April 24, 1967, cited the dangers to our democracy which would result from the establishment of a professional army. I insert in the RECORD at this time Mr. Tyler's article:

THINKING ALOUD: DANGERS OF A PROFESSIONAL ARMY

(By Gus Tyler) [1]

The volunteer army, for many generations the darling of military establishments around the world, has recently won the heart of some anti-militarists and liberals in the United States. The love affair has blossomed in the hot season of debate over Vietnam. The most ardent words spoken for the volunteer army come from opponents of our Asian involvement who, in their eagerness to halt the draft of reluctant young men, may unintentionally institutionalize a military manpower program that would do serious damage to the objectives of American liberalism for decades to come.

The basic argument for the volunteer army is that it would end the "involuntary servitude" implicit in the draft. The men in uniform would be those who want to be in uniform, fighting a war in which they believe. The present Selective Service System that appears to discriminate against lower income groups, especially Negroes, would be ended. Those who view the fighting in Vietnam or anywhere else as "immoral" would not be called upon to violate their conscience. To these moral, libertarian, and socio-political arguments are added occasional technical points: Modern weaponry calls for skilled technicians requiring long periods of training; by cutting down on military manpower turnover there would be sizable savings in training costs.

The debate over the volunteer army is not new. It began in Europe more than half a century ago when revolutionary Marxists, with a healthy distrust of a professional army officered by a conservative elite, demanded an end to a mercenary military and the institution of universal military service. The debate was renewed in the United States in 1916, when the military brass called for a standing army that could draw additional strength in an emergency from volunteer enlistments. President Wilson, sensitive to the danger of a career army, argued for a system that would draw upon a citizenry trained and accustomed to arms. In the encounter between the military brass and the civilian-minded Commander-in-Chief, the professional soldiers won. The National Defense Act of 1916 set up a blueprint for an enlarged permanent army of volunteers.

In the ensuing years, the argument subsided. From 1948 on, the U.S. lived with a "peacetime" draft. The last time the Selective Service Act was extended, in March 1963, it was without significant protest and debate—indeed, with virtual unanimity. Not until the Vietnam conflict necessitated drafting men on the campuses did the protests against the draft mount and the volunteer army idea reappear—coming this time from those who had been the traditional opponents of a professional army.

The curious irony of this *volte face* is the fact that so many advocates of the professional army are militant opponents of The Establishment. But if the military hierarchy is not a major pillar of that Establishment, then who is? In 1956, in *The Power Elite*, C. Wright Mills placed the military at the apex of the ruling trinity alongside the corporations and the politicians. "The warlords," he wrote, "have been only uneasy, poor relations within the American elite; now they are first cousins; soon they may become elder brothers."

Without any blanket indictment of the top military men in the U.S., among whom have been outstanding statesmen of profound civilian commitment such as George Marshall, it is necessary to caution eternal vigilance vis-à-vis the "warlords." President Eisenhower, in his Farewell Address, warned against the dangers of the military-industrial complex, the close cash nexus between the soldiery and high finance. In President Kennedy's Administration, Senator Fulbright exposed the Rightist infiltration of the Armed Services. By birth, by marriage, by social connections, by future economic prospects, brass tends strongly to turn to gold.

The battle between top civilians and top military in the Pentagon is one of the continuing, unresolved, albeit hushed-over, struggles in Washington. The scales would be dangerously tipped toward the professionals by a volunteer army. Of necessity, those most readily attracted to the military career in the lower echelons are those who have not fit successfully into the civilian society. They give up the options of citizenry to accept the discipline of the uniform—and they do so with an initial measure of hostility for that "outside" world. Of necessity, the soldier is isolated from the vital social struggles of his times: strikes, sit-ins, civil liberties, social legislation, poverty, urban upheaval, or—if you please—even peace movements. To the extent that he is called upon now and then to make contact with these disturbing elements, he does so in an adversary role—to maintain law and order. He develops a police mentality; but more so, since he does not have the policeman's after-hours return to family, friends and social problems.

Because American social struggles, with the exception of the War Between the States, have never reached such crisis proportions that the armed forces have had to be the ultimate social arbiter, the military's potential for oppression has not been tested in the last century. But this does not mean that it never will be. A brief glance at other nations of the modern world, where a natural affluence has not softened social struggles, proves repeatedly that an officer corps with an army of declassés under its command can topple governments and constitutions.

It is argued, in reply, that a draft does not change the professional character of the present Army, since about two-thirds of those now inducted in any one year are volunteers. The truth is, however, that about half of the volunteers are men who enlist only because they feel the hot breath of the draft on their back. After a tour of duty these volunteers, like most of the draftees, return to civilian life, to be replaced by other citizen soldiers.

If the country turned to a volunteer army, attracting men with higher pay, better working conditions and fringe benefits, how many and who would respond? The response would be so weak that it is doubtful whether the needed quota could be met. A Bureau of the Census study reveals that among young men in age bracket 16–19, only 4 percent would rate "equal pay" with civilians as of prime importance in volunteering and only 17 per cent would consider "considerably higher pay" as a real enticement. And the closer the nation moves to full employment, the less attractive these offers become.

Volunteers tend to be young men who are unemployed, denied first class citizenship, discriminated against: those who would rather be "in" with the army than "out" with the—to them—sick society. In sum, the volunteer army would be an army of that "other America," especially Negroes.

At present, about 11 per cent of men drafted are Negroes, an almost exact reflection of Negroes in the military age group of the total population. Perhaps the rate would be higher if so many Negroes were not *rejected* for military service: 50 per cent are turned down, while only 25 per cent of the white potential is rejected. *But when it comes to re-enlistment about 40 per cent of the Negroes opt to continue in the service while only 18 per cent of the whites do so.*

This last figure is crucial in forecasting the nature of a volunteer army. It will be low income and, ultimately, overwhelmingly Negro. These victims of our social order "prefer" the uniform because of socio-economic compulsions—for the three square meals a day, for the relative egalitarianism of the barracks or the foxhole, for the chance to be promoted. (One out of every six sergeants in the Army is Negro.)

While one must respect the motives of the young men who demand a voluntary army, it is not improper to suggest that they briefly introspect to see whether, when they call for an end to "involuntary servitude," they are not indulging in self-righteousness tainted with self-interest. When a young man proposes that a private's pay be doubled or tripled so that "those who want to fight" may do so, he is in effect saying "I do not intend to enlist, because I have a better way of life; but let those who do not have a better way, go do it."

Ending the draft eliminates legal compulsion to enter the military service, but it does not elminate circumstantial compulsion to do so. Both forms of compulsion are disquieting to a free soul. But to liberate the well-to-do from "legal" compulsion while enslaving the poor with "circumstantial" compulsion is hardly in keeping with a democratic ethos.

The argument that a draft is "involuntary servitude" is true only to the extent that any form of legalized social compulsion is a form of greater or lesser servitude. Compulsory education could be so classified. Income and inheritance taxes are indirect ways of making an individual work for the state rather than himself. Keeping a person in quarantine is broadly in the same category.

But again this is no new argument. The first great draft in the United States was imposed by President Lincoln in the Civil War. Tens of thousands of New Yorkers considered it "involuntary servitude." Protestors took to the streets to burn down Negro orphan asylums, and hang Negroes from lamp posts. The riot ran for half a week and was finally quelled when the Great Liberator moved the Third Army of the Potomac to New York City to restore order. The objectors to the temporary "servitude" of the Union Army were quite prepared to let the Negro continue in permanent "servitude" to the slavocracy. Another one of those confusions between self-interest and self-righteousness, between prejudice and principle.

If the draft is "involuntary servitude," then some 14 million Americans under arms in World War II were tossed into this dismal dungeon. As righteous as that cause was—our showdown with world Fascism—we could not have carried through the operation with a volunteer army. The draft was necessary. America had to choose between involuntary "servitude" under Roosevelt and "voluntary" slavery under Hitler.

It should be noted that most advocates of the voluntary army grant that a draft would be admissible in the event our nation is endangered directly. This admission moves the entire debate on to another plane. The draft is no longer rejected on principle as "involuntary servitude." The discussion becomes political and pragmatic; namely, when is the national interest vitally involved.

As an alternative to the draft, it is suggested that young men who serve in the Peace Corps or Teachers Corps be exempt from military service. While "national service" in one of these socially useful projects is commendable, to grant exemption from the military is once more to discriminate against the underprivileged. Who is equipped to teach Nigerians to read, cure the sick, or impart modern knowledge on cleaning out a

[1] GUS TYLER *was chairman of the recent National Conference on the Draft, sponsored by the American Veterans Committee, Assistant President of the ILGWU, he wrote* The Labor Revolution, *published last month.*

malarial swamp? Only the better educated and ipso facto the better-to-do. Who is left for the military? The already unfortunate, our brown brothers whom we allegedly are rescuing from the draft.

All of the going is not to be interpreted as a defense of the way in which our Selective Service System has been run up to the present. It is filled with inequities, inefficiencies, and plain misuse. It is badly in need of reform. Nor do I mean to imply that there is no room in the military service for volunteers. There always has been and there always will be.

But the American community should be warned against turning a momentary discomfort into a permanent disability. Committing the United States to a professional army would be a vast injustice to the country's minorities; would create a class army with a social elite at the top and the socially dispossessed at the bottom; and would place civilian control over the military establishment in serious jeopardy.

There has been no attempt here to examine in depth the impracticality of a voluntary army; its fabulous costs and its inability, no matter the expenditure, to recruit the needed manpower in a relatively affluent economy. There is more than ample evidence that some who argue for a volunteer army know that the idea must fail and conceive of it as a device for "deescalation." As a tactic, it may be cute. But if this prank is turned into a principle it may ultimately turn the trick against those who value a free society.

A TRIBUTE TO PROJECT HOPE'S BILL WALSH

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. FASCELL. Mr. Speaker, one of the most effective people-to-people programs supported by our foreign aid program is Project HOPE—the globe-spanning ship which brings modern American medical know-how and care to the peoples of the developing nations.

The brainchild of Dr. William B. Walsh, Project HOPE has enlisted the services of more than 1,100 volunteers—American doctors, nurses, technicians, and other skilled personnel.

In addition, thousands of private U.S. citizens, in communities throughout our Nation, have contributed to the success of this undertaking through various supporting activities ranging from publicity to fundraising.

In the 7 years since the SS *Hope*'s maiden voyage to Indonesia, more than 120,000 people in foreign lands have received medical treatments from Project HOPE staff; 10,778 major operations have been performed, and more than 2 million people have been benefited through immunization, medical examination, and other services.

This is a remarkable success story—and most of the credit for it goes to Bill Walsh who not only conceived the idea for the SS *Hope* but also has been the guiding light and the director of the project from the start.

The May 20 issue of Modern Medicine pays a fully earned tribute to Project HOPE and to Dr. Walsh. I believe that it will prove of interest to all Members of the Congress.

The article follows:

CONTEMPORARIES: WILLIAM B. WALSH, M.D.

"Project HOPE was my idea, and I am too proud of it to be falsely modest," says Dr. William B. Walsh. "In bringing the project into being, I had the help of thousands, including two Presidents of the United States and the Untied States Navy, so except for the idea, I can claim only a moderate share of the credit. But from the first moment when I thought of such a ship, the HOPE became my vocation and obsession."

The idea for Project HOPE—Health Opportunity for People Everywhere—began when Dr. Walsh served as a medical officer abroad a destroyer in the South Pacific during World War II. Impressed with the squalor and poor hospital conditions of the area, he thought of someday returning with a floating medical school. The dream started to become reality in 1958 when President Eisenhower asked the Washington, D.C., cardiologist to cochair the Committee on Medicine and the Health Professions of the President's new People-to-People Program. Dr. Walsh suggested that a Navy hospital ship be taken out of mothballs and converted into a floating medical center.

After he won approval of the plan, Dr. Walsh decided that its success hinged on support from private American citizens, and he founded The People-to-People Health Foundation, Inc., the parent organization of Project HOPE. On March 15, 1960, the 15,000-ton USS Consolation was chartered to the foundation and rechristened the SS HOPE. Since Dr. Walsh's first call for support, approximately 1,500 United States companies have donated almost $10 million in the form of medical and surgical equipment, drugs and chemicals, medical books, hearing aids, food, and ship's stores.

The primary purpose of Project HOPE is one of teaching and training, says Dr. Walsh, who believes that "going through those remote parts of the world just for the purpose of treatment would be like walking through quicksand." In the seven years since the HOPE's maiden voyage to Indonesia and South Vietnam, HOPE doctors, dentists, nurses, technologists, and other paramedical personnel have trained over 4,000 medical counterparts. More than 120,000 people have been treated, and some 10,778 major operations have been performed. In addition, more than two million people have been benefited through immunization, medical examination, and other services. Project HOPE is currently developing its own department of education, drawing on the experience of personnel who have worked in many cultures. "Thus we can do a better job and perhaps advise others through personal experience," Dr. Walsh explains.

Dr. Walsh thinks that the success of Project HOPE offers many lessons, both for those wanting to help and for countries seeking aid. "We've shown that we can have an impact on an entire nation with a relatively small effort. We have never been in any nation—and the nations we have visited include all political spectrums—in which the hunger for medical knowledge was not almost overwhelming." The coming of HOPE, and its land-based programs which continue when the ship leaves, has enabled people to solve their own problems, which in many cases were so severe that the people were afraid even to try. "When we give new methods and courses, we spark the imagination of the local people who then run with the ball themselves. They learn to trust us and know that we aren't interested in staying or in forcing our will on them. There are many capable people in these countries who need little more than to be told that they are indeed capable."

Project HOPE teaches by example, suggestion, persuasion, and mostly by real humility, explains Dr. Walsh. "We don't want revolutions but rather a revolution of ideas, directed toward improving methods of medical education. We look at problems from the viewpoint of persons in the host country, and we are often overwhelmed by the temerity of the local medical people in even being willing to stay and try and do something about the situation."

Another principle of HOPE, maintains Dr. Walsh, is that no country can be economically healthy without a healthy population. "Population planning, of course, is important, but such planning can only be implemented as part of a total community health education program. Shoving population planning down people's throats is impossible; until they see you want to help the living, they are not about to eliminate those who want to live." Another idea that has had tremendous acceptance, says Dr. Walsh, is the idea that while an exploding population is a danger, a living and morbid population is a greater danger.

One of the problems of the present world population crisis is that nobody has conducted an accurate world census, despite the fact that various agencies put out population figures. The gap between real and imagined population was illustrated last year when HOPE student volunteers in Colombia conducted a census. They were told that the average population in one barrio was about 3,500 people, but the population actually turned out to be 8,000. The local health people were very pleased to get this information, which is so necessary for populaion control, says Dr. Walsh.

Another thing HOPE has done is to spread interdisciplinary techniques, an absolutely essential practice when doctors and technicians are in short supply. In many countries auxiliary medical personnel such as nurses are not accepted by those with more medical education. "But our nurses and technicians are the finest ladies anywhere," maintains Dr. Walsh, "and no group of American women give a better performance."

Before long the local nurses are accepted and people do not look down their noses at lesser qualified persons. And the programs have also taught respect for paramedical fields such as sanitation. "We have shown that a team operation is needed and that education at only the medical level will just multiply the problems," explains Dr. Walsh. "Even more significant, they realize we are helping to train others, so that their lot will be permanently better."

One of the important things HOPE has done, he feels, is to show that the American people care and are definitely willing to help others help themselves. "We have a strange image abroad," he says. "The average man in the poorer districts never sees much benefit from assistance on a government-to-government basis. But the poor recognize treatment immediately; it gives them hope that tomorrow will be better. They are always amazed to find out that our people serve for no pay, and this news spreads throughout the country. In Colombia last year the Senate of the Republic presented a unanimous resolution thanking the people of North America. The politicians had responded to the genuine feelings of the poor.

"People are demonstrating to their own governments how important health care is, and therefore a bigger position of foreign aid should go for health education. People are a country's most important economic commodity, but diseased people can't possibly work an eight-hour day. We saw this in Vietnam in 1961; the crush of persons waiting patiently in long lines literally broke our clinic doors down. But village programs are needed, and unless these types of programs are expanded, we will have other Vietnams. A hungry man has no politics, only a desire to exist; the sick do not have the time or the privilege to be petty. On the other hand, I do not believe there is a single normal human being who isn't interested in bettering himself and his own fellow man."

The great lesson from HOPE, explains Dr. Walsh, who has written two books about the project, is that we now must ask the ques-

tion "What is public health?" "From my experience on three continents, I am convinced the U.S. approach is wrong. More people in our public health schools should go to the developing countries and see what is and what is not being done; see what the problems really are and see how to apply their solutions in the ghettos of our own country. Some of our better public health schools are research institutes only, and one of my biggest jobs is simply making some of our postgraduate trainees stay in their schools. These physicians have lived and done things and want to learn how to do them better, but instead they are given irrelevant material."

Dr. Walsh thinks we must return to the very fundamentals of public health and educate shortrange health workers who can organize and teach others. "We need help on a person-to-person basis with community involvement," he says. "For example, we teach people how to wash floors. I'm a pragmatic idealist; we don't score 100% all of the time, but we have failed very seldom. These people with whom we have worked remember who taught them; we still get letters from people in Indonesia who want to let us know they are thinking about us. And many officials in the new Indonesian government, such as the present minister of education, are persons who were connected with HOPE in 1960."

The success of HOPE is due in large part to its staff. As of this year, over 1,100 persons have participated in HOPE, and only two persons have ever had to be sent home because of conflicts. People in government have asked Dr. Walsh how HOPE can select people so well. "We don't do things like psychological testing," says Dr. Walsh, "but we do evaluate volunteers by talking to them. Of course we look into their professional skills, but we also look at them as total human beings. What is inside people comes out on HOPE; these people give of themselves under the most amazing circumstances. For example, our doctors and nurses may be working in a dilapidated health project during the day and that night they must be prepared to go to a formal reception. Cultural shock occurs very little. We tell our people that they are guests in another man's house and that they should behave accordingly. If it's 100° and it's the custom to wear ties, our doctors wear ties. We also tell people in the host country that understanding is a two-way street, and that we expect them to know and understand our way of life, too."

This year the full-time HOPE staff consists of 60 nurses, 16 laboratory and X-ray technicians, 9 medical and transcription secretaries, 2 record room librarians, 2 dietitians, 1 nutritionist, 1 community health educator, 1 senior medical officer, and 1 coordinator for each medical specialty. Several full-time physician and dental coordinators work in the local country. HOPE full-time people are supplemented by 30 to 35 two-month rotators, so the total staff amounts to about 150 teachers. With only two exceptions, all full-time HOPE medical personnel have been introduced to HOPE as rotators. The average age of the physician participants is about 45 years—when they are at the height of their ability to give of themselves—and many are full-time department heads in medical schools. Eventually Dr. Walsh hopes to have two more ships like HOPE, thus allowing one ship for South America, one for Africa, and one for Asia.

Dr. Walsh, who received his M.D. degree in 1943 from Georgetown University School of Medicine, Washington, D.C., thinks the M.D. drain to the U.S. from developing nations can be solved by taking the teaching to the home countries. He opposes bringing people here for training unless they are people who have roots in their own country and can be counted on to return. "The only place you can train effectively is on the spot. Then you find out why, for example, the local physicians can only handle three operations per day. But when a man comes here and sees all of our sophisticated equipment he wants it in his own country, even though this equipment affects less than one-tenth of 1% of the total population in his country. This isn't modern medicine."

Our perspective and sense of values are confused on all issues, both at home and abroad, maintains Dr. Walsh. "Why do we need five hospitals here in Washington, D.C., that all can do open-heart surgery? Things like this are foolish and are one of the main reasons why hospital costs are going up so much."

Dr. Walsh, who was assistant professor of internal medicine at Georgetown University, has given up teaching and private practice to devote full time to his job as president of The People-to-People Health Foundation. "This is much more rewarding than practice, and I have met some of the greatest people of our time," he says. The dozens of honors Dr. Walsh has received illustrate what he has enabled others to accomplish, but he himself feels he has received more than he has given. These feelings, he says, are summarized very well by Dr. Dalton Oliver, an ophthalmologist from Baton Rouge, La., who wrote of his experiences in Peru: "Vivid impressions will remain with me the rest of my life. The look on the face of the gnarled old man who came back again and again to shake our hand because our operation had saved him from a life of blindness; the Peruvian Indian who walked 200 miles over the impossible terrain of the Andes to bring his 2-year-old son for an 'American miracle'; little Manual whose life's dream was to come to the United States and be a houseboy; the faces of schoolchildren tasting cow's milk for the first time; the warmhearted gratitude, from the heads of the country to the lowliest Indians. And they want to give us presents. Why we should thank them for giving us back our reason for being alive!"

MARCH ISN'T AIMLESS

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. EDWARDS of California. Mr. Speaker, one of the most important messages of the Poor People's Campaign is educating the American public, making affluent society aware of those within its midst who are not so affluent or so fortunate. This might, indeed, be more far-ranging than any other potential factor in its impact, resulting eventually in significant action to do something about unjustice and poverty which prevails as a fact of life for so many. The San Jose Mercury, May 23, 1968, had some wise words along these lines and I therefore would like to insert into the RECORD this very fine comment. The editorial follows:

"MARCH" ISN'T AIMLESS

Despite a surface appearance of aimlessness, noted on the page opposite by Tom Wicker of The New York Times, the Poor People's March on Washington could have vast long-range importance.

It could on the other hand, degenerate into an unruly and politically impotent mob; a very great deal depends on the quality and the continuity of the march's leadership.

So far, as the poor gather on The Mall and make their periodic visits to the Capitol and to the various executive offices of the government the self-discipline has been notable; the untoward incidents have been few and of a minor nature. This is all to the good. If this sort of discipline can be maintained, the Poor People's March can be one of the best educational tools—and motivational devices—ever to confront a Senator or Representative.

It means very little, emotionally, for an American—in or out of Congress—to read that so many millions of persons have incomes below the poverty level; it means not very much more when they read that 10 million Americans experience hunger regularly and that children are literally dying of starvation in a land of plenty.

There is a good deal more urgency conveyed by seeing a hungry child or talking with a person to whom poverty has become a deadening way of life.

Americans by and large are a generous people; they will not ignore indefinitely the needs of their fellow men. If the poor stay visible long enough, Congress will not ignore them any more than the people will ignore them.

For their part, the poor are learning a valuable lesson from this march. They are learning that organization pays off. They are learning—by doing—the art of lobbying their representatives in the seats of power. They are learning that action in one's own behalf—even if that action is confined to lobbying Congress—confers a certain dignity and self-respect.

The poor are learning that they, too, are citizens and that the government is as much theirs as it is any other American's.

This is not to imply that government can wave a magic wand and eliminate poverty overnight. It can't, and in all probability the poor know it quite as well as anyone else; certainly they have been poor, many of them, long enough to have lost whatever illusions they may have cherished once.

This is to imply that government can and should expedite education and social programs that will equip the poor to break the poverty-ignorance-poverty cycle. The longer the poor remain visible, the more clearly Congress must see this task as a high-priority order of business.

HUNGER AND MALNUTRITION IN THE UNITED STATES

HON. WATKINS M. ABBITT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. ABBITT. Mr. Speaker, there has been a great deal of public discussion and concern about the finding of the citizens board of inquiry into hunger and malnutrition in the United States which was released in late April.

The 100-page report has been widely disputed by informed organizations and individuals throughout the country and a number of fine articles have been written to show that many of the so-called findings in the report were greatly exaggerated, if not fabricated.

On Sunday, May 26, 1968, the Richmond Times-Dispatch, one of the Nation's most widely respected newspapers, printed a study of the question of hunger in Virginia which from our State alone shows that the so-called findings of the board of inquiry were greatly exaggerated and do not to any recognizable degree indicate the true situation in Virginia.

One of the problems in our present-day society, it seems to me, is that we have far too many of these so-called

boards and self-styled social-action groups which are attempting to dramatize and magnify conditions in the United States. It is bad enough when these groups merely magnify that which actually exists but when they attempt to put forth a picture of circumstances which do not exist, they serve only to confuse and frustrate our people.

I believe that the fine articles in the Richmond Times-Dispatch presentation adequately speak for themselves and I wish to have these articles included herewith with my remarks.

The articles follow:

[From the Richmond Times-Dispatch, May 26, 1968]

HUNGER IN VIRGINIA: TIMES-DISPATCH STUDY SHOWS NATIONAL REPORT EXAGGERATED

In late April, 14 Virginia counties were among 256 counties in the United States named "hunger counties" by a social-action citizens' group in Washington.

The group, the Board of Inquiry into Hunger and Malnutrition in the United States, issued a 100-page report in which it said it had found "concrete evidence of chronic hunger and malnutrition in all parts of the United States."

The board had been established by Walter Reuther's Citizens Crusade Against Poverty and had as cochairmen Benjamin E. Mays, president emeritus of Morehouse College, Atlanta, and Leslie W. Dunbar, executive director of The Field Foundation, New York. The other 23 members represented educational, religious, medical and labor union organizations.

"A thousand people who must go without food for days each month would be shocking in a wealthy nation," the board said. "We believe in America the number reaches well into the millions. And we believe that the situation is worsening."

The report recommended a presidential declaration of emergency in the hunger counties and establishment of a free food stamp program keyed to need.

It called for the federal food programs to be removed from administration by the U.S. Department of Agriculture and Congress.

The Virginia counties listed as "hunger counties" were Accomack, Buchanan, Buckingham, Charles City, Cumberland, King and Queen, Nansemond, Northampton, Prince Edward, Richmond, Southampton, Surry, Sussex and Westmoreland.

Reaction among county and state officials was one of immediate denial and disbelief. No one denied that there are families of low income and cases of malnutrition from poor food selection or buying habits, but all contended there is no one starving.

Otis L. Brown, state director of welfare and institutions, was on the Eastern Shore the day after the report came out. Both shore counties were listed. He said those localities, particularly the health and welfare units, were "indignant" about the report. Northampton County supervisors shortly afterwards adopted a resolution of protest.

Richmond County lodged a protest with its congressman, Rep. William L. Scott. A Westmoreland attorney wrote both chairmen of the citizens' board to deny and protest the designation. A welfare superintendent called the designation of her county a "slap in the face." Editorial skepticism blossomed in newspapers.

No official—at either county or state level—reported having seen any evidence of investigating activity by the board in the field although the report had cited nine months of hearings and field trips.

Virginians, officials and citizens alike, wanted to know the source of the report's findings and why one county in a community of counties of similar economy and interests was selected while others were omitted.

To find answers to how the report was prepared and whether hunger could be found on a local level, The Times-Dispatch assigned reporter Dallas Long to investigate. His findings are as follow.

STATISTICS ARE OLD, CRITERIA QUESTIONABLE

(By Dallas Long)

Fourteen Virginia counties, labeled last month as among 256 U. S. "hunger counties" by a citizens' study group, have been victimized by nine-year-old statistics and four criteria of questionable value.

Little or no hunger exists today in at least six Virginia counties—and probably the rest of the state—to the degree that the Citizens' Board of Inquiry into Hunger and Malnutrition in the United States defines as "hunger" or "chronic hunger."

These two major conclusions emerge from a detailed study of the report, "Hunger, USA," by The Times-Dispatch, coupled with a week of conversations with people who work among the poor at the grass-roots level and on-the-spot investigation.

Seldom has a report had such impact at the county level. It named the 14 counties as involving "desperate situations" of "chronic hunger and malnutrition." It called for the president to declare an emergency in each and to ship in food supplies.

It came in a flare of headlines during a much-publicized war on poverty. It came following the assassination of Dr. Martin Luther King Jr., to whom the report is dedicated, and while the poor peoples' march on Washington was being planned.

It came, coincidentally, just after the U.S. Department of Agriculture had announced 47 Virginia counties were eligible for federal food programs and just before it said that food programs would be brought into the counties if the localities did not adopt them voluntarily by May 30.

The reaction to the board's announcement—made in Washington—that Virginians in 14 counties were actually "hungry" was immediate and indignant. Both county and state officials expressed disbelief, including Governor Mills E. Godwin Jr.

News stories from Washington, based on the report, said the board had found concrete evidence of chronic hunger and malnutrition in every part of the United States, as a result of either field trips or hearings.

The report itself said, "We have found concrete evidence of chronic hunger and malnutrition in every part of the United States where we have held hearings or conducted field trips."

A slight variation in wording but a difference of meaning of vast importance.

In Virginia, county supervisors, chairmen, welfare board chairmen and welfare superintendents answered, in effect: we have low-income families, we have families of varying incomes who have poor buying habits and more or less poor nutrition but no one is starving. Our health and welfare programs are taking care of our own.

The Times-Dispatch's study found that this reaction stands up well.

Among the early reaction were questions: How was our county selected? What criteria were used? When did they visit and whom did they contact?

None of these questions was answered in the news stories devoted to the highlights of of the 100-page report. The answers emerge from a reading of the report itself and its footnotes and glossary.

THE HEARINGS

Four hearings were held. None was held in Virginia. According to the report, there were hearings in Hazard, Ky., covering mountain counties of eastern Kentucky, southern West Virginia and southwestern Virginia; San Antonio, Texas, covering also counties of Texas Rio Grande Valley; Columbia, S.C., covering counties of Georgia as well as South Carolina, and Birmingham, Ala., covering also counties of Georgia as well as rural Alabama.

Although the report does not say so, it is understood that some Virginians from the southwestern part of the state were invited to attend the Hazard hearing.

The report says, "Each hearing attracted between 150 and 300 persons with from 24 to 42 witnesses actually being heard in the time available."

This indicates that no more than 150 persons testified at all of the public hearings.

Virginia was not visited on the board's 11 field trips; the nearest was into the slums of Washington.

According to the report the field trips were made into east Kentucky, the San Antonio area, the Navajo reservations of Arizona, the Indian country of South Dakota, the slums of Boston, Washington and New York City, and two each into Mississippi and the migrant labor camps of south Florida.

The report says the field visits were made by a board team, including a physician and/or nutritionist from August, 1967, to February, 1968. It does not comment on the size of the field crews or the duration of each trip.

THE CRITERIA

The board explains that it chose four criteria to designate "hunger" counties and attached "critical levels" to each. These are:

1. The percentage of poor (less than $3,000 annual income) families in the county population. The critical level was set at 40 per cent, twice the national average.

2. The rate of postneonatal deaths—infants dying between the first month and the first year of life—in the county. The critical level was set at 15 per 1,000 live births, twice the national average. (State Health Department records for the five years the board studied—1956–60—show that in Virginia 29 per cent of infant deaths occur in this period, with the remaining 71 per cent during the first month of life.)

3. The percentage of poor on welfare. The critical level was set as lower than 25 per cent.

4. The percentage of poor on federal food stamp or surplus commodities programs. The critical level was set as lower than 25 per cent.

SELECTIONS

The board said that if both of the first two criteria listed above and either or both of the third and fourth were beyond critical levels the county was designated as a "hunger county." Tabular data were included in the report showing the statistics and a map location for each of the 256 counties.

It further explained that if either of the first two criteria and either or both of the third and fourth were beyond the critical level the county was considered to have a "serious hunger problem." Counties in this category were not identified by name or statistics in the report but were shown as a shaded area on a United States map (Page E–1). [Not printed in RECORD.]

In Virginia the map seems to indicate that only some scattered rural sections and the major metropolitan areas, including Richmond, Norfolk, Lynchburg, Roanoke, Fredericksburg and nothern Virginia, escaped either classification.

SIGNIFICANT PROBABILITY

In setting the standards for the study, the report stated:

"The board would postulate that where one finds (1) a high incidence of poverty, and (2) a high postneonatal infant mortality, there is a significant probability that substantial hunger exists. That probability is heightened in those counties where the percentage of participation in any program designed to alleviate this condition—welfare, food stamp, commodity distribution—is extremely low.

"Where income is low, where postneonatal mortality rates are high, and where participation in welfare and food programs is low or nonexistent, it seems safe to suggest that

hunger and malnutrition are prevalent. On this basis we have identified hunger counties requiring immediate and emergency attention."

SOURCES

The report listed three reference sources for its charts. These were "County and City Data Book, 1967" by the U.S. Bureau of the Census, "Infant and Perinatal Mortality Rates by Age and Color, United States, for Each State and County, 1951–1955; 1956–1960" by the U.S. Department of Health, Education, and Welfare (1967) and "Food Assistance Program," an unpublished U.S. Department of Agriculture report dated December, 1967.

The 14 Virginia counties, under the board's criteria, do qualify for its designation of "hunger counties." The 14 exceed the board's "hunger" criteria in all four of the categories.

A key point, however, that puts a different complexion on the entire study and affects three of the four criteria is the use by the board of nine-year-old economic statistics—those of the year 1959 as reported in the census of 1960.

These 1959 census figures, which make no reference to family size, were used to compute the number of poor families. These comprise those making less than $3,000 annually, a level decreed some years later by the Office of Economic Opportunity as the "poverty level."

The board did not show the age of its data. Examination of the 1967 census data book show those dates were clearly marked 1959.

It is to their findings using the nine-year-old data that the board attaches such immediacy, saying that the 256 counties they name "involve desperate situations." The board calls on the president to declare a national emergency and institute emergency food programs within these counties.

In response to a reporter's inquiry, a board spokesman acknowledged use of the census figures, saying "They are the only figures available for a national study and accepted by everyone. We could not conduct an entire census."

In Cumberland County, for example, 65.1 per cent of the families in 1959 had incomes of less than $3,000.

A beginning teacher with a bachelor's degree in Cumberland County in 1959 received $2,650. Moreover, teachers in that county in the first three years of their careers were all making $2,950 or less.

In the intervening nine years Cumberland County, along with the rest of the counties and cities, has improved its teacher salary scales. Now the beginning teacher there is making $5,100 per year and those same teachers who were in their first year of teaching in Cumberland in 1959 are making $6,100 in this school year.

In the board's report, however, those latter teachers are still counted in the poverty class statistics. This serves to reduce the county's percentage of poor on welfare and the percentage of poor sharing in the federal food programs, two of the board's criteria.

The Board, in using 1960 census figures, disregards economic changes in these nine years. A study by the University of Virginia Bureau of Population and Economic Research last August shows provisional estimates of personal and per capita income of 1965 compared with 1960. (Personal income in the 14 "hunger" counties is included in the following chart.)

A STATISTICAL LOOK AT VIRGINIA'S 14 "HUNGER COUNTIES"

Counties	Data from Hunger USA				Data compiled from other sources by the Times-Dispatch								
	Percent poor families	Post neonatal mortality rate [1]	Percent poor on welfare	Percent poor on Federal food programs	Population (1960)	Percent nonwhite 1960	Infant deaths 1 day to 1 year 1956–60	Public welfare recipients, 1964	Beginning degree teacher salaries 1959–60	Beginning degree teacher salaries 1967–68	Total personal income 1960 (x 1,000)	Total personal income 1965 (x 1,000)	Total personal income Percent increase
Accomack	53.7	24.6	3.8		30,635	38.6	191	634	$2,750	$5,300	$36,133	$47,108	30.5
Buchanan	50.2	15.6	4.5	10.4	36,724		227	837	2,850	5,200	35,323	41,145	16.5
Buckingham	59.1	18.1	1.1		10,877	44.5	50	74	2,650	5,000	9,124	12,573	37.8
Charles City	43.8	16.7	6.2		5,492	75.5	23	149	2,700	5,200	5,820	7,835	34.6
Cumberland	65.1	15.2	2.4		6,360	54.2	32	100	2,650	5,100	5,221	7,684	47.2
King and Queen	48.5	20.1	3.5		5,889	52.1	24	100	2,800	5,000	8,010	9,679	20.8
Northampton	43.8	22.1	4.4		31.366	63.1	190	614	3,300	5,300	33,790	58,170	72.2
Nansemond	56.0	19.9	3.7		16,966	54.1	106	354	2,650	5,000	19,839	23,094	16.4
Prince Edward	49.5	17.0	3.0		14,121	39.9	60	213		5,100	17,137	22,961	34.0
Richmond	43.5	15.4	6.2		6,375	34.7	28	170	2,800	5,200	7,743	11,928	54.0
Southampton	59.3	16.9	3.4		27,195	59.0	178	407	3,100	5,100	34,476	[2] 31,357	[2] −9.0
Surry	55.4	16.0	1.9		6,220	64.7	37	66	2,650	5,000	6,100	9,133	49.7
Sussex	57.6	25.0	3.2		12,441	66.3	91	230	3,000	5,000	12,018	17,206	43.2
Westmoreland	49.3	15.7	6.7		11,042	46.8	54	371	2,800	5,200	12,145	18,347	51.1
Virginia	27.9	8.8			3,966,949	20.6	14,641	69,953	[3] 2,900	[3] 5,200	7,339,000	10,691,000	45.7

[1] Infant death rate per 1,000 live births, age 1 month through 1 year.
[2] Not strictly comparable; Franklin became an independent city after 1960.
[3] Median.

This shows an increase in personal income for the state of 45.7 per cent. The only "hunger" county to show a decrease is Southampton with a—9 per cent. The report says the figures for Southampton are not comparable between the two years as Franklin became an independent city in that interval.

Increases in total personal income in the remaining "hunger" counties range from 16.4 in Northampton to 72.2 in Nansemond.

The census figures naturally do not reflect the impact of industrial development in Virginia, a program pushed particularly during the past six years.

Otis L. Brown, State director of welfare and institutions, had seen in person the Eastern Shore reaction of "indignation" to the report. On learning the 1959 census basis for the selection, he commented, "The economy of the Eastern shore in 1959 and 1968 are two different economies. It is very fortunate that this type of report comes out saying that in 14 counties people are starving."

The percentage of Negroes in the population runs high in all of the 14 counties except Buchanan. The 1959 income statistics do not reflect the more recent development of the integration of labor forces, both men and women, in local industry.

For example, the supply of domestic help in both Cumberland and Westmoreland Counties, as elsewhere, has drastically declined in the past several years as new local industries have employed the women who were formerly domestics at lower wages.

Use of counties as a base without some weighting between rural and urban counties overlook the advantage of country-living where a farmer with $3,000, a garden and his own livestock to slaughter will live better than a person with the same money in an urban area where all food must be purchased.

A Virginia population specialist says that federal census economic figures do not include such "in-kind" payments which a rural employe might receive or a farmer would enjoy from his land.

The board's report inserts a parenthetical comment that in some rural areas $3,000 constitutes a livable income.

INFANT DEATH RATES

One of the major factors the board used in determining the "hunger" counties was the postneonatal mortality rate among infants.

The postneonatal period is that between one month and one year of age. Mortality rates are shown in numbers related to 1,000 live births in a given period. (Chart not printed in RECORD.)

The report calls the postneonatal mortality rate "a nutritionally related phenomenon." It says, "Although nutrition is not the exclusive factor causing death, it is the primary factor added as a cause of death during the postneonatal stage." This "factor added" does not make sense to one state statistician.

The board contends that the odds that the poor infant will die during the second to 12th months is approximately three times that of the non-poor infant.

For its study the report uses a U.S. Health, Education, and Welfare computer study, which shows the mortality rates for each county in the country. They are shown for three categories: the first month of life, the next 11 months, and for the entire first year of age. Rates only are shown; no actual numbers of deaths are included in the federal study.

In an effort to find how many baby deaths the report's rates were concerned with, the State Health Department was requested to supply the numbers for the years 1956 through 1960, the same period of the report.

The Health Department provided mortality figures by counties for the entire first year of life for those years and the state total for the postneonatal period. It does not, however, keep a breakdown by county of this latter and smaller breakdown.

Without going into the mechanics of the computations, the State Health records show—even using the larger totals of the entire first year—that consideration of rates by counties involves statistically small samples.

The 14 "hunger" counties range from 23 infant deaths over the five-year period in Charles City County to 227 in Buchanan County.

A State statistician, in considering the numbers which apply to the board's rates, said the rates become meaningless because of this small sample when compared with a national average.

He indicated that statistical error approaches 50 per cent as number samples become small.

The state health records also show little obvious relation to malnutrition among the infant deaths.

All state infant deaths are classified by 28 causes, ranging from congenital malformations and birth injuries through diseases and including accidents. Nutritional maladjustment is one of these 23 causes. In the

latest figures for all of Virginia—the year 1936—nutritional maladjustment is listed as the cause of death for nine children under 1 year among 2,129 from all causes.

Of the nine, one died in the first week, one in the second week, three in the second month and the remaining in the third month.

THOSE ON WELFARE

The board said in its criteria that to exceed its standard at least 25 per cent of a country's poor families would have to be on welfare. The board's source listed 1964 welfare recipients.

More recent figures on poor family numbers would not necessarily show a smaller percentage of poor on welfare in today's economy. The State Welfare Department estimates that in some categories, particularly aid to dependent children, the rate of participation is increasing faster than the rate of population growth.

It is difficult to relate welfare recipients to poor families statistically. In most categories welfare figures are listed by individuals and are reported this way in census reports. A couple receiving old-age assistance would constitute two recipients.

Welfare is a voluntary program. Even if a county would want to improve its statistical ranking it could not force its residents to participate.

Sumner P. Jones, welfare superintendent in New Kent County, made this point: "Virginia believes people should have a freedom of choice in welfare."

He said some people choose to live on less income because of pride or of not wanting to meet eligibility requirements, such as a lien on property in certain programs.

Jones said that when he gets an inquiry or referral from another source, he visits the home, explains the program and requirements and explains that a voluntary application is required. Some apply, some do not, he said.

The report implies there is an "other nation" of hungry and neglected. Jones says that welfare departments operate on the basis that for every case that is being serviced there is another eligible for assistance if he or she cares to apply.

He denies the "other nation" concept in his county. "They know we are here, that we will not turn them down," says Jones, who has no caseworker and does all the field work himself.

He says welfare gets an undeserved poor public image, adding, "Welfare does not take care of the bums. We take care of the kids, the elderly and the disabled, including the blind."

FEDERAL FOOD PROGRAMS

The board held that to exceed its standard 25 per cent or more of the poor would have to be receiving federal commodity distribution or food stamp programs in each county.

This was an automatic "critical level" for 13 of the 14 "hunger" counties because Buchanan County was the only one on the list to have either program and its percentage of the 1959 poor was only 10.4.

The board in its text of the report dwells on specific problems of poverty and malnutrition in Washington, Boston and other cities. The use of counties as a base for selection, however, leaves cities completely out of their map.

Their selection of counties by their four criteria reveals no "hunger" west of the Rocky Mountains and none east of the Mississippi and north of the Mason and Dixon line except one county with an Indian reservation in upper Wisconsin.

The use of counties as a base is commented on by the report which says:

"Use of counties as the basic geographic and statistical unit necessarily overlooks smaller pockets of intense privation indicated by census tracts within those counties. This tends consequently to understate the extent of malnutrition and hunger in urban areas where census tracts of the poorest areas will be averaged with other more affluent census tracts to be found within the same county."

Whatever logic the board used to make its base for study, the results brought glaring publicity to 14 Virginia counties where the "hunger" they allege does not appear to exist. At the same time the well-publicized ghettoes of Watts, Chicago, Washington, New York and other cities evaded the "hunger" classification.

PROBE BY T-D FAILS TO FIND HUNGER AS DEFINED BY BOARD

Despite the claim of the Citizens' Board of Inquiry into Hunger and Malnutrition that "it seems safe to suggest" that hunger and malnutrition are prevalent in 14 Virginia counties, a Times-Dispatch on-the-spot check failed to find hunger as the board defined the word.

Virginia is not Utopia. What was found was: hunger to some degree at times, plenty of low-income families, malnutrition to some degree in all economic brackets, irresponsible parents, some parents—one or both—with a drinking problem, seasonal employment, a need for more industry in some counties and laziness.

It was not difficult to see substandard housing in traveling the back roads, substandard by any reasonable yardstick. A reporter heard of cases of neglect of children by parents of low mentality, low morality and mental disorders. He also heard of poor housing, no plumbing, a distant spring the only water supply. There was also a welfare case-worker who said none of her cases had planted gardens, although ground was available in every case.

But not the grinding, multiday, totally mealless hunger the board implies.

In a sampling of opinion in six counties, 24 persons whose daily work brings them in close contact with the poor were interviewed, together with some of the poor themselves.

Only one family was turned up which fitted the board's own definition of "hunger" or "chronic hunger," "a condition where people are forced to go for days each month without one full meal." This one family was described as a case where both parents have a drinking problem.

The board's definition was further narrowed in the interviews to ask if families were known to them who went even one day without at least one full meal.

This was the question asked of welfare department caseworkers and superintendents who carry part or all of their county's caseload, health department nurses or directors, home extension workers and principals of elementary or combined elementary and high schools.

Four of the six counties—Buckingham, Charles City, Cumberland and King and Queen—were selected at random from the 14 "hunger counties." The other two, King William and New Kent, adjoined two of the "hunger" counties, shared similar geographic and economic areas and were in the board's secondary classification of "having a serious hunger problem."

With the one exception of the family where the parents neglected food for the family to buy alcoholic drink for themselves, the response was uniformly negative to the question using the board's definition of hunger.

"We have plenty of poor families but none is that bad off," said a Negro elementary principal. "There is none in either county in which I work," was the response of a home extension agent. "I have not seen any such family in my 20 years of work," said a public health nurse.

And so the responses went, county by county.

Employment is generally a good indicator of how a county fares. Comments on this factor recurred through the conversations.

King and Queen County, with sawmills the primary employers, is within commuting distance of employment in Tappahannock and West Point.

A King and Queen woman, a rural storekeeper, commented that the sawmills cannot find enough labor. "None are hungry near me and no one buys fatback and beans much these days," she said. She noted that some cut their food short because they have too many time payments to make.

She commented that Negroes now work alongside the whites and get the same wages. She said "most people were amazed" at King and Queen's hunger classification and said she felt it was exaggerated.

J. R. Williams, postmaster and operator of a store at Crouch in King and Queen, said, "There is no trouble getting work." He did not know of any hungry families.

He knew of one family heavily in debt but the man had been discharged for drinking from an industrial job in Tappahannock which paid from $2 to $3 per hour.

Williams said he knew of a family some years ago that ate directly off their table for lack of dishes but operated a Buick car.

In Charles City County, Richard Chamberlin, assistant director of the county's poverty program, said, "People are up in arms over the hunger report."

He said the county has only one employer—a sawmill—but residents commute to Richmond, Hopewell, Williamsburg and Newport News to work.

Chamberlin checked his neighborhood workers for a day before answering the hunger question. He then said none was found who fit the definition. One woman, "quite old and lacking income," was able to fix only one meal a day for herself. Chamberlin said she had been referred to the county public health department and subsequently to the welfare department.

The Rev. Thomas G. Garner, chairman of the county welfare board, was contacted in the temporary absence of welfare workers. He said the county's problem is not hunger but a need to obtain industry to provide a tax base in rural Charles City County.

He said that there is much private charity done in the county by civic groups and private citizens. The bulk of the county welfare budget goes for aid to dependent children and foster care. General relief, the category which provides emergency aid, is a small item in the budget, he said.

This general relief category, a standard item in local welfare budgets, allows welfare departments to give funds or grocery credits for family emergencies such as outdoor workers being out of work due to bad weather or injuries. It is the local hunger fund.

When questioned, each welfare agency said such general relief funds are available to more than meet current requests.

Mrs. Mary Whitt, welfare superintendent and the only caseworker in King William County, said, "There is not a person hungry in this county unless the hunger is self-inflicted." She said the men commute to Richmond, West Point or Williamsburg for employment or work in county sawmills. Women work locally or travel to Richmond suburbs to work as domestics.

"If you want to work, you can find work," Mrs. Whitt said. She added that some persons do not want to pay taxes and will work only as much as will keep them out of any tax bracket.

Mrs. Louise M. Swartz, welfare superintendent for Buckingham County who also carries the full caseload, said she does not know of anyone hungry by the board's definition.

"There is none more kind nor concerned than a rural community. It has a code of ethics about people in need. This is not something everyone understands," she said. "It is different in the country than in town. People who need it can get credit in stores. I don't think this is true in urban communities."

Mrs. Carolina Jones, principal of Lawson Elementary School in King and Queen County, said much the same thing. She noted that organizations and individuals, such as Ruritan clubs and women's clubs, step in and help when needs arise. She has seen hay for horses delivered along with food for the families.

Additional questions were asked of school principals to see if they know of children coming to school without breakfast and if any went without lunch of some sort.

The board's report alleges, ". . . a majority of poor children are forced to pay the full price for school lunches or go without. The school lunch in fact operates for the benefit of the middle class."

This was not what a Times-Dispatch reporter found in 10 schools he visited.

In these 10 schools lunches were bought by 50 to 98 per cent of the student body. The balance brought lunches from home or purchased snacks at the school.

All of the schools give free lunches to those in need, a total of 420 in the 10 schools (with a total enrollment of 5,313) surveyed. The numbers given in individual schools range from three in a King and Queen County school with 247 students to 95 lunches in a Cumberland County school with a student body of 951. These free lunches are financed from the school's lunch program, federal money supplements or both. Those schools with a large percentage of low-income families are called "target" schools.

Last year a target school in Charles City County with 600 students provided 70 lunches daily to needy children at the expense of the school's lunch program. This year it is still giving the 70 lunches, but federal funds now pay for 60 and the lunch program local income provides the remaining 10 .

In all but one of the 10 schools the principal said the free lunches being given are filling their current needs and some additional lunches could be provided if needed. The other school said it could use 15 or more additional free lunches.

Mrs. Jones' Lawson Elementary School in King and Queen, one of the target schools, has benefitted from the federal allotment to aid the lunch program. Able to bring the lunch price down to 15 cents compared with the usual 30 cents, the school finds 97 to 98 per cent of the students able to purchase their lunches. Five families cannot afford to pay and the 17 children are given free lunches.

In addition the school has a free milk program under which the lower three grades get morning milk three days a week and the upper three grades get milk twice each week.

Many patrons in her school are pulpwood workers subject to layoffs in winter weather. Mrs. Jones noted that in February during bad weather some children ate two school lunches, probably because of a shortage of food at home, she said.

The poor were less than anxious to talk with a stranger asking questions about hunger and employment. Some would give a polite but evasive answer such as, "Yes, there is a little work around," or jest about wanting more food than they have.

A Negro elementary principal said that welfare alone is not the answer, that youth need to be given the incentive to get an education for a trade. As often as possible he finds small chores to give those who get free lunches so the youths feel their lunch is being earned.

Another, who said he would bet that the board's report was not a true statement regarding his county, said, "People can get help if they need it."

He added, "Negro children can get all they need today if they have any 'git up and git.' I wish I had had as much opportunity."

Comments on breakfast at home or the lack of it were scattered, but one school, King William High and Elementary School, had recently done a survey among its students.

Mrs. Olivia Lennon's home economics students took the unannounced poll in midweek among the school's 403 students present that day and found that 44 had had no breakfast at all, 206 had eaten a poor breakfast by dietary standards which include five nutritional elements, and 153 had a good breakfast by the same standards.

Of those who ate no breakfast, Mrs. Lennon said the largest number stated they were not hungry, two said there was no one to prepare breakfast for them, and the balance said they did not have enough time to eat.

STARVATION REPORT DENIED BY 134 COUNTIES

No starvation exists in at least 134 of 256 "hunger counties," according to the chairman of the House Committee on Agriculture, Rep. W. R. Poage, D–Texas.

After the report charging "chronic hunger and malnutrition" was issued by the Citizens' Board of Inquiry into Hunger and Malnutrition in the United States, Poage wrote to public health directors in the 256 "hunger counties" asking if they knew in their county of (1) actual starvation or (2) serious hunger occasioned by inability of the individual to either buy food or receive public assistance.

Replies indicate no case of actual starvation but numerous instances of malnutrition, Poage said last week.

One who replied was Dr. Andres G. Oliver, health director of King and Queen County, who wrote Poage in part:

"We are not aware of one single situation of actual or near starvation among these people and I do not have any personal knowledge of any degree of hunger in this county occasioned by the inability of the individual to either buy food or receive public assistance."

LISTEN TO YOUR LEADER, MR. VICE PRESIDENT

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. ASHBROOK. Mr. Speaker, it was almost if President Johnson had HUBERT HUMPHREY in mind when he made his statement to the American people urging them to cease divisiveness and economic antagonism.

It brought to mind, immediately, the statements of the Vice President during the heat of July and last summer's riots. I have never heard a more irresponsible statement from a high-ranking public official and Mr. HUMPHREY, as a candidate, should pledge that he will never again indulge in such divisiveness and appeal to people's emotions as he did in this irresponsible speech.

I submit for the RECORD the pertinent portions of his address to the Conference of the National Association of Counties. These quotations are taken from page 19 of the July 19, 1967, issue of the New York Times. The article was datelined July 18, New Orleans, and is as follows:

PORTIONS OF HUBERT HUMPHREY'S SPEECH TO CONFERENCE OF NATIONAL ASSOCIATION OF COUNTIES

Without rent supplements or rent subsidies for the poor he said, "we will have open violence in every major city and county in America. People will not live like animals nor should they live in some of the filthy rotten housing that makes up urban ghettos. I would hate to be stuck on a fourth floor of a tenement with rats nibbling on the kids toes—and they do—with garbage uncollected—and it is—with the streets filthy, with no swimming pools, with little or no recreation." If I were forced to live under such conditions, said Mr. Humphrey, "I think you'd have more trouble than you have had already because I have got enough spark left in me to lead a mighty good revolt under those conditions."

"You have to make a choice whether you want all your low-rent housing to be federally owned, whether you want subsidies so that the poor can own their own homes, or whether you want violence in America. What makes you think that the children of the country club ought to have a swimming pool and the kids in the slums ought not to have one?"

FOREST SERVICE DEVELOPS LOW-COST HOUSE

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. KASTENMEIER. Mr. Speaker, the Forest Products Laboratory of the Department of Agriculture is located in my district at Madison, Wis. Its development of many uses for wood and wood products has repaid its cost to the Federal Treasury many times over.

It now has developed a new system of house construction which gives promises of savings of 10 to 15 percent—or even more—over costs of comparable conventionally built houses.

The Laboratory is a facility of the Forest Service, U.S. Department of Agriculture.

The test of design and cost estimates is being made on a full-size prototype house now nearing completion, according to Dr. H. O. Fleischer, Director of the Laboratory.

He reports that economical construction is being achieved by extensive use of lower grade, 1-inch boards, as well as design of components for walls and roofs, so they can be factory produced and assembled quickly at the building site. Use of component units reduces labor costs.

The five components, designed by L. O. Anderson, who is in charge of housing research, are first, a wall unit markedly different from conventional stud-and-plate framing; second, a roof truss; third, a roof covering combining conventional sheathing with a waterproof new plastic surface; fourth, an exterior wall covering combining conventional sheathing with finish siding; and, fifth, an interior wall covering.

A notable feature of the house is its wall component designed not only for strength and heat insulation but for deadening sound. The sound-deadening element, Anderson explained, is a fiberboard diaphragm with exterior surfaces covered by small shallow holes that trap sound waves. It looks much like an acoustical ceiling tile.

Another innovation is the use of modern waterproof adhesives both in the components and for assembly of the structure. This reduces the number of nails needed. Moreover, the few nails used are hidden by overlaps in roofing and siding to prevent possible rusting and discoloration.

Probably the sharpest departure from conventional light-frame house construction, Anderson says, is in the exterior walls.

Studs are spaced 4 feet apart, in pairs. They are placed broadside on the wall surfaces, instead of edgewise. Gaps are left between studs of each pair, into which the edges of adjoining fiberboard diaphragm sheets can be sandwiched. A mastic adhesive and a minimum number of nails fasten the edges firmly to the studs and in grooves cut into the top and bottom 2-by-4 plates.

The unusual design of the roof truss is also planned to simplify manufacture and whittle construction costs. Covering it is the "plastic-plank" roof component—actually a sandwich of plywood and low-grade lumber, over which is bonded a plastic film of polyvinyl fluoride. This film has an asbestos backing that increases fire resistance.

Each course of roofing is fastened to each truss with a ribbon of mastic and a single nail along the outer edge. This nail is then covered by the lower edge of the next course. Joints between adjoining pieces of a course are sealed with polyvinyl fluoride tape.

The exterior wall covering component consists of low-quality boards to which are glued one or more thin courses of high-quality wood siding. Several variations of design have been developed by Anderson so conventional bevel, tongue-and-groove, or shiplap patterns can be used. As with the roofing, courses of siding overlap to cover nails.

In both roofing and siding, Anderson points out, the main function of the nails is to hold the covering firmly to the framing while the mastic sets.

The component developed for covering interior walls and ceilings consists of gypsum board, to the back of which are bonded low-grade boards. This component is nailed to interior framing. Standard drywall finishing techniques are then used.

Fiberboard used in the exterior walls is a good insulator, but the insulation is improved by a covering of aluminum foil, which reflects heat. It is estimated the wall has an insulating value comparable to finished conventional frame walls with 1½ inches of insulating blanket between the studs.

Construction of the house on the laboratory grounds in an area of several acres to be used as a building research park, is only the first phase of a rigorous experimental program, reports Dr. Fleischer.

The house, with floor area of 1,120 square feet, is "wired" for experiments to determine the efficiency of its walls for both heat and sound insulation, rigidity of the structure as a whole in the extreme weather conditions of Wisconsin, and the durability of the adhesives, nails and other fastenings used to make components and join them together.

Several types of flooring, ranging from conventional oak strips to experimental press-dried material, have been installed to determine serviceablity. Sections of two end walls are closed in only temporarily, so they can be replaced from time to time with other wall construction ideas..

Observations and tests on the house will be made periodically.

WASHINGTON REPORT

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. MINSHALL. Mr. Speaker, under leave to revise and extend my remarks, I wish to place the following newsletter in the RECORD:

WASHINGTON REPORT, JUNE 1968

(By Congressman WILLIAM E. MINSHALL, 23d District, Ohio)

HOUSE PASSES SAFE STREETS LEGISLATION

On June 6th, the day of Senator Kennedy's tragic death from an assassin's bullet, the House voted 368–17 to approve the Senate-amended version of the bill. As this newsletter is written, the measure awaits White House action amid rumors of a Presidential veto. The President has expressed dissatisfaction with the provision banning interstate sale "on a mail-order basis of firearms other than a rifle or shotgun." In approving the conference report the House was given no opportunity to amend any part of the bill. The legislation, however, also overrules Supreme Court decisions on confessions and police line-up identifications, and sanctions court-authorized wire-tapping by certain Federal agencies. With a crime explosion of 88% in the last 7 years, many feel the Safe Street Act must have urgent priority to help restore law and order to our nation . . . *With all the turmoil and sorrow over the terrible Los Angeles tragedy, the thought occurs:* Why hasn't the President's Attorney General arrested Stokely Carmichael and other fanatics who threaten our government, our leaders and our citizens? As I have repeatedly pointed out to Attorney General Clark—and as reported in my August, 1967, newsletter—these hoodlums are breaking laws which have been on our statute books for years. Yet the Attorney General permits them to roam our cities unhindered.

"The whole world is following us with attention," said North Vietnam's negotiator Xuan Thuy as peace talks began in Paris. Global attention is riveted on Hanoi's actions, not only at the conference table, where its polemics are subverting progress, but also in South Vietnam. There Hanoi's stepped-up savage attacks are inflicting record casualties on civilians and military—and enemy infiltration has intensified 10 times over the pre-Paris figure. Talking peace while escalating killing is strictly by the Communist rule-book, as witness the 2 years of negotiations during which 20,000 lives were lost before a settlement was reached in Korea.

. . . *The Citizens' Committee for Peace with Freedom in Vietnam,* headed by ex-U.S. Sen. Paul Douglas (D-Ill.), numbers among its members former President Eisenhower, Dr. James B. Conant, Archbishop Robert E. Lucey and Generals Omar Bradley and Lucius Clay. They caution: (1) U.S. thinks of negotiations as a road to peace but Ho Chi Minh regards them as another way to fight the war; (2) Americans should not be deceived or discouraged by Communist rhetoric; (3) Hanoi hopes to capitalize on U.S. impatience to end the conflict—such impatience, the committee feels, could adversely affect chances of productive peace talks.

Poor Peoples' Campaign is well established in its plywood tent city near the Lincoln Memorial, appears permanent despite discomfort, crowding and vagaries of Washington weather. A small delegation from the Cleveland area called on me, but failed to return at my invitation for a lengthier visit. I had hoped to discuss with them two bills I have introduced to help alleviate poverty problems—H.R. 8881, to create a National Home Ownership Foundation to aid low-income families to finance home purchases, and H.R. 17145 to establish a Commission on Hunger . . . Most of those involved in the Poor Peoples' Campaign appear to be sincere, but a few militants in the group keep the Nation's Capital on the alert for any signs of violence.

The Minshall truth in negotiations bill was passed by the House May 6, now awaits action in the Senate Committee on Armed Services. My legislation would require Defense Department auditors to examine books of military contractors for over-charges. Resulting refunds to the government—and savings to the taxpayers—could run into hundreds of millions of dollars if this measure is enacted.

Vacationers! While my limited supply lasts, my office has available a useful guide for those of you planning a summer camping trip. The 1968 National Park System Directory lists 571 campgrounds—28,115 camping sites in 78 national parks, seasons for each area, and duration of stay permitted.

Watch for Minshall Opinion Poll Results—Thousands of returns have been received and continue to pour into my office daily. They are being data processed and results will be sent to you in a future mailing.

DO NOT LET THE HONEST POOR PEOPLE BE USED BY SPECIAL INTEREST SEEKERS

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. BUSH. Mr. Speaker, several weeks ago, along with two other Congressmen, I visited Resurrection City. This was before it was evident that the Poor People's March was rapidly deteriorating into a power struggle at the expense of those honest poor people who made this long and often arduous trip to petition their Government.

During the course of our visit, we were fortunate enough to have the chance to meet and visit with Reverend Abernathy and several of the other leaders.

After my return from the camp, I wrote Reverend Abernathy a letter which I would like to place in the RECORD at this time.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 28, 1968.

REV. RALPH ABERNATHY,
Washington, D.C.

DEAR REVEREND ABERNATHY: On my recent visit to your encampment I was impressed with the attitudes you expressed concerning law and order and the nature of your legislative program. However, this is not what is quoted in the press nor is this how your people sometimes act when away from the camp.

These forays into the public schools, the demonstrations on Capitol Hill and the incident yesterday in the Department of Agriculture cafeteria are inexcusable. On our visit to your camp, one of my colleagues

asked a lieutenant what would happen if your camping permit was not renewed past June 15. He replied that you would stay anyway in violation of the permit. Yet this is a direct contradiction to your desire to obey the law. I was surprised when one leader was quoted in the press as being critical of my visit to the camp. Concerned Members of Congress should see what is going on.

I went to the camp with an open mind, but regretfully I am much more concerned now than before my visit. These incidents and pronouncements are alienating people of good will who want to help poor people. I am most disturbed by the powder keg atmosphere of the whole march. And I can't get over the feeling that there are those on your side now who want to see you fail—both inside and outside of your camp.

You told me that your fundamental concern was jobs. I continue to be troubled by the fact that you are widely quoted as advocating legislative goals in direct conflict with this objective. You are asking for a $2.50 minimum wage, one million federal make-work jobs, and a guaranteed annual income. These goals are counter-productive to permanent employment. Statistics indicate that every time the minimum wage is increased the unemployment rate of teen-agers, particularly non-white teen-agers, rises substantially. As to make-work jobs, I would prefer to see legislation which will put people to work in permanent private industry jobs.

The Human Investment Act would give the private sector tax credits for more efficient job training. Moreover, your people would be guaranteed a job at the end of training.

The Percy-Widnall Ownership Act can help people own decent homes.

The Rural Job Development Act of 1968 would encourage private industry to locate outside the ghettoes, to help the poverty stricken in rural areas find jobs, and to reverse the flow of poor people to the cities.

A National Skill Survey would match up existing jobs with available able-bodied workers.

Technological Education for the Future is a clean new look at vocational education.

I could go on and on down the list. There are so many exciting new ideas which can work if given the chance, but they will never have the chance unless we realize that the present programs are not working. I urge you to set and publicize a termination date for this march, to repudiate those who preach or practice breaking of the law, and to exclude the possibility of violence as a weapon.

I further urge you to appoint from your Committee of One Hundred a top level committee to work for new legislative answers. Explore the alternatives I have suggested.

The people who have authored this legislation would be delighted to discuss it with you and would welcome any constructive criticism and support.

Do not let the honest poor people who have come all this way be used by the special interest seekers within your camp. Accept the challenge of changing the system within the law by shifting the emphasis of this crusade, after your forthcoming major meeting, from camping and demonstrations to seeking new answers. Put all the brainpower you have available towards seeking workable programs.

This Congress will not buy threats. It will not condone violence. It will not accept legislative goals which are financially impossible and which lack inventiveness and stifle the initiative of the individual.

On the other hand, it will consider new approaches. It will protect a citizen's right to peacefully and lawfully petition. And, contrary to some of the statements coming from those around you, the Members of Congress are for the most part vitally interested in the welfare of those honest poor people you represent.

I hope you will consider these suggestions and will favor me with an immediate reply.

Yours very truly,

GEORGE BUSH,
Member of Congress.

In view of the events of the last few days within the camp, the suggestions contained in this letter seem more relevant than ever. Unless these people can settle upon worthwhile goals the march could deteriorate into a useless exercise in democracy for those among it who are sincerely trying to help the poor.

I have not heard from Reverend Abernathy but I hope he will consider the constructive suggestions I made on May 28.

AMERICA IS TOO GOOD TO DIE

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. ROONEY of New York. Mr. Speaker, our country is presently in a mood of somber reflection. The respected Rabbi David B. Hollander issued some challenges and thoughts for such reflection in an interesting and timely article which appeared in the Friday, May 10, issue of the Day-Jewish Journal entitled "America Is Too Good To Die."

I would like to share this article with you. Under the permission heretofore granted my by unanimous consent of the House, I include the article, as follows:

AMERICA IS TOO GOOD TO DIE

(By Rabbi David B. Hollander)

There is a well known, incisive Jewish saying based on the sequence of three current Sedras, two of which we read on this Sabbath. That saying is: "Achre Mos," after one is dead. "Kedoshi Emor," then will people first speak well of him.

That this is so is sad, but true. It is especially sad when it is applied not only to individuals who have to literally or politically die before their true worth is recognized and appreciated, but to whole movements, societie's ideas and opportunities that are rejected and ridiculed while they are around, and only years after their disappearance do people look back and wish they had appreciated and supported them before it was too late.

Looking at America today, a land which with all its human failings is by far the best country in the world not only economically, but also by the standards of liberty and human rights, one is deeply concerned about the applicability to it of the above observation concerning an appreciation which comes after it is too late. For, we are witnessing the tearing apart of this country by self-seeking, self-deluding, reckless forces from within. Self-styled arrogant "moralists" have been viciously and falsely attacking America, depicting it as a society callous and cruel, the leaders of which (especially Lyndon B. Johnson, and since his declaration against seeking the presidency, it is Dean Rusk and others they are after), delight in war and aggression. The effect of these savage assaults exempting our enemies of any blame, is only beginning to be apparent. Much more serious consequences can be expected for America and for the decent segment of mankind of all races. Seeing that it is possible to so brutally distort and blacken the image of an America that brought freedom and dignity to untold millions, one is haunted by the dreadful possibility that America may die—a victim of these forces. When and if, God forbid, that happens the very people who actively or by silence helped bring about the death of freedom, will discover with aching nostalgia that the America they attacked and derided as decadent racist and hypocritical was really "Kedoshim," a great and noble country, as human societies go. But by that time we may be languishing under some tyranny of the left or the right, or an insane mixture of the two, and our "Kedoshim-Emor," our cry that it was a great country we permitted to disintegrate, will have to be stifled into silent weeping.

One may ask what especially in the current situation is so grim as to justify such dark fears? Perhaps the answer can be found in the reference to the strange death by fire of the two sons of Aaron, mentioned in this Sedra.

We are witnessing these days the fiery internal spiritual death of some of our most promising intellectual youth on the college campus who commit savage, violent acts but claim to do so in the cause of peace and humanity and justice. While no comparison is possible between the fiery incident of the sons of Aaron and our current "priests" in the halls of learning, there is one crucial aspect in the death of the young Kohanim that is disturbingly similar to the flame and fury of the young intellectuals and their pseudoliberal apologists. What is that aspect? Our sages charge the young Kohanim with contempt for their elders' competence as leaders of our people and a desire to take that leadership into their own hands—all with the best of intentions. It is because of this attitude, say our rabbis, that their souls were burned out by a fire from G-d. What is at the center of the gripe of the rebellious youth? Why, in a society like America, where there is full freedom of speech, do they fight with fists instead of ideas? Putting aside the thread facade made up of high noble concepts such as "consicious" and "morality," what they are really after is to take over from their elders at home, on the campus and in government. The sheer fact of age, independent of issues, determines their attitude. An eminent Columbia psychoanalyst commenting on the savage riots at Columbia University stated (see N.Y. Times, May 5, 1968), that "the real goal of the rebelling Columbia University students is the radicalization of the faculty." It is this attitude of contempt for the older people whom they charge with having callously made a mess of 'their' world that explains the foul insults, the booing and stomping of the feet used against L.B.J. and others who endured agonized nights in the heartbreaking decisions of the war in Vietnam, and against their deans and professors whom they did not only insult, demanding "they must go," but some of whom they even locked up as hostages and rifled their files and correspondence.

But beyond this one aspect of similarity, namely, the adoration of the wisdom of youth and the claimed incompetence of the elders, there is a most significant point of difference between the story of the young Kohanim and our current situation. That difference is that when the death by fire occurred, we are told "Vayidom Aharon"—Aaron was silent. It was a conscious and eloquent silence (see Lev. 10:3). It was a silence of meditation of analyzing the causes and above all of adhering to the rules and regulations. "Velo Somusu"—so that there may be no further death." Lev. 10:9). But what a difference in the reaction of the "Aarons," the elders, of our time! Unlike Aaron and Moses and the

others who witnessed the tragedy and learned and applied its lesson, we read and hear tributes to and defenses of the rock-throwing "intellectuals" by professors, "liberal" columnists and public officials with an eye on votes. Such noble concepts as idealism and private conscience are ascribed to the youth who do violence to these concepts by acting contrary to them in every detail. No clear, unequivocal condemnation of law breaking and violent arrogance is heard from these quarters. How blind and forgetful are these elders (in the eyes of the youth) whom they defend, they are much more than that when they overlook at this self-same argument of "private conscience" which is "higher" than the law, was used to bring about the rule of Communism and Nazism.

Dr. George Miller of Cornell expressed great fear lest we accept the "very seductive idea that the student violence is justifiable when dictated by private conscience" and he added that "the same justification can be used by Georgia Red Necks, Klu Klux Klanners and Nazis" (N.Y. Times, May 5, 1968).

This is why, the dreadful possibility that America may die, is alas, not mere dark fantasy. The reaction of the "liberals and intellectuals" against the use of the police to get students to leave buildings they occupied and damaged (after they refused to leave peacefully), is a measure of their blindness. What else but the law stands between us and anarchy? Shall we perhaps put our faith in the "law" of "student power"? You say that justice and private conscience are superior to the law, but in whose justice and in whose private conscience shall we place the safety of life itself? Do we not have a greater say in the public law through the democratic process, than in the highly subjective "private conscience?"

The real moral issue is law versus anarchy. Judaism commands that we pray for the rule of law, not because it is perfect, but because without it another "law" takes over when "one man will swallow his fellow man alive" (Ethics of the Fathers). Some believe that to apply the force of law is to further harden the attitude of the rebels. But the method of not applying the law has had an even worse effect. This is true in the case of Germany, where "education" instead of law was used to "eradicate" Nazism. The result of this method is now in the headlines of the rise of Nazism in that country. The UN did not use the law against the Arabs in 1948, who defied it and made war on Israel, but look at the results today. In Judaism, too. there were and are those who said if you insist on the law, you will lose all, drive the people away. But we see today that only that segment of Jewry which stuck to the law, is loyal to Judaism. The lesson, therefore, is that following the tragic death of the young Kohanim, the Torah reinforces the power and authority of the law.

Only then can we hope to still the fires of revolt and death of the spirit and to keep America alive as a refuge and hope for a free world.

EFFECTIVE FIREARMS CONTROL LAW NEEDED

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. TENZER. Mr. Speaker, last week the House of Representatives approved the omnibus crime bill, including a weak firearms control provision. Since January 1965 I have favored more effective gun control legislation.

The tragic events of the past week compounded by the rising crime rate and the other brutal and senseless assassinations of past years have highlighted the immediate need for a strong and effective gun control law.

In addition to the mail-order ban on the sale of handguns, I will support legislation which will include the following:

First. Inclusion of rifles and shotguns in the mail-order ban contained in the 1968 Omnibus Crime Control Act.

Second. That we urge the Governors and legislatures of the 50 States to establish regulations covering the registration of firearms of all types—with Federal authority should the States fail to establish satisfactory standards within a reasonable time fixed by law.

Third. Minimum regulations covering the licensing of all firearms by State and local law-enforcement agencies with Federal authority should the States and local governments fail to establish satisfactory standards.

Fourth. A census of all firearms to be immediately conducted by the States and local governments in cooperation with the Federal Government for the purpose of applying registration and licensing provisions to existing firearms as well as newly purchased firearms.

Mr. Speaker, in the weeks and months ahead, I believe the American public will demonstrate that it is ready to speak out in favor of meaningful and effective firearms control legislation. The signs have already appeared. Groups are organizing in local communities—meetings are being held—endorsements calling for legislation are pouring into offices of legislators in favor of realistic gun controls.

There is need for a national citizens' committee—a citizens' lobby to rally behind such proposed legislation in order to counter the efforts of the National Rifle Association and other groups who lobby against any and all gun control legislation.

Such a national citizens' effort could shed light on the subject of firearms control—educate the people—acquaint them with the true facts and dispel the misunderstanding about gun control. Why should sportsmen or conservationists or gun collectors or people concerned about the protection of their homes oppose proposals such as I have outlined above? They have been told by the National Rifle Association that gun controls mean an end to the constitutional right to bear arms—that it will be impossible to obtain a gun for a legitimate purpose. Nothing can be further from the truth. It is about time that we in the Congress stood up and spoke out as one voice to deny the irresponsible charges of the National Rifle Association. Let us remind our citizens that they also have a constitutional right to own an automobile—but it must be registered and each person must have a license to drive a car.

Let us bring to the forefront of public attention the frightening statistics about guns and their contribution to crime in our Nation.

Let our citizens know that it is estimated that there are 100 million guns of all types in the hands of our 200 million population.

That more than 3 million weapons which spell potential death were sold in 1967 alone.

That more than 6,500 persons were murdered in 1967 where a gun was used as the weapon.

That there were 43,000 aggravated assaults and 60,000 robberies committed with firearms last year.

That each day, 50 lives—more than one every half hour—are destroyed by firearms.

That since 1900, three-quarters of a million people have died in the United States by firearms, more than in all our wars.

That in 1967 alone, assaults with a gun rose 22 percent and one out of every five assaults is committed with a gun.

That firearms are used in 58 percent of all robberies.

That countless thousands have been injured, crippled, and maimed by accidental firing of guns.

That snipers' bullets have killed many and injured thousands.

That snipers have deterred policemen and firemen in the performance of their duties and injured many of them.

That snipers' bullets have killed many and injured countless thousands of innocent people walking in the streets—engaged in peaceful pursuits—riding in passenger trains, or in automobiles.

That the United States has a higher rate of deaths by guns than any nation in the world and that we also have the least amount of gun control.

Is it because the others do not have a National Rifle Association?

If our laxity in passing more effective gun control laws is one reason for the growth of our crime rate then why in the name of sanity do we not pass the necessary laws to control, regulate and license the manufacture, shipment and sale of guns of all types.

Under the strictest of the various gun control bills, it would be relatively simple for a responsible person to apply for a gun permit or be able to register a gun for any legitimate purpose.

Such laws will at least afford us an opportunity to control possession or purchase of a gun—by persons convicted of a crime, by the mentally ill, by persons under age, and by persons under severe emotional strain or stress who seek to purchase a gun and provide an outlet for such emotions.

Is it unduly restrictive to ask those who want to purchase a gun for a legitimate purpose to do so within the state in which they reside, to register the gun and to apply for a license from their local police authority?

Such procedure may result in a short delay, but at the same time, it may result in dramatically reducing the number of guns purchased by criminals, the mentally unstable, those under age and others not entitled to purchase them.

On Long Island, New York, a Committee for Effective Gun Control Legislation has been organized with offices at 381 Sunrise Highway, Lynbrook, New York 11563, with Albert Vorspan of Hewlett as chairman; Joel Robinson, of Woodmere, and James F. Demos, of Baldwin, as vice chairmen; and James N. Fazio, of Island Park, as secretary. At a meeting held over the weekend the following resolution was adopted and approved:

Wheras the assassination of President John F. Kennedy, Medger Evers, Dr. Martin Luther

King, Senator Robert F. Kennedy, and others have demonstrated the urgent and immediate need for more effective measures to control the irresponsible use of firearms, of all types,

Now be it resolved, the undersigned, urge the Congress of the United States to strengthen existing gun control laws by adopting the strongest possible legislation to control the interstate sale and possession of firearms, including rifles and shotguns, and

Be it further resolved that the undersigned urge the Governors and the legislatures of each of the fifty States to adopt the strongest possible legislation to control the sale and possession of firearms, including rifles and shotguns, and to provide for registration of such weapons.

The committee is inviting residents of Nassau County to join in this effort to obtain effective gun control legislation. It is planning to give wide circulation to petitions including the above resolution.

The petition will include the following legend:

Authority is hereby given to all persons and organizations, without prior consent, to duplicate this petition and to circulate the same in any part of the United States. Such petitions, obtained in the State of New York, may be mailed to this Committee at the address given. Petitions obtained outside the State of New York may be forwarded to Members of Congress or to the Governors of the respective States.

The committee is also planning to call on the clergymen of all faiths to speak out on the issue and call upon all citizens of good will to help reduce crime in the United States and help carry out the purpose and intent of the petition.

I heartily endorse the efforts and aims of this committee which I will join and help in every possible way within my means and consistent with my position as a Member of Congress. I am asking my constituents to likewise support the effort of the committee.

All of my colleagues who are supporting more effective gun control legislation should join the "peoples lobby" and stimulate and help their constituents who are now calling for passage of such laws.

H.R. 17747, THE HANDICAPPED CHILDREN'S PRESCHOOL ASSISTANCE ACT OF 1968

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. WILLIAM D. FORD. Mr. Speaker, we are entering a new era of educating handicapped children. For years, the pattern of our society was to assume that little could be done other than to offer such children a comfortable home out in the country where they could receive at least minimal care and live out their lives without troubling our society. Recently, we have seen the futility of such a waste of human potential. Handicapped children, through programs of education and training, every day are taking positions where they can make a contribution to the economy of this country, and perhaps more important, where they can develop self-confidence and self-satisfaction.

In recent years, we in the Congress, working with the Kennedy and Johnson administrations, have supported the development and improvement of a number of new programs for handicapped children. Of particular significance has been the development of the new title VI of the Elementary and Secondary Education Act, "Education of Handicapped Children." This program is now in its first year of operation and is assisting the States in developing and improving educational opportunities for these children. The challenge facing title VI and related programs is enormous. The States report that less than two handicapped children out of every five are receiving special education and related services. This means that over 3 million of the approximately 5 million handicapped children in our school-age population are either sitting in classes without proper instruction, or, all too frequently, staying at home with no help whatsoever.

Even when school systems do afford classes and special programs, they very rarely serve the preschool youngsters. We are faced with the situation where a parent may find out in the first weeks or months of his new child's life that the child will have to overcome the barriers imposed by physical, mental, or emotional handicaps. The legislation I propose today is urgently needed to validate preliminary research data which seem to indicate that effective treatment and education services provided in early infancy greatly enhances the ability of a handicapped child to assume a more normal role in society. Instead of being able to receive immediate assistance from our education community, the likelihood is that the child will have to stay at home until he enters school at age 5 to 6. The prime years for development will not be fully utilized.

I am introducing today a bill which I believe will go a long way toward making this situation become obsolete. The Handicapped Children's Pre-School Assistance Act will authorize a program for the development of experimental preschool and early education programs for handicapped children. In addition, there can be developed special programs for the very seriously handicapped child including children who are deaf-blind or suffer from other multiple handicaps. It seems appropriate to note at this time the great contribution made by the late Helen Keller, who certainly was a living testimonial to the fact that even the most seriously impaired persons can benefit from education and training. Under the provisions of this act special programs will be established which will explore a variety of different models to preschool and early education. There will be programs for various types of handicapping conditions, programs designed to meet the special problems of the handicapped child in urban and rural areas and programs which will test out the newest methods for helping these youngsters overcome the barriers that face them.

This is not a crash program of a giant program, although it is likely that such programs could be justified in this area of critical need. It is instead a reasoned attempt to systematically and thoroughly explore the area of preschool education for handicapped children so that appropriate models will be available to the communities that want to develop such programs using other resources. Built into each grant will be a provision for evaluation. A systematic evaluation of these pilot service programs will provide the basis for sound growth in this area.

Mr. Speaker, it is very clear to me today that our Nation needs to take every opportunity to live out its values of compassion and of caring for human life. We need to make every effort to offer a productive life to every American citizen. I urge the Congress to give this program serious consideration and I look forward to its early successful passage.

SPEECH OF SENATOR ROBERT F. KENNEDY BEFORE THE CLEVELAND CITY CLUB, APRIL 5, 1968

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. VANIK. Mr. Speaker, perhaps the most significant statement by the late Senator Robert F. Kennedy on crime and violence was a speech he delivered before the City Club of Cleveland on April 5, 1968, the morning after the brutal assassination of Dr. Martin Luther King, Jr.

Senator Kennedy was visibly shocked but he decided that something should be said. His words reflect his deep thought and concern about the critical problem of violence in America. This vitally significant statement follows:

SPEECH OF SENATOR ROBERT F. KENNEDY BEFORE THE CLEVELAND CITY CLUB, APRIL 5, 1968

This is a time of shame and sorrow. It is not a delay for politics. I have saved this one opportunity to speak briefly to you about this mindless menace of violence in America which again stains our land and every one of our lives.

It is not the concern of any one race. The victims of the violence are black and white, rich and poor, young and old, famous and unknown. They are, most important of all, human beings whom other human beings loved and needed. No one—no matter where he lives or what he does—can be certain who will suffer from some senseless act of bloodshed. And yet it goes on and on.

Why? What has violence ever accomplished. What has it ever created? No martyr's cause has ever been stilled by his assassin's bullet.

No wrongs have ever been righted by riots and civil disorders. A sniper is only a coward, not a hero; and an uncontrolled, uncontrollable mob is only the voice of madness, not the voice of the people.

Whenever any American's life is taken by another American unnecessarily—whether it is done in the name of the law or in the defiance of law, by one man or a gang, in cold blood or in passion, in an attack of violence or in response to violence—whenever we tear at the fabric of life which another man has painfully and clumsily woven for himself and his children, the whole nation is degraded.

"Among free men," said Abraham Lincoln, "there can be no successful appeal from the ballot to the bullet; and those who take such appeal are sure to lose their case and pay the costs."

Yet we seemingly tolerate a rising level of violence that ignores our common humanity and our claims to civilization alike. We

calmly accept newspaper reports of civilian slaughter in far off lands. We glorify killing on movie and television screens and call it entertainment. We make it easy for men of all shades of sanity to acquire whatever weapons and ammunition they desire.

Too often we honor swagger and bluster and the wielders of forces; too often we excuse those who are willing to build their own lives on the shattered dreams of others. Some Americans who preach nonviolence abroad fail to practice it here at home. Some who accuse others of inciting riots have by their own conduct invited them.

Some look for scapegoats, others look for conspiracies, but this much is clear; violence breeds violence, repression brings retaliation, and only a cleaning of our whole society can remove this sickness from our soul.

For there is another kind of violence, slower but just as deadly, destructive as the shot or the bomb in the night. This is the violence of institutions; indifference and inaction and slow decay. This is the violence that afflicts the poor, that poisons relations between men because their skin has different colors. This is a slow destruction of a child by hunger, and schools without books and homes without heat in the winter.

This is the breaking of a man's spirit by denying him the chance to stand as a father and as a man among other men. And this too afflicts us all. I have not come here to propose a set of specific remedies nor is there a single set. For a broad and adequate outline we know what must be done. "When you teach a man to hate and fear his brother, when you teach that he is a lesser man because of his color or his beliefs or the policies he pursues, when you teach that those who differ from you threaten your freedom or your job or your family, then you also learn to confront others not as fellow citizens but as enemies—to be met not with cooperation but with conquest, to be subjugated and mastered.

We learn, at the last, to look at our brothers as aliens, men with whom we share a city, but not a community, men bound to us in common dwelling, but not in common effort. We learn to share only a common fear—only a common desire to retreat from each other—only a common impulse to meet disagreement with force. For all this there are no final answers.

Yet we know what we must do. It is to achieve true justice among our fellow citizens. The question is now what programs we should seek to enact. The question is whether we can find in our own midst and in our own hearts that leadership of human purpose that will recognize the terrible truths of our existence.

We must admit the vanity of our false distinctions among men and learn to find our own advancement in search for the advancement of all. We must admit in oursleves that our own children's future cannot be built on the misfortunes of anothers. We must recognize that this short life can neither be ennobled or enriched by hatred or revenge.

Our lives on this planet are too short and the work to be done too great to let this spirit flourish any longer in our land. Of course we cannot vanish it with a program, nor with a resolution.

But we can perhaps remember—even if only for a time—that those who live with us are our brothers, that they share with us the same short moment of life; that they seek—as we do—nothing but the chance to live out their lives in purpose and happiness, winning what satisfaction and fulfillment they can.

Surely this bond of common faith, this bond of common goal, can begin to teach us something. Surely we can learn, at least, to look at those around us as fellow men and surely we can begin to work a little harder to bind up the wounds among us and to become in our own hearts brothers and countrymen once again.

WHY WE SHOULDN'T LICENSE GUNS OR CARS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 27, 1968

Mr. ROSENTHAL. Mr. Speaker, the opponents of reasonable gun control laws often express deep fears about abridging citizens' rights. While a good case can be made, I think, for rather complete restrictions on weapons by the private citizen, such laws seem unfeasibly in our country. But to impose no greater restrictions on weapons than we do on autos, seems to me to be a minimum of restraint. Gun control opponents should accept reasonable licensing and registration rules to avoid more sweeping controls, if for no other reasons.

Bill Gold, columnist of the Washington Post, commented on June 7, 1968, on the "reasons" some people give for opposing registration and licensing requirements. His column follows:

A citizen who wishes to own or operate a motor vehicle finds that he must comply with a number of laws and regulations.

The National Rifle Association has for many years blocked attempts to impose similar restrictions on the traffic in guns. After studying the NRA's propaganda with some care, I would now like to apply to autos its "reasons" for opposing restrictive legislation. I suggest that we dispense with auto registration and licensing for these "reasons":

Automobiles do not cause smashups; people who misuse automobiles cause smashups. What we need, therefore, is not legislation aimed at the inanimate object but at those who misuse it. Everybody who causes an auto accident should face a mandatory jail sentence of at least 20 years. That would solve everything.

Titling of new and used cars is a major expense and inconvenience to millions of people, and a violation of their rights to own and enjoy private property.

Some people like to collect and restore old cars, and we must not interfere with their enjoyment of this hobby by requiring a title, a bill of sale, or license tags.

If a dictator were ever to take over this country, the first thing he would do is grab our auto registration lists and confiscate all our cars. Then we would be helpless to overthrow him. Why play into the hands of the Communists?

The skills of American tank crews, plane pilots and others with similarly important functions were first developed when their daddies taught them to drive the family car. To require registration of autos or the licensing of drivers would deny American boys the opportunity to develop these skills, and would therefore mean the end of a trained civilian reserve ready to spring to the defense of the country.

It would serve no purpose to register or license autos, because that would deny the honest citizen the opportunity to own one, whereas the crook could always steal one.

These are the "reasons" that have been advanced for opposing civilized control of the traffic in guns.

Public opinion polls have demonstrated that most Americans are not taken in by such illogic. Most of us are aware that registration and licensing do not mean that a qualified citizen is prevented from buying the regulated item. And we have a right to wonder about propaganda that insults our intelligence by suggesting otherwise.

It is pertinent to wonder, too, about the motivation of an organization that derives millions of dollars worth of revenue each year from advertisements for guns that appear in its magazine.

Most Americans have come to believe that the minor inconvenience of regulation is much preferable to the anarchy of permitting every nut and extremist to play God and decide who shall live and who shall not. But Congress has heeded the National Rifle Association's "reasons," not the public opinion polls.

I would think that by this time the responsibility for this inaction would begin to weigh heavily. I don't think I could live with it.

LIKE IT IS, BABY—III

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. FRASER. Mr. Speaker, I insert in the RECORD the following article, which appeared in a Minneapolis Star series entitled, "Poverty in Minneapolis: Like It Is, Baby":

THE MEN

(By Maurice Hobbs)

Two of the men in Mrs. Smith's life stopped by her house that morning to have breakfast.

One was Leonard Allen Jones, about 35, her "boyfriend" and the father of her 8-month-old son, Allen. The other was Ronald Green, about 30, a friend of Jones'.

They sat with Mrs. Smith and her 11-year-old daughter, Marie, around the kitchen table in her lemon-yellow dining room, eating scrambled eggs, bacon and white bread.

Jones, a heavy-set man, ate quietly, talking little, hunched over the plate. An unskilled worker, he had been without a steady job for a year and a half.

Green, a muscular, athletic-looking Vietnam veteran, was a janitor. He tickled and played with Allen, holding him up on the table as he and Mrs. Smith laughed at the baby, who gurgled with pleasure. Green said he was trying to get Allen to "growl."

The men quickly finished eating after I arrived. I have come again to that decaying duplex near Plymouth Av. to continue my look at what it's like to be poor in Minneapolis.

Jones and Green lit up cigarettes and moved to the back porch, which looks out on a rubbish-strewn yard. Within a few minutes, they had left for the day.

Green was going off to work.

But Jones, like more than a fourth of the Negro men in Minneapolis, had no work to go to. He was going out to . . . no one was sure what.

SOMETHIN' TO DO

"I haul a little stuff, work on a truck sometimes," he explained later. He works occasionally with a friend who has a truck.

He goes "every other week" to the Labor Temple, 117 SE. 4th St., although he is not a union member.

"Some days they have somethin' to do," he said.

Jones moved to Minneapolis from Arkansas in 1956 to take care of his grandmother and uncle. He got a job in maintenance work at the University of Minnesota and held it for almost five years.

Then he quit, Mrs. Smith said, because "him and his foreman couldn't get along."

Jones said he was laid off because there wasn't enough work.

Since then he has worked for a restaurant, a motel, a landscaping service and in a car wash, but only for a few weeks or months at a time. He quit some jobs and the work ran out in others.

"HE LOVES TO DRINK"

"He don't care too much for a job," Mrs. Smith said, "and he loves to drink."

Another problem is his lack of education and training. He completed 6th or 7th grade in Arkansas, Mrs. Smith said, and has had no formal schooling or training since then.

Asked how he spends his time, Jones smiled and said, "I just spend it somewhere."

In a way it sounds like an easier life than the 8-to-5 daily grind, the normal, up-every-morning-and-off-to-work pattern that most middle-class Americans stick with for 40 years, as their fathers did before them.

But how depressing and boring it must be, never finding a steady job or really expecting to any more, yet obliged to keep going through the motions of looking.

"I MIGHT DRINK, TOO"

If I had problems like his, I might drink, too. And given his choice of jobs, I wouldn't be much interested in them, either.

For Jones there is the added pressure of helping his parents, who are on relief. He also helps Mrs. Smith and his son Allen, when he can.

Even Mrs. Smith, whatever her feelings for Jones, thinks less of him, and other men, because they lack the ability to provide a decent home and the creature comforts that go with it.

Mrs. Smith expresses little concern about her children growing up without a father, or about the handicap of illegitimacy that would bother many women. She knows that it doesn't make much difference in the material well-being of her children.

"I can do as much as the average man," she said. "They don't do nothin' but talk and whup, and I can do that."

A WILL IS BROKEN

Her outlook supports one of the major points of the controversial Moynihan report, which was issued three years ago: "At the heart of the deterioration of the fabric of Negro society is the deterioration of the Negro family.

"It was by destroying the Negro family under slavery that white America broke the will of the Negro people," the report said. "Although that will has reasserted itself in our time, it is a resurgence doomed to frustration unless the viability of the Negro family is restored."

The report noted that "many Negro fathers literally cannot support their families," so the mother goes to work.

"This dependence on the mother's income undermines the position of the father and deprives the children of the kind of attention, particularly in school matters, which is now a standard feature of middle-class upbringing."

The report said that the "matriarchal pattern of so many Negro families reinforces itself over the generations. This process begins with education."

NO HURRY TO MARRY

All this, on her own terms, adds up to one of the reasons Mrs. Smith is in no hurry to get married. Allen's father—with no job, few prospects and little money—probably wouldn't be able to support her as well as her monthly welfare grant does.

And unless someone convinces Jones that he can still go back and get the education and training he needs, his prospects will continue to decline. Trying to get him into a job training program also might be difficult.

He hasn't yet tried the state employment service, the antipoverty Northside Citizens Community Center or the various job training programs that might be available to him.

"I ain't been really tryin' none of them," he said.

"He don't want to go there and just sit," Mrs. Smith said.

ADDRESS BY THE HONORABLE EDWARD D. RE, COMMENCEMENT EXERCISES, ST. MARY'S COLLEGE, NOTRE DAME, IND., JUNE 1, 1968

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. BRADEMAS. Mr. Speaker, on June 1, 1968, the Honorable Edward D. Re, the distinguished Assistant Secretary of State for Educational and Cultural Affairs, was awarded an honorary doctor of laws degree by St. Mary's College at Notre Dame, Ind.

Secretary Re also delivered the commencement address on this occasion.

Mr. Speaker, under unanimous consent, I insert at this point in the RECORD the text of the honorary degree citation as well as the text of Secretary Re's address, "Educational and Cultural Relations as Foreign Relations":

DR. EDWARD D. RE

Even in an age when outstanding careers are seldom directed toward a single purpose, the experiences of Dr. Edward D. Re are notable for their breadth. This St. John's University graduate, recipient of American and European honorary degrees, University professor, lawyer, author, and governmental administrator has uniquely and significantly contributed in a variety of ways to the welfare of his fellow man.

An honor graduate of St. John's University in 1941, Dr. Re continued his education there and two years later was awarded the Bachelor of Laws degree *summa cum laude*. Completing his legal education in 1950, he received the Doctor of Juridical Science degree from New York University School of Law. As a practicing attorney he has appeared before the bar of the State of New York, the U.S. Supreme Court, the U.S. Tax Court, and the Court of Military Appeals.

This practical law experience was reflected in his classroom when Dr. Re became a faculty member at St. John's University. He gained the rank of full professor of law at St. John's in 1951 and has been an adjunct professor of law at Georgetown University since 1962.

Dr. Re's training qualified him for appointment from 1943 to 1947 in the Judge Advocate General's department of the U.S. Air Force. There he served as a member of the General Court Martial and Defense Council Staff. Today he holds reserve officer rank with the Air Force.

Responding to the request of his home town mayor, Dr. Re accepted an appointment in 1958 to the Board of Education in the city of New York—a responsibility he still carries. He acceded in 1961 to the request of the Holy See to serve as a consultant on narcotic problems to its delegation at the United Nations. He accepted his political party's designation in 1960 as presidential elector.

During the years Dr. Re has authored five books on law, contributed chapters to four other books, and has written numerous articles for professional journals.

In 1961 President Kennedy recognized Dr. Re's outstanding legal background and his record of local and national service by naming him Chairman of the U.S. Foreign Claims Settlement Commission. In this high governmental capacity he served until 1968 when he became Assistant Secretary of State for Educational and Cultural Affairs.

Dr. Re is married to the former Margaret Anne Corcoran. They are the parents of eleven children. Mrs. Re is also a lawyer.

These notable achievements make it little wonder, then, that Dr. Re is listed in Who's Who in America, Who's Who in American Education, and the Directory of American Scholars. Little wonder, then, that Saint Mary's College with both pleasure and respect awards the degree of Doctor of Laws, *honoris causa*, to this distinguished man.

EDUCATIONAL AND CULTURAL RELATIONS AS FOREIGN RELATIONS

(Address by the Honorable Edward D. Re, Assistant Secretary of State for Educational and Cultural Affairs, at the commencement exercises, St. Mary's College, Notre Dame, Ind., June 1, 1968)

One of the great pleasures of heading the Bureau of Educational and Cultural Affairs of the Department of State is that I am more and more frequently invited to visit colleges, universities and communities. This is enabling me to see and observe rather widely across the American academic and social spectrum. I am trying to do so with the fresh eyes of a foreign visitor we might bring to this country under one of our exchange programs. Whether or not I am succeeding, my observations have nevertheless given me a strong impression. This is the widespread voluntary support given by so many citizens in our country to the kind of activities represented by the Bureau of Educational and Cultural Affairs.

St. Mary's, Notre Dame, South Bend—here is an area that provides splendid examples of what I mean. Let me mention just three names—although I could mention many more. There is my friend, Congressman John Brademas, a distinguished and respected member of Congress. I am especially pleased to be here in the district so ably represented by him. You know him at St. Mary's College as a former teacher and now a member of your Board of Trustees. We know Congressman Brademas in Washington as one of the leading architects of nearly all the major education measures enacted during the administrations of both President Kennedy and President Johnson. As Assistant Secretary of State for Educational and Cultural Affairs, I know him as the sponsor in Congress of the International Education Act of 1966. Another name to mention, of course, is Father Hesburgh, for his long leadership in this field. And here I must include his appointment by President Kennedy to our Advisory Commission on International Educational and Cultural Affairs and his effective service on that important commission from 1962 to 1965. A third name would be Dr. George N. Shuster, a former United States member of the Executive Board of UNESCO, and now serving in the administration of Notre Dame.

It is good to feel there are strong supporters of these activities when one goes around the country. I know that there are here.

"SINCE WARS BEGIN IN THE MINDS OF MEN"

My mention of UNESCO—the United Nations Educational, Scientific and Cultural Organization—leads me to the text of what I wish to discuss with you today. It is found in the Constitution of UNESCO, which was adopted in London in 1945. It says:

". . . since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed . . ."

It is as simple, and as true, as that. That document also states:

"That ignorance of each other's ways and lives has been a common cause, throughout the history of mankind, of that suspicion and mistrust between the peoples of the world through which their differences have all too often broken into war . . ."

And—

"That the wide diffusion of culture, and the education of humanity for justice and liberty and peace are indispensable to the dignity of man and constitute a sacred duty which all the nations must fulfill in a spirit of mutual assistance and concern."

This, I believe, is an eloquent text. Its purposes are rooted deeply and frankly in the need to prevent war. It was written in the immediate aftermath of the titanic and terrible world war that had just ended. We should be just as concerned today that we continue to work to construct and strengthen the "defences of peace" against wars.

What are the materials out of which we can construct and strengthen the "defences of peace"? Let me ask you, first of all, to look briefly with me over the last 20 or so years. Most of you really cannot do that, unaided, since most of you were just "arriving"—along with the UN and UNESCO, and the World Bank, and the Fulbright program in the mid-1940's. So let me be your guide to some of the general educational trends, in an international sense, during the time of your lives.

EDUCATION: THE FIRST GOAL OF MEN EVERYWHERE

The picture to which I would draw your attention is that *education* has become over these years an acknowledged first goal of men everywhere. The order of magnitude of mankind's strivings toward this goal have made it a new fact of life—and notably, a new fact of *international* life. On the initiative of President Johnson, an International Conference on the World Crisis in Education was held last October in Williamsburg, Virginia. Educators from more than 50 countries came together there. The final report of the conference struck the underlying note of the meeting when it said ". . . education is now a central preoccupation of every nation in the world . . ."

Surely, as I said, this is now a fact of international life. It is therefore, an ingredient out of which international peace and goodwill can be constructed and strengthened.

Cooperative educational relations with other countries can be *cooperative international relations*. This is really what I think our educational and cultural exchange programs of all kinds—binational and multinational, governmental and non-governmental—are all about. Educational and cultural relations are now in fact, foreign relations.

In his message to Congress on International Education, President Johnson expressed the idea in these words: "Education," he said, "lies at the heart of every nation's hopes and purposes. It must be at the heart of our international relations."

Here at St. Mary's foreign students come to your campus, and American students have sophomore and junior year programs, I believe, for overseas study. So it is not necessary for me to tell you, of this graduating class, that educational exchange programs *do* seek to advance knowledge and mutual understanding. This is the Congressionally-authorized purpose of the programs we conduct. In the words of the basic authorizing legislation—the Mutual Educational and Cultural Exchange Act of 1961—the purposes are "to enable the Government of the United States to increase mutual understanding between the people of the United States and the people of other countries by means of educational and cultural exchange; to strengthen the ties which unite us with other nations by demonstrating the educational and cultural interests, developments and achievements of the people of the United States and other nations, and the contributions being made toward a peaceful and more fruitful life for people throughout the world; to promote international cooperation for educational and cultural advancement; and thus *to assist in the development of friendly, sympathetic, and peaceful relations between the United States and the other countries of the world*" [emphasis added].

The ingredients or raw materials of cooperative *educational* relations include the exchange of students, research scholars, university lecturers, professors, and teachers. Since 1949 we have exchanged nearly 100,000 academic persons under our own State Department programs alone. Increasingly, we are trying to develop exchanges on an institution-to-institution basis—involving colleges, universities, institutions, and other formal educational establishments. This we believe, can provide continuity and cumulative strength, and thus foster greater *engagement* between the academic communities themselves.

Forty-Nine Binational Agreements

The same effort appears in other new program initiatives. We have binational agreements with 49 other governments for administration, in those countries, of our academic exchange programs. The commissions established by these agreements *are* binational—half composed of U.S. nationals resident in the other country, half composed of nationals of that country. And other countries are cooperating in financing such programs. Thirteen now have pledged to share the costs, by varying percentages, through agreements with us.

So there is real substance to the idea of cooperative *educational* relations. These are only some illustrations. There is material here to support and expand the "defences of peace."

There is also real substance to the idea of cooperative *cultural* relations. Here again we have materials to enable us to continue to work to construct and strengthen "the defences of peace".

There are, of course, a myriad of ways to show that this is so: Programs that bring to our country "leaders" in various facets of another nation's life; programs that send out Americans prominent in various professions to meet with their counterparts in other countries for discussions, and seminars; programs that send out American performing artists and arts groups.

Let us never forget the communicating power of the arts. One of my colleagues, Roger L. Stevens, Chairman of the National Council on the Arts, said it eloquently just a few weeks ago. ". . . we shall not," he said. "win the hearts and minds of the world to our side, to our form of government, to our ideals merely by the force of power or the array of wealth, but more by the deeds of our people, the vitality of our collective beliefs, the essence of our culture as it is reflected, criticized, extolled, refined and held up proudly as an example for the world to emulate, if it so wishes. And it will be through the works of our artists, the products of their free creative imaginations, that we shall be known and judged."

SCIENTIFIC RELATIONS

I want to keep a particular trilogy in mind, and the name UNESCO helps me do so. I refer to *educational, scientific,* and *cultural activities*—and the scientific are by no means the least. Cooperative *scientific* relations on an international scale are now an accomplished fact. An international community of science has long been in process of formation. With the universal interest it holds—and the common acceptance of its truths by demonstration, without the difficulties of definition of other disciplines—science has in fact a transnational character. Secretary Rusk has said there is no such thing as a Capitalist potato blight, or a Communist wheat rust. The scientific work that can attack any such scourge in one country can attack it in any other.

The operations of science today—the scale of research, the wide-spread communication and assessment of results, the applications of technology—have brought into close association an international community of coworkers. They normally share much the same temper of mind, the same rigid standards of work. In this community men speak a universal language and seek the same general goals—the kind of truths that can be demonstrated to be true. Scientific research stands today as a major producer of great tidal changes taking place in man's relation to the world of nature and to the human scene.

So here are more of the materials of cooperative international relations—*scientific,* as well as educational and cultural. And we should know that these cooperative relations do also arise within a multinational framework—like UNESCO, or the Organization of American States (OAS), or the Organization for Economic Cooperation and Development (OECD)—as through a unilateral program with another country. The projects which a multinational organization can undertake may enlist forms of cooperation by individual states beyond the reach of any one or two acting by themselves. An example is the agreement of some 50 countries, under UNESCO's aegis, to contribute some $30 million to preserve the Nubian monuments of Abu Simbel. Without this cooperative effort these monuments of antiquity would not stand safely today, as they do, some 200 feet above the Nile River. Instead they would have been lost and permanently covered by the spreading waters backed up by the Aswan Dam.

A more recent example is the establishment of an Inter-American program in education and science—to be carried out cooperatively under the Organization of American States. The program stems from the summit meeting of the Presidents of the hemisphere at Punta del Este, Uruguay, a year ago last April.

I hope you find, as I do, great hope in the fact that men and women can create, and do create, these cooperative relationships. It would be a bleak outlook indeed if one could not believe that men and women are moving, however haltingly or hesitatingly at times, to find that they *do* have commonly-shared enthusiasms and concerns; and to find, also, that they *can* make their lives both more significant *and* more secure by *sharing* their enthusiasms and concerns.

THE EXPLORATIONS OF "INNER SPACE"

In the last analysis, it is what goes on in men's minds—and in women's, most certainly—that makes the great difference. We need to explore this "inner space"—as someone has said—as well as we do "outer space." For we have good reason to believe that the "ultimate deterrent" is in the minds of men and women.

I would hope—as I suppose every Commencement speaker hopes—that the graduating class before him will see the work to be done, and quietly resolve to do it—or to do it better than it has been done. You of a generation that holds high goals—and high enthusiasms—for a better world, can find much work for your many hands in the kinds of relations I have been discussing. You can, of course, do something to enlarge or improve these relations, or you can leave them as they are. I would only suggest that as fine an opportunity may not come your way again as when you have had, at the height of your powers, a first view of a way to help bring about constructive change.

The ancient Greeks tried to define happiness and it came out something like this: the exercise of vital powers along lines of excellence in a life affording them scope and vision.

Such opportunities lie along the two-way road of international educational and cultural interchange. I recommend it to you, for your own education and understanding and also for the similar benefit it can bring to others. As you enter into this kind of international experience, in any of the ways

that can be open to you, you will be realizing one of the great privileges of the educated person. This I would define as the *opportunity* to assume and perform a public responsibility, not only for your own sense of creative expression, but also for the personal service you can give to all mankind

THINKING BEYOND ONE'S PRIVILEGES AND OPPORTUNITIES

And I would only add that the educated person today needs to think beyond his privileges and his opportunities. He must also think of the duties imposed upon him by the period of history in which he lives.

Descartes gave us the classic words: "Je pense, donc je suis"—I think, therefore I am. You may know it better perhaps as "Cogito, ergo sum". Today there is literally an imperative within the framework of these words. It could be phrased this way: one must *think*—know how to *think*—in order to *be*.

I suggest this not only in the sense of human survival. I think of it also in the sense of personal fulfillment—in the use of one's highest powers in productive, cooperative, peaceful engagement with men of other cultures, races and countries. This kind of engagement, I believe, is one of our best hopes for our future foreign relations. And one of the best opportunities that we have to develop such foreign relations is through educational and cultural relations. Our experience has demonstrated that they can do much to fortify the minds of men and women against the virus of unreasoned attitudes, and the unnecessary resort to threats and force.

You, who have the privilege of understanding this precious principle, have also the obligation—when need or opportunity arises—to fulfill your own individual commitment, your own personal testament of faith.

AAA OPPOSES LARGER TRUCKS

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. McCARTHY. Mr. Speaker, you and my fellow colleagues here in the House have recently been receiving a larger number of letters on an item of legislation which is now before the House Public Works Committee and which is of interest to each of us. I speak of legislation which would permit larger and heavier trucks on our Nation's streets and roads.

The American Automobile Association, with 11 million members across the country, will make some cogent remarks tomorrow when George F. Kachlein, Jr., executive vice president appears before the Roads Subcommittee on which I am privileged to serve.

The three A's, as the organization is known, urges us to set a limit on such bigger and heavier trucks and to "stick with it." I agree for our roads and bridges, Mr. Speaker, are designed for specific weights and expected volumes of traffic. As Mr. Kachlein points out:

> It is easy to change a vehicle dimension, harder to change a road, but almost impossible to change a bridge.

Additionally, I ask all my colleagues to give consideration to the fact that no traffic movement begins or ends on the Interstate System, and to consider the increased costs and anti-safety features of this legislation.

A copy of Mr. Kachlein's statement follows:

STATEMENT OF GEORGE F. KACHLEIN, JR., EXECUTIVE VICE-PRESIDENT, AMERICAN AUTOMOBILE ASSOCIATION, BEFORE THE HOUSE PUBLIC WORKS COMMITTEE ON H.R. 14474 AND SIMILAR BILLS, JUNE 6, 1968

The American Automobile Association with 11 million motorist members opposes H.R. 14474 and other bills which would permit larger and heavier trucks on the Interstate System. These measures would present serious safety hazards to all highway users for the benefit of the operators of only 250,000 heavy trucks which would be able to take advantage of the heavier weights and increased sizes permitted. If enacted, such legislation would bring about substantial increases in cost to the construction of highways and bridges and accelerated depreciation in the expected life of such facilities, accompanied by substantial increases in maintenance costs.

AAA believes that truck combinations are already too large. The passenger car operator and our members in particular, intuitively fear sharing the same highway with such huge trucks.

Our member hates to pass them because he can never be sure of what lies ahead until he moves into the opposing lane of traffic. In rain or slush his windshield is invariably inundated beyond the capability of his wipers, restricting his forward vision and creating uncertainty as to safe passage.

He doesn't like to be followed by them for just as often as not they seem to be climbing up his rear bumper.

He doesn't like to follow them because they block his forward vision and they slow his travel speed on upgrades.

The motorist's intuitive fear of the heavy truck is well-founded. Whenever a truck and car collide it is the occupant of the car who is most likely to suffer injury or death.

A study by the Bureau of Motor Carrier Safety in 1967 showed that almost half of the fatal and injury-producing accidents involving common carriers resulted from collision with an automobile. For every truck driver who died in such accidents, 38 others died.

Mr. Lowell K. Bridwell, Federal Highway Administrator, recently told the Private Truck Council that heavy commercial vehicles comprising 7% of the nation's registered motor vehicles and accounting for 11% of the total vehicle miles traveled were involved in 19% of the highway fatalities..

He noted that studies by the Bureau of Motor Carrier Safety revealed that four out of every ten vehicles selected for inspection in road checks were ruled off the road temporarily. Brake defects were the major problem.

VEHICLE WIDTH

Legislation before the Committee would increase permissible width on the Interstate System from 96 inches to 102 inches, plus additional width necessary for tire bulge due to loads and safety devices.

Using figures of the Industry Advisory Committee, composed of the American Trucking Associations, Incorporated and suppliers, the 102-inch width could mean an over-all width across the tires of 106 inches. This does not include tire chains or flexible fenders. When such items are added we are really talking about an over-all width of 108 inches—a full twelve inches above the present statutory limit.

Don't forget. No traffic movement begins or ends on the Interstate. Other routes must be used as connectors. Sixty percent of the rural road mileage on state Primary systems in 1966 had traffic lanes *less* than twelve feet wide. A twelve-foot lane is the minimum width needed to accommodate a vehicle 102 inches wide.

Despite the glamour of the Interstate highway network, some 88% of our state Primary highways are two-lane, and the bulk of our travel is now and will continue to be over such two-lane roads.

Since the legislation before you would permit a vehicle over 102 inches, it will permit vehicles which are obviously too wide for the traffic lane. This creates a tremendous safety hazard. Over 70,000 miles of state primaries are two-laners with lane widths of *less than* ten feet.

VEHICLES WEIGHTS

Increases in axle weights have had direct and inevitable effect on the life of pavements and on the safety of bridge structures. H.R. 14474 would permit the maximum single axle weight to be increased from 18,000 lbs. to 20,000 lbs. and the tandem axle limit to be increased from 32,000 lbs. to 36,000 lbs.

Only eight out of every one thousand motor vehicles are truck combinations of four or more axles. Yet this small number of trucks places an additional burden on highway and street systems which has caused a substantial increase in the cost of future road construction in order to accommodate their particular needs. The small proportion of vehicle population is also a major factor in maintenance costs of existing highways and streets.

If the weight of trucks and combinations is further increased, existing roads and streets will deteriorate at an accelerated rate. The cost to replace bridges and roads thus prematurely destroyed will become an increasingly heavy tax burden on the operators of 78 million passenger cars and the 14 million light truck owners whose needs do not require these heavy facilities but who bear the major share of the cost of providing and maintaining them.

A pavement evaluation survey conducted by the American Association of State Highway Officials indicates that increasing the axle weights to those permitted under H.R. 14474 would reduce existing pavement life 20% and increase resurfacing costs 30%.

The 1968 Cost Estimate adds $1 billion to the 1965 Cost Estimate to accommodate heavier and more frequent truck loadings than originally forecasted. It is noteworthy that this increased cost was based on existing truck sizes and weights. If sizes and weights are increased, the $1 billion figure will have to be increased.

When a bill similar to H.R. 14474 was considered in the Senate, Senator John Sherman Cooper (R-Ky) requested the Bureau of Public Roads to provide an estimate of the cost if axle limits were moved to 36,000-lb. limit. He was advised that the increased cost for the Federal-aid road system would be more than $3.7 billion. The cost of increasing the weights to a 34,000-lb. maximum was set at $1.8 billion. The 34,000-lb. limit has been passed by the Senate. Total additional cost could reach $4.7 billion, depending upon the weight limit. This includes the cost of new construction as well as the necessary costs of upgrading construction already in place.

BRIDGES

The ability of a specific road network to accommodate trucks of a given size is to a great extent limited by the ability of the bridges to carry the sizes and weights operating over that system. Even the newest of our bridges—those on the Interstate System—have been designed to accommodate vehicles with axle weights no greater than 18,000 lbs. single, 32,000 lbs. tandem. Bridges designed to less than this standard cannot accommodate the 18,000–32,000 lb. loads already encountered without overstresses which reduce the safety margin designed into the bridge.

In testifying before the Senate Public Works Committee on the subject of bridge design, Mr. Frank C. Turner, Director of the Bureau of Public Roads, indicated that increases to a 34,000-lb. tandem axle from the present limit of 32,000 lbs. would overstress Interstate bridges by 32 to 36%. He further indicated that the majority of bridges on our

Primary and Secondary Systems are less than H–15 design. This is a bridge to carry a 15-ton load. Overstress on these bridges, brought about by increases in axle weights, would be much greater than on the Interstate bridges which are designed for heavier loads.

In the same hearings, Mr. John O. Morton, President of AASHO, testified that the current practice is to design highway bridges for the 32,000-lb. axle loading. This limitation applies to our current Interstate bridges.

Mr. Frank Masters, Jr., consulting engineer for the firm of Modeski and Masters, testified before the same Senate committee that the conservative design of many old bridges incorporates a safety factor which has enabled them up to now to carry increased weight and an increased frequency of heavier loads than was forecasted when they were built. However, he noted that "—the bridges which we are designing today are being limited by specifications and standards to structures with capacities slightly in excess of what is expected on the day such spans open."

He goes on to say:

"In fact, the narrowing margins of safety on many older bridges is of such common knowledge within the engineering profession that even the civil engineering exhibit at the Smithsonian Institution comments on it by citing the mammoth modern day traffic loads being handled by bridges designed in an era of horse-drawn wagons."

He also stated:

"Adding significantly to the problem is the growth of freight being carried by the trucking industry in vehicles which are now averaging loads of more than 13 tons as compared to 7½ tons per vehicle carried in 1940."

And one final quotation from Mr. Masters:

"I understand that legislation now before Congress proposes a new standard of axle weights that will, in effect, permit 76,000 lbs. and larger vehicles. This is difficult to comprehend when you consider the fact that almost half the bridges and even fewer highways in the Federal-aid Primary and Secondary Systems are designed for vehicles of 15 tons."

Early this year, the AAA conducted a nationwide survey of state highway departments to determine the loading characteristics of bridges on Defense Requirement Routes. These routes are routes for military movements in a national emergency. For the most part these routes are used today for the great bulk of our long distance truck traffic.

The alarming report by the highway departments of 38 states and the District of Columbia is that more than two-thirds of all these bridges are inadequate for today's heavy truck traffic. Further, nearly half of these bridges are *seriously inadequate*. You will note from the attached tabulation that 67.8% of the bridges were reported to be of a design standard less than the H–20–S–16. This bridge design is one which will accommodate a 32,000-lb. tandem axle loading. It is the current standard for Interstate bridges. However, almost half of the bridges reported in the AAA survey were of H–15 design or less. Such a design accommodates only 30,000 lbs. without experiencing stresses beyond the design limit.

There is no practical way to strengthen a bridge to carry a heavier weight than that for which it was originally designed. And there is no maintenance effort that can be applied to the bridge which would offset overstressing and fatigue of principal bridge members.

Although it is doubtful that immediate bridge failure would result from overstress, even the bridge experts refrain from speculating on what the margin of safety would be for fatigue-weakened bridges.

This unknown quantity makes the safety factor all the more critical, because it is unmeasurable and unpredictable.

In opposing weights proposed in S. 2658, similar to those proposed under H. R. 14474, Mr. Virden E. Staff, Chief Highway Engineer for the State of Illinois, stated:

"S. 2658 will permit vehicles on HS–20 bridges to produce stresses beyond the present design limits . . . on H–15 bridges to produce stresses in the unsafe range . . . on less than H–15 bridges to produce stresses that can be expected to result in failure."

(Note: HS–20 bridges are designed for 40,000 lbs.)

Mr. Ward Goodman, Director of Highways for the State of Arkansas and Chairman of AASHO's Committee on Bridges and Structures, told the Senate Public Works Committee:

"The provisions of S. 2658 will overstress bridge design for H–15 or less to a dangerous extent, even up to 40%."

He noted:

"There are 518,226 highway bridges in use now that were built prior to 1936. They are over 30 years old and practically none of them were designed for loads over the H–15 design load and many are for the equivalent of H–12, H–10, or even less."

EFFECTS OF INCREASING SIZES AND WEIGHTS

Roads and bridges are designed for specific weights and expected volumes of traffic. It is easy to change a vehicle dimension, harder to change a road, but almost impossible to change a bridge. Are we going to destroy the completed sections of the Interstate System for the sake of 250,000 trucks? We must find a top limit on vehicle dimensions and weights and stick to it.

VEHICLE LENGTH

H.R. 14474 fails to provide a maximum length limit. Absence of a length limit or maximum gross weight limit will lead inevitably to longer combinations on our nation's highways. We could have double bottom combinations as well as triple bottoms with vehicles well over 100 feet long. This will turn our Interstate highways into truckways, with highway freight trains making travel so uncomfortable and so hazardous that passenger car operators will be forced off the newer highways onto other roads not frequented by trucks.

Does this sound a little far-fetched? According to a recent article in Commercial Car Journal, triple truck trains have been operated by Western Gillette on an unscheduled basis for the last four years. A vice president of that company confidently predicts that triples will be in regular use by 1970 or 1972 at the latest. The same issue carries a notice that the New York State Thruway Authority and the Massachusetts Turnpike Authority have been approached on the use of triple bottoms. Since the appearance of this issue, the Massachusetts Turnpike Authority has granted this request.

The bill before you contains no provision assuring adequate operating characteristics so as to make such large trucks compatible with today's traffic.

AASHO has recommended that the minimum weight/horsepower ratio be at least one horsepower for every 400 lbs. This should be the absolute minimum and should be specified in the law or by safety standards of the National Highway Safety Bureau.

THE GRANDFATHER CLAUSE

H.R. 14474 contains a "grandfather clause" permitting states which already have higher weights and greater dimensions than contained in the present bill to retain such higher limits. The Federal-Aid Highway Act of 1956 also had such a "grandfather clause."

There may have been some justification for the "grandfather clause" in 1956 because the effects of heavy trucks on our bridges and roads did not appear to be adequately documented. After spending $27 million to find the answers, we now know what these effects are. There is no longer any justification for continuation of the "grandfather clause."

To permit some states to continue with heavier weights and greater sizes than permitted for other states continues the same situation which has led the trucking industry and others to press for increased weights.

The "grandfather clause" in Section 127 of Title 23 should be eliminated. States presently having higher axle weights and heavier gross weights than permitted in Section 127 as presently written should be required to conform to the lower weights within a stipulated time interval.

RECOMMENDATIONS

AAA makes the following recommendations:

1. No upward revision in the present axle weights or gross load limits in Title 23.
2. Width limit be retained at 96 inches.
3. The establishment of a length limit or maximum gross load limit so as to preclude the possibility of extremely long truck combinations.
4. Elimination of the "grandfather clause."
5. Establishment of a weight horsepower ratio of at least 400 to one for all trucks. This should be accomplished either by statute or appropriate safety standard.

CHARGE OF BIGOTRY TRIGGERS REPLY

HON. ELFORD A. CEDERBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. CEDERBERG. Mr. Speaker, in these times when we are faced with charges and countercharges of black and white racism, it is good to see responsible journalism calling for a return to the method of judging a man, not by the color of his skin or his cultural or ethnic heritage, but on the basis of his achievement in a world which values the ability of man to achieve. Morrie Ryskind, syndicated columnist for the Washington Evening Star, brings these ideas forcefully before us as he writes of his views on the type of power which most honestly brings strength and unity in society. I offer his comments to my colleagues for their consideration:

CHARGE OF BIGOTRY TRIGGERS REPLY

In a number of letters from blacks—Negroes is an offensive term to them—I'm accused of racism. Here is a composite: "You didn't like Dr. King, and you disapprove of Dr. Abernathy, Rap Brown, Stokely Carmichael and anyone else who advocates black power. Though you are a member of a minority group yourself, you show no sympathy for other minorities seeking their place in the sun. You want only Uncle Tom."

Well, though I'm Jewish, I do not hold that every Jew is, ipso facto, a noble human being. There are Jewish hoodlums, thieves and chiselers, as in every other group. And I don't think that being a member of a "minority" entitles them to any special privileges.

The black power I admire is that shown by Willie Mays, my favorite ball-player, who earned his place by his ability, and not because someone came around with a quota list and demanded he play left field because he was colored and his race had suffered indignities. You'd have to root for Willie even if he were white.

Similarly, I go for Hank Aaron of the Atlanta Braves, whom it's always a pleasure to

watch. But I still retain my fondness for Babe Ruth, who was white. And I didn't root for Sandy Koufax just because he was a fellow-religionist.

Archie Moore stands high as a boxer in my book—but even higher as a man. He was chosen as "Mr. San Diego" last year by a community grateful to him for taking colored youngsters off the streets and teaching them that earning your way is a far more satisfactory life than looting. Don't call him Uncle Tom, incidentally, to his face. He still has a punch.

I also admire George Schuyler, the famous colored writer it has been my privilege to know for over 30 years. No man has more consistently preached the now-derided "American Way." And if you think I've been rough on the blackmail of "black power," you ought to read Schuyler on it.

I didn't like the methods of Bugsy Siegel—who was Jewish—any more than those of Dutch Schultz and the Capones—who weren't. Nor do those tactics appeal to me more when they are employed by blacks.

In Washington, for example, colored gangs have suggested to white storekeepers that they might protect themselves against possible arson and looting by displaying a lithograph of Dr. King in their windows. The cost is only $50; and for an additional $30 a month, they will provide all-year protection . . . The late Mr. Schultz made a pretty penny by offering similar insurance against "accident" to New York merchants.

I didn't like the Rosenbergs—who were Jewish—spying on us for Russia. Nor did I like the clandestine activities of Alger Hiss—who is Gentile.

By the same token, I think little of Dick Gregory's talk to the graduating class of Yale early this year: "Henry Ford hired 6,000 niggers (sic) in two days. Why do you think he hired them? The fire got too close to the Ford plant. Don't scorch the Mustangs, Baby! Do you realize how long it would have taken through peaceful channels to get 6,000 black folk hired and through those tests?"

Obviously, those 6,000 must have included many totally unversed in the know-how required to work even on an Edsel. But that doesn't matter, apparently.

And more from the same speech: "We just got an insane law to say you can't burn an American flag. I say, what in the . . . is an American flag but a . . . rag like all the other flags all over the world? I'm not interested in rags."

Dr. Abernathy talks with God—he says—but when he speaks with us mortals, he sounds just like Gregory. "We will raise hell!" he declared, unless Congress gives him what he demands.

I think sadly of Oscar Joel Bryant, the young Negro policeman recently slain here in Los Angeles, shot down by black gunmen while he was trying to prevent a Negro shop from being looted. And it is my belief that the young hero died for America, and that he did more for his country and his race than all the Abernathys, Carmichaels and Gregorys put together.

And if that's bigotry, make the most of it.

FLAG DAY: A TIME TO UNITE

HON. CHARLES A. HALLECK

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. HALLECK. Mr. Speaker, I was tremendously impressed with a presentation today in the Washington Post, written by a fellow Hoosier, Mr. Ralph H. Brown, an Indiana businessman transplanted to the Washington area. I would hope that Mr. Brown's comments might strike a responsive chord in all Americans, but, in any event, I am confident what he writes reflects the feelings of an overwhelming majority of our citizens.

Mr. Brown's words follow:

FLAG DAY: A TIME TO UNITE

Once upon-a-time not so long ago nearly everybody in the neighborhood kept a Flag to be proudly displayed on occasions of American Interest. Streets inhabited by rich and poor alike came alive with red-white and blue colors descriptive of the pride in and gratitude toward those who established, and often with their lives, gave this nation a greatness seemingly beyond the mind of man to achieve. Old Glory is symbolic of the rights of liberty and justice and the blood shed to preserve these gifts which have been bequeathed to those fortunate enough to live in America.

It is indeed sad these days when America is beset by the forces of evil abroad in the world and our finest young men are making the supreme sacrifice that so few of us are willing to display the same pride and gratitude toward the nation as our forefathers did. We seem to be in an era when we equate the display of our flag as unsophisticated "flag waving."

As much of the world looks at America these days, mostly through the tinted glasses of our enemies, we are illustrated as a country beset by riots, burnings, campus captives and the whole gamut of moral bankruptcy. An un-acquainted observer cannot help but think that everybody in America hates his own country. It must seem peculiar that while American youth suffer and die in a strange land for a strange people many Americans carry on as tho America was the enemy. Some returning Vietnam veterans tell us that they often wondered whether the next bomb was coming from a group of flag burners in America or from a Vietcong mortar made in Russia.

Fortunately, the spoilers abroad in this country are a most minute minority. The founders of this greatest heath on earth gave all Americans the precious gift of freedom unheard of in any other land in any other time in world history. We can re-dedicate, hallow and glorify this great country of ours by closing ranks so we can stand revealed to the world as one big family in devotion to our country.

This Friday, June 14th, is Flag Day. Old Glory should wave from every home . . . And, too, we would all feel better if each of us enshrined the meanings and blessings of America in our hearts . . . every day.

LOYAL AMERICAN VOICES TIRE OF OUR BEING "KICKED IN THE TEETH"

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. BARING. Mr. Speaker, I recently received the following letter from one of my constituents that I deem worthy of the attention of my colleagues. The letter writer is voicing the thoughts of thousands of Americans when he asks, "How many times do we have to be kicked in the teeth by a two-bit country like North Vietnam before we unleash our full military power and win the damn war?"

The writer points out that "middle America" will make itself heard in the coming elections which the writer tags as "November." He may well be a better prognosticator than any of our so-called polls show.

I commend my colleagues to read the following letter:

SAGE & PINE INSURANCE AGENCY, INC.,
Carson City, Nev., May 24, 1968.

Congressman WALTER S. BARING,
Rayburn Building,
Washington, D.C.

DEAR CONGRESSMAN BARING: On the 6:00 (Walter Cronkite) news of May 23, 1968, it was announced that our casualties in Viet Nam for the week just past was the second highest in the entire war in Viet Nam. The casualties were 513 for the week with some 1,500 additional American servicemen wounded and something over 400 casualties on the part of the South Vietnamese forces. As my representative in Washington, I am requesting that you do all in your power to have us resume full scale bombing of North Viet Nam immediately. How many times do we have to be "kicked in the teeth" by a two-bit country like North Viet Nam before we unleash our full military power and win the damn war. At this point, it should be perfectly obvious to us that we have "gone the extra mile" to no avail. This, of course, has been the history of our misdoings politically the world over since the end of World War II. At that time it would appear we decided to admit that every other nation in the world was right and these United States were wrong in every instance whereby any sort of a confrontation took place with any other country in the world. I personally believe our Senate and Congress should be deeply ashamed of themselves for allowing our servicemen to become engaged in any sort of a war any place in the world regardless of right or wrong on behalf of the United States and then not back those soldiers to the fullest extent of our military power. I spent five years in the service during World Word II and if we, at that time, had been fighting a limited war the way we did in North Korea and in Viet Nam today, I would have deserted rather than be placed in action under those conditions.

I, for one, am damn proud of the United States and whether we are in Viet Nam rightly or wrongly at this point, the Vietnamese have been taking advantage of us and our bombing pause to resupply their positions in South Viet Nam and to step up the war for propaganda reasons during our talks in Paris. It would seem that we would have learned after the ridiculously long drawn out talks that took place in Pan Mun Jom, Korea. I am also sick to death of hearing various and sundry beatniks, hippies and other duds in the United States saying that there is no way we can win in Viet Nam because Russia and China supply the military equipment and money to North Viet Nam. Now how ridiculous can this be when you and any other halfway informed person in the United States knows that our country's gross product can reach a production point of more than twice as much as the rest of the world combined. Now, how in the world can we possibly say that we are at a loss to win in Viet Nam because of two countries, Russia and China, may be supplying the North Vietnamese. If we were truthful, and especially in Washington, and decided to win this war in Viet Nam, you know perfectly well this would not pose much of a problem and if we unleashed our entire air power on North Viet Nam they would be brought to their knees in a matter of 60 to 90 days.

It would also seem that our actions in Viet Nam are being used in this country purely as a "political football" and that various politicians have utterly no concern

whatsoever for the American and allied servicemen who are dieing and being wounded every day in Viet Nam. The extreme liberals in our country and various other "dove factions" certainly make their positions known loud and clear. I believe it is time, and I'm sure it will be reflected in the polls this November, that "middle America" let itself be heard. I'm sure you will find that the great bulk of the American population are proud of the United States and are sick and tired of hearing that we are wrong in our actions of the world over. It is time and far past that some of our Congressmen and Senators stand up and state that they are proud of the United States and that regardless of why we are engaged in this ridiculous war that it is high time we win the damn thing by unleashing our entire military power and the hell with the consequences of China and Russia. We have been pushed around by those two countries in every instance over the past twenty five years and I love this country enough that I think we should tell them just exactly "how the cow eats the cabbage" once and for all and let the chips fall where they may. We certainly have not gained anything by condescending to them in every instance. All we have done is lost our prestige over the entire world.

In any event, I would reiterate my request that you do all in your power to have the United States government unleash its entire military power and bring this ridiculous war to a conclusion.

Very truly yours,

ROBERT M. JACKSON.

CONGRATULATIONS TO GRADUATES

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. McDONALD of Michigan. Mr. Speaker, education has always been a vital factor in the lives of Americans.

Our youth are truly our future, and how well educated they are will in great measure determine the future growth of our Nation.

Today as perhaps never before, education is a matter of the gravest concern, for we are living in times that are not only perilous but also most challenging.

We must encourage our young people to pursue education as long as possible so they may be adequately equipped to deal with a world that is far more demanding than it has ever been.

And so, Mr. Speaker, like many of my colleagues, I try to encourage the youth of my district to continue their learning.

This year I am sending to each of the seniors graduating from high school a certificate of congratulations to mark a great moment in their lives. I am also sending each senior a letter urging a continuing pursuit of education. The letter follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 1968.

DEAR GRADUATE: I know this is a time of rejoicing for you and your family. Years of earnest effort are now culminating in graduation from high school.

The importance of a good education cannot be overestimated. Today's world is far more competitive than it was when your parents finished high school. I hope you will take every advantage offered that will increase your knowledge.

The accompanying certificate is my own way of emphasizing the importance of this day in your life. I hope that in the days and years ahead you will not hesitate to call on me whenever I can be of assistance.

Sincerely yours,

JACK MCDONALD,
Member of Congress.

CONGRATULATIONS

It is my pleasure to congratulate you upon your graduation. May this day begin a further achievement in the ideals of citizenship in your community and for your country. I sincerely trust that you will continue your quest for increased knowledge.

JACK MCDONALD,
Your Member of Congress.

REAPING A BITTER HARVEST

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. JOELSON. Mr. Speaker, I have asked permission to insert in the CONGRESSIONAL RECORD a most compelling and persuasive editorial which appeared in the Paterson News of June 6 1968. Athough reasonable dissent and discussion are important in a free society, lawlessness and contempt for authority can only lead to dire and bitter consequences.

I think that the following editorial makes this point very strongly:

WE REAP THE HARVEST OF CONTEMPT SEEDS WE SOWED

United States Senator Robert F. Kennedy died this morning. In this country and throughout the world sorrowing peoples had gone to bed last night with hopes and prayers that the morning would bring good news . . . that "Bobby" would recover. But the prayers, the best and abundance of medical skill, his own vitality were to no avail.

From President Johnson down, the world mourns with the senator's wife, their 10 children, his father and mother and other members of the family which has suffered so much tragedy in violent deaths.

All of us in this precious country of ours had better offer up prayers to the Almighty that this land may speedily be delivered of the deadly malady which has spawned the two terrible forays against the Kennedy family and recently took the life of the Rev. Martin Luther King, struck down by the same type of bloodthirsty killer as laid low the Kennedy brothers.

There are now memorials to the late President Kennedy and to Dr. King, and they will stand as everlasting reminders of the roles they played in society.

But of what avail costly and impressive monuments, parks, or public buildings if we in America do not quickly move from the poisonous atmosphere of hate, violence and retribution which has enveloped a land of which we have been so proud.

America is reaping now the horrible harvest which we have sowed with our subscription to lawlessness, to contempt for our established institutions, with our disdain of past glories, with growing leers for our elders, with almost total abandonment of the Ten Commandments.

We have been a nation of cowards in recent years, standing by as we did in the face of a torrential contempt for all the things that have made us a great nation.

Children spit at their parents in a violent rebellion the aim of which is nebulous and aimless.

Protesting advocates of civil rights violate them by hurling rocks at the U.S. Supreme Court to show their contempt for the very law and order which inevitably would be their final salvation.

Young men and women, still in adolescence, riot in universities, seize buildings, vandalize the properties of institutions of learning, shut down the mainstream of education of thousands of innocent students who are caught in the vortex of rebel rioters.

Teachers strike and shut down schools to attain goals which in years gone by they have attained through the American way of conference and negotiation.

Students awakened to this new mode of violence and rejection of decency reflect their contempt of teachers who once were among the most hallowed of our citizens and now are mere common-clay humans.

Parents look away while their growing children become long-hairs, unkempt and disordered members of a new and strange tribe.

Prayer is taken away from the schools because ostensibly it is in violation of personal rights. What an orgy of dissent from the concepts which set the U.S. apart from a seething outside world!

Young men summoned to the country's cause burn their draft cards and gather in groups to defy their country. The American flag passes by in procession and only here and there is there a salute to the proud banner of American democracy.

People must be prodded to doff their hats and salute the flag in reverence and respect.

Emboldened dissenters decry the American capitalistic system and do obeisance to the red flag of Communism.

Instead of paying lip service to the cause of love and respect for this beloved nation as politicians are doing today in hypocritical expressions of sorrow at Sen. Kennedy's tragedy, our American leaders, from Washington, to state capitals, to city halls, to churches and to homes, should start now to campaign for a new deal of inspiration, dedication and respect for America.

Let the students riot in other lands; let revolutionists carry their cause for justice in countries which have never savored the manna of American glories.

The United States became the world's finest land because our goals were decency, respect for God, respect for parenthood and for our elders.

We can restore these symbols of greatness if our leaders will stop their pandering to momentary political power through votes and preach and practise the lesson of a great America.

If we do not do this, there will be more tragedies like Jack and Bobby Kennedy's and Martin Luther King's, may the Lord forbid.

Do it now!

POOR PEOPLE'S MARCH

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. DIGGS. Mr. Speaker, following is an article by Inez Robb on the Poor People's March:

In the United States the unforgivable sin is to be poor. Here is the real reason the affluent society and its press is so annoyed by the Poor People's March on Washington.

Such presumption on the part of these nobodies! There ought to be a law. And there probably will be before this present session of Congress adjourns. Not a law to abolish poverty, of course. Just a neat, compact law to abolish the root cause of poverty—poor people.

The American public is sick and tired of poor people and their dreary, sordid problems. Poor people don't make "fun" reading. Who wants to read about people in sordid tenements who leave the lights on all night in hope of discouraging the rats from attacking the kids?

It's the Jet Set—the Beautiful People—who are the fun people and whose exploits make such fun reading in The New York Times, whose pages are devoted to them, their houses, their jewels, their custom-made threads, their parties, their art collections, etc., etc., etc.

That too, is the swooning literary stock in trade—the backbone—of the society fashion and women's magazines. The linear soap opera, so to speak. The opiate of the climber (or climbing?) classes. Let's have another helping of Ethel Kennedy! Better for that suburban migraine than the pain killer that's stronger than aspirin.

The press has recently had a very succinct quote about this whole bag from Mollie Parnis, a most succesful Seventh Avenue dress manufacturer.

"After all, anybody with $5 million or less is hardly much better than a bum these days," says Miss Parnis.

This is a perceptive and acute diagnosis. And this is also an expert speaking. Miss Parnis is the embodiment of the American dream—a self-made millionaire.

By her own definition, she started from a bum base in the rag biz. She made her way up in a gutsy trade in a gutsy way, and in a gutsy manner achieved membership in the Beautiful People and the Jet Set. She is a fun person who from experience knows a bum when she sees one.

And she has made a succinct statement relevant to our times—a statement that an acquaintance puts in a slightly softer context by saying that "one can't keep clean today on $5 million."

The national revulsion to the poor has been loud and clear since the recent meeting of the General Assembly of the United Presbyterian Church in Minneapolis.

There has been angry muttering over a litany (the politest thing it has been called is "radical") written by Dr. David G. Buttrick of the Pittsburgh Theological Seminary and recited by some 900 ministers and laymen attending the Minneapolis assembly.

The mod, turned-on litany might have gone unchallenged if Dr. Buttrick had not asked God's forgiveness for:

"Pretending to care for the poor, when we do not like poor people and do not want them in our homes."

Dr. Buttrick's unforgivable sin is in blowing the cover on much of society's attitude toward the poor. The stiff-upper-lip attitude of the Establishment—whatever that is—is that the reverend should have had the decency not to spill the beans in public.

If the Beautiful People were holding a be-in in Washington, Congress would be overjoyed at the prospect of all those marvy parties that would be given in connection with such a fun event. Man, would it cooperate!

But the Poor People's March! Hell! They may get out of hand. And destroy property like that fun mob of young, fun people in Southampton, L. I., some years ago who tore up a private home for kicks.

If only the poor would crawl back into the woodwork!

POOR PEOPLE'S MARCH

HON. DAVID N. HENDERSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. HENDERSON. Mr. Speaker, it is, I believe, significant that a hard-working, industrious member of the Negro race has proved what some white persons had previously suggested—that there are many able-bodied men participating in the Poor People's March on Washington symbolized by Resurrection City, who simply do not want to work.

The Washington Evening Star of June 10 reports that James H. Clark, a licensed plumber who owns his own business here in Washington, went to Resurrection City on Sunday, June 9 to lay a sewerline so the showers would have drains instead of adding to the quagmire already existing in the area because of heavy rains. He did this on his own time, on Sunday, his day off, and without pay or expectation of compensation.

He appealed both directly and indirectly to the residents of Resurrection City for aid, but according to the Star, the only aid he ever received came from his cousin whom he brought with him.

I am inserting the article, here in the CONGRESSIONAL RECORD, as an extension of my remarks and I hope that everyone will read it. All of us want to help people who, through no fault of their own, are destitute, but my constituents are unwilling to pay taxes from the fruits of their labors to support or provide benefits for those who are able to work, but unwilling to work:

[From the Washington Evening Star, June 11, 1968]

TENT CITY VOLUNTEER: PLUMBER GETS NO AID FROM POOR HE HELPS

(By Chris Wright)

James H. Clark stood shoulder-deep in the freshly dug trench, sighting down the line of black sewer pipe he had just laid between two rows of Resurrection City's plywood shacks.

Clark is not a resident of the poor people's encampment. He is a licensed plumber with his own business in Washington.

Yesterday he was at Resurrection City laying a sewer line so the showers would have drains and not create a quagmire. He was doing the work free, and asked the encampment officials about the possibility of help.

Periodically the public address system would ask for volunteers—for an unspecified task. Clark would look up once in a while, shrug his shoulders and bend back down into the trench.

No volunteers came.

"These people don't want to work," he said.

When the motor of the earth-mover idled, transistor radios could be heard inside nearby shelters. From time to time a group of men would gather around the ditch and watch Clark work.

Once Clark looked directly at a big man who seemed to be a leader and asked him to get some help and begin filling the trench behind them.

The man looked surprised. "Brother, I came down here to get away from shovels," was the reply.

By late afternoon the line was about halfway to the showers. Someone obtained a second earth-moving machine but only began to haphazardly fill the trench. He soon went away.

As Clark worked, he said he has very little use for the Poor People's Campaign, personally. But he feels sorry for the people in the camp—and he likes to see a job, especially one done by Negroes, done right.

HELPED BY COUSIN

"I sure would like to regrade that last section," he said, apologizing for his use of rocks instead of brick to support the pipes. The afternoon sun beat down. He walked off down the trench carrying his red level.

Clark, of 431 10th St. NE, donated his time for the project. He also got his cousin to help, and guaranteed payment for earth-moving machinery, that was supposed to be rented out of campaign funds.

He got started on the pipe-laying on Saturday after a friend called him and disclosed that the tent city was in trouble because of its non-existent sewer system.

No stranger to weekend work—"You can drive down the street and see people sitting on their porches, but I usually find something to do"—he got organized and was digging before the city's residents seemed to realize he was there.

As the day went on his pipeline progressed steadily through the hot, sun-baked clay toward the plywood shower stalls in the center of the camp.

Clark and his helper ignored camp residents who jumped the trench, kicking dirt where they were working.

RAIN FILLS TRENCH

As huge thunderclouds began to blot out the sun at about 6 p.m., Clark looked anxiously at his handiwork and the mostly unfilled trench.

A few big drops fell, making dark spots on his green denim shirt.

"I'm a damn fool," he threw down the shovel in his hand.

"But I've been one—brought up that way." He picked up the shovel and finished bracing the pipe joint.

The rain clouds got darker. "The least they could do is fill up this hole."

He jumped out of the ditch. "Take this shovel and put it in our truck," he told his cousin. "I'm going to do something about this."

Clark strode off between the plywood houses. His cousin disappeared in the other direction.

Time passed. The rain began to fall in sheets across the camp.

The hole began to fill with water. The loosely piled earth on the sides turned to runny mud.

At the other end of the camp three men in yellow rain slickers experimented with one of the earth-moving machines. They didn't know who Clark was.

LEGAL ADVICE FOR LAW AND ORDER: LEADERS WHO LEAD

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. RARICK. Mr. Speaker, Mr. George S. Womack, of Baton Rouge, La., a prominent and well-respected member of our Louisiana Bar Association has dispatched a succinct and well-reasoned "legal paper" stressing his position on the libertine threats against our country and his recommendation to yet save our Republic.

I am fortunate to represent a congressional district which nurtures God-fearing patriotic attorneys such as Mr. Womack and I am proud that I have asked unanimous consent of this House that his statement follow my remarks:

BATON ROUGE, LA.,
June 6, 1968.

Hon. CHARLES MANSHIP, Jr.,
Editor, State Times Newspaper,
Baton Rouge, La.

DEAR SIR: I join the vast majority of the American people in deploring the assassination of Senator Robert Kennedy. However, the indignant pleas from politicans, news-

men and clergy to our citizens to refrain from acts of violence, will continue to fall on deaf ears of those thousands of Americans who seem dedicated to violence and lawlessness.

The cries for passage of the so-called "gun control act" are ridiculous when one considers the fact that if such an act is adopted, it will merely result in the law-abiding citizens losing their guns and means of self defense, while criminals and rioters will either secrete their weapons or steal them from our gun shops during riots. The mere passage of gun control laws cannot dictate to the minds and hearts of those intent on murder, asassination and crime.

It is obvious that the freedom of citizens to have and bear arms is not the underlying cause of the rampant onslaught of crime and lawlesness. What then is the cause?

There are four underlying reasons for this unparalled condition in America:

1. Lack of religion in the family.

2. Failure of the so-called "poor people", white, and black and red, to counsel their off-spring to follow lawful and due process courses of action in attempting to attain their objectives, financial security, civil rights and equal opportunities. To the contrary, it is obvious that such people have been and are actively advising their children to disregard law and order and to actually commit crimes, engage in riots and looting in order to benefit themselves financially and to gain nation-wide notoriety and attention which they believe will benefit their efforts.

3. The complete breakdown of law and order on local levels. This has resulted from a long line of executive statements and actions starting with the Kennedy-Johnson administration and continuing through the Johnson administration, whereby civil disobedience, marches without permits, threatened physical violence, treasonable statements, actual looting and rioting have been allowed, and in some instances, actually encouraged by such administrations. In witness whereof, local police authorities, both state and municipal, have been severely criticized by such administrations and crime commissions set up to investigate the causes and results of riots all over the land for using minimum, effective tactics in bringing rioting, arson and looting under control. Accusations of police brutality have followed each effort by the police to quell mobs and to end rioting, looting and burning in our large cities. The administrations and the commissions referred to above have concurred in such accusations, leaving the police in a confused and bewildered state. If they do not quell the above referred to crimes, entire communities will go up in flames, with looting and death rampant. If they attempt to stop same, the authorities condemn them and actually bring some of the police officers to trial for the mere performance of duty.

4. Perhaps the greatest underlying cause of our present dilemma as concerns lawlessness throughout the land is the obvious attempt of the United States Supreme Court to revamp the criminal laws of the land to their liking and to rule by dictatorship of the Court. As of this date, no one has been able to stem this liberal tide. By a series of unparalleled, disastrous decisions, these nine men who seem to control the destiny of our nation, have undermined law and order enforcement. Any district attorney or criminal judge in the land will tell you that it is practically impossible to secure a conviction of a criminal. This series of unfortunate decisions has wrecked the criminal procedure of all states and has resulted in a log jam of criminal cases. This means it will take years to try them or that the district attorneys will have no alternative but that of dropping most of the charges. The latest fantastic decision rendered by the Supreme Court, in connection with declaring null and void all convictions decreeing capital punishment, in which prospective jurors who professed an opinion against capital punishment were kept off the jury, will result in the release from the death penalty of over 400 convicted murderers, including Speck who was recently convicted of murdering eight nurses.

Thus, it is obvious that the majority of the U.S. Supreme Court have made up their minds that they will determine the criminal process of the land in a manner suitable to them with no regard to the welfare of the vast majority of citizens who are law abiding. All of their decisions are aimed at protecting criminals, not the God fearing and orderly citizens.

What then, can be done concerning these conditions? This is what "you" can do:

1. Emphasize religion and God in the home.

2. Write your Senators and Congressmen, urging them to pass immediate legislation outlawing civil disobedience in any form, whether it be unlawful marches, sitins, loveins, rioting, looting and arson, setting strict penalties for violation thereof. Immediately pass remedial legislation setting aside the ridiculous criminal decisions rendered by the U.S. Supreme Court and at the same time, have Congress advise the said Supreme Court, in no uncertain terms, that it will not allow the Supreme Court to assume dictatorship of the country by Court decree.

3. Vote for a candidate that stands for return to law and order and to positive, deterrent punishment against violators of the law.

The deterrent to crime is the knowledge that punishment follows swiftly for violation thereof. As soon as people found out that they could violate the law in any manner, from looting, rioting and burning to murder, without conviction for such crimes and without capital punishment, the crime wave rose in an almost perpendicular arc. You may rest assured that it will continue to rise at a fantastic rate unless and until law violators can and will be punished as they were when we were a law-abiding nation. Unless this remedial and corrective legislation and action on the part of all of our law makers, President and executive officers is taken immediately, you will witness, in my opinion, the fall of our nation. It is not impossible. It can happen. In your lifetime, you have witnessed the fall of Great Britain and you are watching the fall of France. The first symptoms of the fall of a great nation, such as ours, are the loss of religion, loss of patriotism and the failure of law and order. If these requisites for greatness are lost, and they are rapidly deteriorating now, our nation will fall.

Very truly yours,

GEORGE S. WOMACK.

COMPASSIONATE REPORTING OF THE FUNERAL OF SENATOR ROBERT FRANCIS KENNEDY

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. JOELSON. Mr. Speaker, I wish to call to the attention of my colleagues an article which appeared in the Paterson News of June 7, 1968. It was written by Miss Beverly Fulton. I think it proves that newspaper reporters who are often regarded as hard-boiled, can write with compassion and deep understanding when the occasion warrants.

The article follows:

LAST OF KENNEDY BROTHERS KEEPS VIGIL AT R. F. K.'S BIER

(By Beverly Fulton)

We stood in the pre-dawn heat. Everyone was quiet except for a few who were listening to a radio. More than an hour and a half before the doors of St. Patrick's Cathedral swung open, a line eight blocks long and six persons abreast, waited in the dark to pay their last respects to Senator Robert F. Kennedy.

The sun was rising as we entered the cathedral. The line moved swiftly and as I turned to the center aisle, a tall man stepped in front of me, assisted by another man.

He moved much slower than the rest of the mourners and seemed more deeply in thought. It was not until he turned to whisper something to his friend, that I recognized him as Senator Edward Kennedy, who had kept a constant vigil through the night at his brother's casket.

Sen. Ted Kennedy resembled his brother, the late President Kennedy to such an extent that for a moment it seemed almost as if a ghost had appeared.

His face was ashen and drawn.

He had suffered the same sort of tragedy four years ago, but then he could rely on the strength of his brother Robert to help him bear up.

STANDS ALONE

This morning he stood alone, the sole survivor of the Kennedy boys.

Few mourners noticed him as he slipped into a pew approximately 10 feet from the bier on which the undraped mahogany casket rested. The casket was covered with fingerprints left by thousands of mourners who had already filed through during the first half hour the late senator lay in state.

Six brass candlesticks surrounded the casket at which an honor guard of four family friends knelt and stood.

Many of the older women leaned to kiss the casket. One elderly lady leading a blind Negro youth wept and had to be helped from the bier.

As we left the Cathedral and stepped into the bright morning sun of Fifth Avenue the whole episode inside seemed almost unreal to us, as it was to the thousands still lined outside waiting their turn.

DELAWARE SCHOOLGIRLS TUTOR CUBAN REFUGEE CHILDREN

HON. WILLIAM V. ROTH, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. ROTH. Mr. Speaker, too often, today, it is the small groups of troublemakers that make the headlines. On the other hand, young people who are helping their fellow men often receive little or no publicity.

Recently, I was happy to learn that two high school students, who reside in my district, received publicity recognizing the outstanding job they are doing in spending their time to help refugee children to learn English. Nobody reflects better the maturity and dedication of the purpose of the majority of our young people than these two Thomas McKean High School students, Cindy Watkins and Janice Johnson, each of whom devoted more than 2 hours a week of their school time helping other young people.

I am happy to insert in the RECORD the newspaper report of their activities

which appeared in the Wilmington, Del., News-Journal on May 20, 1968:

TWO MCKEAN SENIORS TUTOR: THEY TEACH AND LEARN

Since January, two Thomas McKean High School seniors have been spending more than two hours of school time away from their school—teaching and being taught.

The two, Cindy Watkins and Janice Johnson, both 17, were student tutors at the Marbrook Elementary School helping Cuban refugee children to learn English.

In the process, the two teenagers also improved their own ability in Spanish.

Both girls were at the top of their Spanish class at McKean and their teacher, Mrs. Bernice McIntosh, thought they would fit the bill when the call for help came from Marbrook.

According to Randall C. August, assistant director of Marbrook's Title III program, the school found itself with two Cuban children who spoke almost no English.

Both Marbrook and McKean operate on the flexible or modular scheduling system. This system organizes class hours into large blocks of time and provides much more free time for individual study than the familiar 50-minute classes.

Cindy and Janice went to Marbrook twice a week for an hour during their free time. The Cuban youngsters' schedule was arranged to fit their tutors' hours.

"We were afraid that they would resent us or be afraid of us," says Cindy. "But they didn't."

The girls didn't have any set pattern of teaching. They took familiar things like colors or telling time and drilled the two youngsters in these things.

They also took tours of the school, pointing out in English the names of the various rooms and objects.

As the children's English and their teachers' Spanish improved the two teen-age tutors began teaching basic grammar.

Malcolm Baird, McKean's principal, feels the experience the girls had was excellent.

"It's far better for students to go out and help other kids and learn something themselves than for them to just sit in a study hall."

"The experience was great," says Janice. "We certainly learned as much from them as they did from us. It was great."

The two Cuban youngsters did improve their English, according to August, and about a month ago two more Cuban youngsters were sent to the teen-age tutors.

The two seniors will attend the University of Delaware next year.

Cindy, the daughter of Mr. and Mrs. Russell Watkins, 114 Balmore Lane, Highland West, will study elementary education.

Janice, the daughter of Mr. and Mrs. James Johnson, 706 Loper Lane, Sherwood Park, will study home economics.

CITIZENSHIP AND PATRIOTISM

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. MARSH. Mr. Speaker, recently the Ruritan Club of Montevideo, Va., sponsored a countywide contest in the public schools of Rockingham County on the subject of patriotism and the need to strengthen the American will, particularly in view of the challenge that we face in South Vietnam.

Students in elementary and secondary schools took part in this program, and prepared and delivered speeches, on which they were judged.

The winners of this contest from both the elementary and secondary schools then were recognized at a program to which the public was invited and in which the local Ruritan Club had the support of local veterans' groups and other organizations.

On that occasion the three high school finalists competed and winners were selected. The first-place winner was Miss Elma Ritchie; the second-place winner was Mr. Steve Saufley; and the third-place winner was Miss Melody Whiteside. Copies of addresses delivered that night by the winners have been made available to me.

I think anyone reading these remarks will be inspired greatly by the spirit and dedication of these young people, which I think reflects most favorably on the youth of our country today.

The addresses follow:

AMERICA, FACE YOURSELF

(By Elma E. Ritchie)

We are the citizens of a gigantic nation called the United States. The world looks to our power and wisdom—to us the people—to keep the shadow of the bomb hanging over us only a shadow. *Understand* why we must face our country with our eyes wide open.

The time has come for us as a nation and citizens to awake and start realizing exactly what is happening. It is time we ask ourselves (if we can slow down long enough) *what we are, what is happening to us,* and *what we can do about it.*

No nation that has ever existed on the face of the earth has had the background, the backbone, or the backfire-to-tyranny which has made us rise to power. We do not know what it is like not to live in a have-nation, a democracy founded on ideas of human rights. We have everything, all kinds of opportunities: Education, armed forces, cultural arts, knowledge doubling and tripling, scientific breakthroughs in medicine, elaborate churches and libraries and recreational facilities. All these we have, and more, to make our lives richer, satisfying, and secure.

Science and knowledge rule this era. We think it is fantastic. What has it given us? Firebird cars, hi-fi sets, guitar amplifiers and psychiatrists. As someone said, it has given us DDT for insects and $E=mc^2$ for people.

Americans believe in what is for real, what is individual, we like to say. Yet we buy whatever we see advertised with genuine herd instinct. We believe in self-discovery, we say. Yet we use anything from alcohol and dope to plain old rock'n'roll to get away from ourselves . . . *escapism.*

Americans have adopted another life custom—sow our wild oats during the week then go to church Sunday and pray for a crop failure! The Bible says, "Whatsoever a man sows, that will he also reap." Surely this applies to the nation as well. What have Americans sown and reaped?

Anyone who glances at the newspapers today knows we have our own pile of troubles, to be added to by the outside world before the accumulation ends. We have so many troubles we don't even like to think about them.

For one thing, our freedom has often been turned into a kind of slavery of licentiousness. People use "freedom" to loot and destroy, to take dog-eat-dog advantage under the anthem "it's a free country." We almost thing of freedom in terms of *what we want.*

We cannot seem to govern ourselves. The *U.S. News and World Report* puts it this way: Our politicians are so busy trying to keep off the toes of big labor, etc., that they do not seem to have time to bother with the public—except on the campaign trail.

Some people even hate the law. They hate the police. We make cops the butt of our jokes. Some of our judges are such philanthropists that we have *criminals* going back into society. Our police forces are undermanned. They are discouraged and often feel as if the law courts are attacking *them* instead of criminals.

Our race riots during the past three years have left 130 people *dead* and 3½ thousand injured. Add to that 700 million dollars property damage. A Senator from Arkansas stated that it is *clear* that nothing less than a *conspiracy* of *vast scope* plays a major role in our riots. Five or six years from now the U.S. may suffer a series of *internal wars!*

We have industrial strife. Labor leaders do not hesitate to close down whole industries even if it cripples the whole country. School teachers and medical nurses walk off the job leaving public institutions in *chaos.*

Our society has lost convictions on moral issues. Under the permissive culture, hard-core pornography which used to be slithered around in weird green paperbacks is common reading today. Some movies poison the minds of whoever watches, especially youngsters. We do not seem to know what is right and what is wrong anymore.

We are fighting an undeclared war, the third biggest in U.S. history. Obviously, we are not winning. Even worse than last January's startling Vietcong offensive which caught Allied forces by surprise—even worse is our lack of national resolve, our lack of *direction.* Our people seem divided against themselves. We are tired of everything. We do not even *expect* to win the war in the foreseeable future. We do not expect anything but another summer of riots and anarchy in the pulse of America, our big cities.

Where is our pride of power? How is it that little North Korea hijacked the U.S. Intelligence Ship *Pueblo* near or on the high seas?

It has happened before . . . great nations have fallen. To be sure, nobody except a few fanatical oddballs and prophets-of-doom ever thought that was what was happening. Nobody believes anything like that could happen to little number one—until the worst really happens, that is.

History *shows* that no disorderly, divided, lawless society can survive. History alone should shake us into recognizing the symptoms of a country's decline. One of the first symptoms of a sick society is the toleration of lawlessness.

What is the root of our troubles? How can a land be so abundantly blessed yet plagued with curses? Americans are losing faith in the ability of our government to lead the nation, much less the world. We are losing direction. We have lost faith in God. We are losing faith in ourselves.

If ever our country needed people who *love* what is left of this "one nation, under God, indivisible, with liberty and justice for all", the time is now. If ever the U.S. needed its citizens to rise up in concern and *outrage* over our growing disorderliness and confusion, the time is *now!* But time is speeding on and our troubles are not lessening. They are assuredly going from bad to worse.

This may shock the rest of the world, but most Americans are not stupid, pampered neurotics. We do not really have to live on pizzas and Alka-Seltzer. Our young people do not have to cheat to pass exams. We do not really have to reap whirlwinds so far as home and happiness is concerned.

Americans, what are you and I going to *do*? First, we are going to *support* and *regard* law and the police as a vital *friend* of society, not as a blundering, brutal, contemptible enemy. In the Old West, citizens

themselves established order. Well, today there are whole new frontiers of lawlessness awaiting us!

We are going to end this free, new morality idea which amounts to *no morality*. We are going to fight newsstand filth and lurid movies before they seep through everything like a leaky sewage system.

We are going to make friends with people of other races. In other words, we are going to do what we can to keep our corner bright. And as a nation, we are going to *unite* and win the Vietnam war or *unite* and withdraw, and fight Communism in the most effective way—without napalm.

We are going to return to the basis on which the United States was founded: Responsible freedom, the only genuine freedom. As Milton expressed it:

"But what more oft in nations grown
corrupt,
And by their vices brought to servitude,
Than to love bondage more than liberty . . .
Bondage with ease, more than strenuous
liberty."

It is in every American's potential to chose between Gold-given freedom and revolution, destruction, slavery-to-corruption! We must *not expect* nor *tolerate* any disorderliness and immorality whatsoever.

Talking is easy. Many Americans talk a lot, to say the least. But now is the time to *act*, before it is *too late*.

America, face yourself with your eyes wide open. You will need a good deep breath. You will need every ounce of moral fiber you can muster. For you must enter into a battle with your own minds and consciences. *You must fight to survive.*

OUR DEBT TO PATRIOTISM

(By Steve Saufley)

"Give me liberty or give me death!" These are the words of Patrick Henry, the noblest of the patriots as he expressed his feeling of patriotism in his long remembered speech. But I ask you, what is patriotism? Webster defines it as one's devotion to his country. But what is devotion, devotion is defined as loyalty and loyalty is defined as faithfulness and allegiance. Combine these and you have the precise meaning of patriotism.

Soon after the outbreak of the American Revolution, a band of volunteers from Virginia marched to Boston wearing shirts with "Liberty or Death" on their breast in white letters. These volunteers were known as Morgans riflemen. George Washington met them as he was riding along his lines, when Morgan saluted and said, "From the right bank of the Potomac, General!" So touched was General Washington that he dismounted and with tears in his eyes, went along the ranks shaking hands with each of the men. Thus the true spirit of patriotism filled the heart of our first President.

Our patriotic forefathers loved their country partly because it was *their* country, but mainly because it was a *free* country. They burned with enthusiasm for its *advancement* and *prosperity* because they saw within *these* the true glory of human liberty, human rights, and human nature. They desired to show the world that free men could be prosperous.

We do not realize our true love of our native country until we live in another in which there is no freedom of speech, freedom of the press, and the freedom of religion.

We are ever in debt to our God for allowing us to live in a country with freedom and a spirit of patriotism. As we live our daily lives, let us give our God first place in our lives, then our love for our country, its' leaders, and its' countrymen. Our country's welfare is our second concern and for these who promote it best, performs his duties as a patriot well.

Our men in Viet Nam and in other parts of the world are doing more than their part in preserving patriotism and protecting the rights, privileges, and freedoms of *you* and me as American citizens. Many countries have lost their freedom and we may lose ours, but the fight must continue if we are to sustain these cherished possessions. The cause of freedom, liberty, and patriotism must not be surrendered under any circumstances.

Daniel Webster once said, and I quote, "Let our object be our country, our whole country, and by the blessing of God, may that country itself become a vast and splendid monument, not of oppression and terror, but of wisdom, of peace, and of liberty, upon which the world may gaze with admiration forever." Unquote.

America is serving as a light for those who love their freedom, but are in need and pain. If we, here in America are to continue to be this light, all Americans must be responsible citizens, some more responsible than others by undertaking their roles in their families, communities and their plans for the future.

If we are to have true patriotism we must have the greatest respect for the laws that have and will make possible the dwelling of freemen together in peace and prosperity. If each of us perform our duties and responsibilities as American citizens our love and devotion to our country can withstand any elements that our enemies can put before us. If we are to remain free, we must all sacrifice and have the initiative to obtain and advance the cause of human liberty and patriotism. We can accomplish just this by cooperating with each other not only here in America but around the world.

America is and has been the protection of freedom and therefore may we prove worthy of our responsibility and may we initiate our strength with the wisdom of ourselves and those who have gone before us, so that we may accomplish peace throughout the world.

General Dwight D. Eisenhower once said and I quote, "Our most important project is to improve our spiritual strength and stimulate patriotism in every citizen." End quote.

Let us remember that self-interest and patriotism go hand in hand. We as American citizens must look out for ourselves and our country. Self-interest and patriotism may seem to you as two different ideas, but if you analyze these two ideas you will find that they are closely related and tend to pull in the same direction.

In this complex world, are we as Americans upholding the ideas and ideals of patriotism by rioting and crying for equal rights. Our constitution states that all men are born free and equal, but we must work for the good of ourselves and our country if we are to obtain certain other rights and privileges that we wish. But, must we as American citizens continue to bear the burdens of rising taxes, crime, and poverty? With the National debt rising, I ask you, who will pay it? It will not be you of the older generation, but those of us of the younger generation. Is it the patriotic duty of the younger generation to bear the burdens that generations before us have placed upon us. My answer is yes, and we will expect the challenge of bearing these burdens with the enthusiasm of that our early forefathers. But if we are to solve these problems we must have the understanding, cooperation and guidance of the older generation of the present day.

In conclusion allow me to sum up our debt to patriotism. We owe to the cause of patriotism, our freedom, our rights and privileges as Americans, our constitution, our language, our religious beliefs, our form of government, our leaders, and our lives. Without patriotism we would not have these possessions that we cherish so dearly as we know them today. In the past 192 years ½ million American soldiers alone have died for their country.

Shakespeare once said and I quote, "Had I a dozen sons—each in my love alike—I had rather have eleven die nobly for their country, than one voluptuously surfait out of action." unquote. Yes, In its place gold is good but brave patriotic men are far more valuable than gold.

Let us instill within our hearts the words of Katherine Lee Bates, as she wrote "O beautiful for patriot dream, that sees beyond the years Thine alabaster cities gleam, Undimmed by human tears, America! America! God shed His grace on thee, and crown thy good with brotherhood from sea to shining sea."

CITIZENSHIP AND PATRIOTISM

(By Melody Whiteside, Elkton, Va.)

I need not stand here and define citizenship and patriotism, because everyone knows the definitions. Everyone knows that a good citizen takes an active part in community affairs, votes at election time, and is well informed on the happenings in the national government; and everyone knows or perhaps thinks that patriotism is serving one's country—maybe even giving one's life for the cause of freedom so that others might wake up to a peaceful world. But there is so much more to be said about these topics—so much to be felt. For citizenship and patriotism are words loaded with emotion ready to burst forth with ideals and principles when triggered in the proper attitude.

Taking a look at our world today we find it's turning faster, shrinking smaller, and as if someone were blowing up a giant balloon with the breath of knowledge it's expanding; filling out every crevice and corner with new facts and advancements. Our world has come a long way from the time in ancient Greece where the ideas of citizenship and patriotism were first sparked. Along with this new world, which is actually the old one in the eyes of a new generation, come new ways of accepting these terms. When we compare their definitions in a dictionary published in 1930 to the definitions in a 1968 edition, we find the meanings are essentially the same. From this we can generalize it's not the meanings that have changed, but the people who use them.

With these ideas in mind, I would like to show you how my generation thinks and feels about these terms today. Now, when I speak of my generation I'm including thousands of teen-agers who are running away from well-to-do families to join the "hippy movement." They are doing it simply because they have lost faith in their homes, and they are searching for values which they can't seem to pull out of a comfortable homelife.

When teen-agers are given all of the rights, privileges, and advantages of a successful life it's like having cake and eating it too. These privileges are theirs for the having—they don't even have to ask. When this is the case, teen-agers want to go backwards because there is nothing left to achieve when they push forward. They seek to develop a non-society society with no laws or rules. They are trying not to look ahead, but turn back the clock to primitive man before he found a need for society. They are simply taking that which already is for granted and going out to find their own world to conquer just as their ancestors did.

Yes, this is how citizenship is being viewed by a portion of my generation today. Just as citizenship is being viewed differently, so is patriotism. Ever since World War II patriotism has been gradually drifting away from the we love our country so we'll fight for it. Today some young men fight in the war because it's their duty, and because it is the law. A young American soldier expressed himself on this new acceptance of patriotism by saying this: "I never felt I was fighting for any particular cause. I fought to stay alive. I killed to keep from being killed."

Yet, there are those who fight with a genuine love for their country in their hearts. These are the soldiers who know why they are in Vietnam and are giving their all for their country. But how can we expect these soldiers to keep up their dedication when they hear reports of demonstrations going on in the United States against their serving? It is the prerogative of every citizen to protect their rights, but when demonstration is our only means of contact our boys have to wonder whose country they're really protecting.

J. Edgar Hoover summed it up beautifully when he said, "Do what you can with what you have, wherever you are for God and America. It is the tradition of free men; a tradition which we must carry on to insure the future for those who take up the obligation.

Of course, what would patriotism be without our flag? Our flag is the symbol of the nation itself. Much to my regret, however, there are episodes happening across the United States involving public desecration of the American flag. More than eight states have reported such actions, the most recent occurring at Purdue University where a student unfurled the flag, ripped it apart, and spat upon it. A shocking incident—but I'm happy to say this type of action represents only a tiny minority of my generation.

I will admit, however, that the flag, though not mistreated, is often times ignored. Our flag is ignored for the same reason teen-agers run away from home, draft cards are burnt, demonstrations are everyday occurrences, and we serve our country only because it is the law. That reason is, we have too much too soon and too little too late. Citizenship and patriotism do not mean to my generation what they did to others before, due to the fact that they're pointed out but not stressed—taught but not applied.

My generation isn't perfect, and some of our ways are odd, but we're trying. I would like to say one thing in conclusion, and that is I think you are all good citizens. I say this not because you may take an active part in community affairs, or vote at election time, or that you are well informed about the happenings in the national government, but because you took the time to listen to my generation voice its opinion on the two lifebloods of democracy, citizenship and patriotism.

ROBERT FRANCIS KENNEDY

HON. NICK GALIFIANAKIS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1968

Mr. GALIFIANAKIS. Mr. Speaker in the month of August 1964 ROBERT FRANCIS KENNEDY climbed to the podium at the Democratic National Convention in Atlantic City N.J. In a faltering nostalgic voice he paid tribute to the memory of his beloved brother—President John Fitzgerald Kennedy—slain by an assassin's bullet. The words he used were Shakespeare's:

When he shall die
Take him and cut him out in little stars,
And he will make the face of Heaven so fine
That all the world will be in love with night
And pay no worship to the garish sun.

Last Saturday in the month of June 1968—a scant 3½ years later—EDWARD M. KENNEDY stood before a flag-draped coffin at St. Patrick's Cathedral in New York City. In one of the most poignant scenes ever witnessed by man he paid tribute to the memory of his beloved brother—Senator ROBERT FRANCIS KENNEDY—slain by an assassin's bullet. The words he used were his own:

My brother need not be idealized, or enlarged in death beyond what he was in life . . . to be remembered simply as a good and decent man who saw wrong and tried to right it, saw suffering and tried to heal it, saw war and tried to stop it. . . .

Those of us who remain here to perpetuate the principles of public service are enriched for having shared ROBERT KENNEDY's moment of destiny.

We are humbled that we are asked to remember him only as a "good and decent man."

We are comforted by the tranquility with which his family beheld the spirit of death—in the certain assurance that this man had truly understood life.

And we are inspired by the challenge he left us:

Some men see things as they are and say why.
I dream things that never were and say why not?

RESTORATION OF REASON

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. BUCHANAN. Mr. Speaker, for too long violence has been tolerated in America. We have witnessed riots, assassinations, and defiance of the law augmented by inflammatory oratory. Now it is time for responsible leadership and responsible citizenship. In light of the turmoil in which we find ourselves I want to commend to my colleagues the following editorial from the Birmingham News of June 6, 1968:

THE TIME IS NOW

"We're not going to accept violence as a way of life in America," Sen. Robert F. Kennedy told campaign crowds in California last week.

On Tuesday, moments after he claimed victory in that primary, violence struck him down.

The Birmingham News believes that this nation faces grave crisis, a crisis not entirely isolated to the murders and attempted murder of public figures.

What is happening does violence not just to individuals but to American's political processes. What is threatened is the murder of the American dream.

This nation prides itself, rightly, in its nearly two centuries-long record of peaceful transition of government through free elections. Events of recent months—of recent years—cast a deepening shadow over that record. It is no longer inconceivable—though still by no means probable—that conditions could arise which would make the holding of a presidential election and the transfer of power to a new administration on schedule questionable.

It seems to *The News* that certain things are absolutely vital at this moment if America is to survive as a nation united:

The President of the United States must, *must*, stand before the nation and tell its people directly, forcefully, that their country now must insist on responsible citizenship. He made a start in the right direction in his televised address to the nation last night. But what is needed is much more than the appointment of another commission, however valuable the work of its distinguished members might be.

Too long have the President and other national leaders permitted the United States government to be bullied by an irresponsible few. Too long have they hesitated to speak out against gross violations of good sense if not of law.

Every citizen in this country, in public office or private life, who can exert any influence in behalf of a restoration of reason has an obligation to his country to do so.

The nation must *insist* on this.

Of course there is dissent; of course there are differences of opinion. There always have been and there always will be. But one of our strengths always has been our political system's ability to record these differences and to adjust to them.

There is machinery for change in America; machinery for peaceful, orderly redress of grievances.

What some people have fostered is not orderly change but the destruction of the very mechanism, our political system, which can effect it.

America must pledge itself to deal honestly with the needs of its citizens. It also must ask that all citizens have faith that the pledge will be honored; that they cease provocative conduct and join in a common rededication to preservation of the constitutional foundations of that faith.

It has been cited so frequently that it is by now a cliche, U.S. Supreme Court Justice Oliver Wendell Holmes' observation that the right of free speech does not carry with it the right to shout "Fire!" in a crowded theater.

Too many people have gone much too far in their attacks on America, however real their grievances. Too many people have remained silent rather than risk, in the emotional climate which has been generated, being misinterpreted.

It is not out of lack of sympathy for those who need assistance or out of lack of commitment to providing it that responsible leaders now should speak up. It is out of first and overriding concern for preserving this nation.

Those truly concerned about America, truly devoted to this nation, will have no difficulty noting the inflammability of the situation and acting to damp rather than fan it.

Those who do the opposite no longer can be treated as if they have no responsibility for their actions and their utterances.

GOV. DANIEL J. EVANS AS REPUBLICAN KEYNOTER

HON. CATHERINE MAY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mrs. MAY. Mr. Speaker, I am very proud that the fine Governor of my State of Washington has been selected to keynote the Republican National Convention. Keynoting a national political convention is always a rare honor, and Gov. Daniel J. Evans will fulfill this honor with the excellent performance we of the State of Washington have come to expect in everything he does.

In my view, the Republican Party has made an exceptionally fine choice in selecting Gov. Dan Evans. I do not have the slightest doubt that this year's keynote speech will provide the country a message it needs to hear in these difficult times.

Under unanimous consent, Mr. Speaker, I include at this point in the RECORD the impressive biography of the

Honorable Daniel J. Evans, outstanding Governor of the State of Washington:

BIOGRAPHY: DANIEL J. EVANS, GOVERNOR OF THE STATE OF WASHINGTON

In his inaugural address in January 1965, Governor Dan Evans summarized his vigorous new administration in the State of Washington when he said, "This is a time of high purpose" and pledged a "search for excellence" in developing the new programs and fresh personnel to carry the state across the threshold into a new era.

Evans, former Republican floor leader in the State House of Representatives for two sessions, was intimately familiar with the problems facing the state—a state which in January of 1965 had fallen short of realizing its industrial and economic potential and, in fact, was in a serious period of unemployment and economic distress.

The first Republican to hold the Governor's office in eight years, Evans was faced with legislature controlled nearly two to one by the opposition party. Nevertheless, he succeeded in obtaining passage of better than two-thirds of his "Blueprint for Progress" legislation, including several measures aimed at immediately bolstering the state's sagging economy.

By reducing or deferring several of the state's business taxes, the way was paved for dramatic expansions in the field of food processing and the aluminum industry, two categories of business which had been operating far below capicities in Washington.

Evans also persuaded industry to underwrite and conduct a $400,000 study on the business methods used by state government. The Council for Reorganization of Washington State Government brought back recommendations which have saved the state millions of dollars annually.

When Evans was inaugurated, the state's general fund stood $32.5 million in the "red". Although many state programs were expanded by the 1965 legislature, the state ended the Governor's first biennium in office with a general fund balance of $115 million. This balance allowed an appropriation of $93 million for capital outlay, for aid to local government, for providing new institutions for the mentally retarded, and for a number of other needed programs which could not have been done otherwise. And after all this, there was still a surplus of $22 million.

The highway construction program has been advanced to meet the heavily increased needs of expanding industry. Key links in such major arteries as Interstate 5 have been speeded up as a result of the Governor's efforts. All stoplights from Oregon to Canada are expected to be eliminated by fall of 1968 and Seattle-Spokane driving time will be cut by two hours. A record number of miles of new freeways (169) have been completed in four years. Not only was the state involved in an active interstate construction program, but considerable other work was done in the state highway program. In the first full fiscal year of the Evans' administration (1965–66), $120 million in highway contracts were awarded, compared to $80 million two years before—a 50 percent increase. This high rate of state highway construction has continued in the two fiscal years since then. In addition, tolls were removed from the Tacoma Narrows, Vancouver Interstate and Longview Columbia River bridges, and $400 million was provided for improving urban area arterials.

The most dramatic expansion, both in terms of population and economic strength in the state's history now is in full development. Unemployment, which stood at 7.0 percent at the beginning of this decade and was over the national average at well over 6.0 percent in 1964 had fallen below the national average to 4.0 percent by the end of 1967 despite huge expansions of the labor force.

Total employment was one million when Evans took office in January, 1965. It had risen to over 1.3 million (a 26 percent increase) by the end of 1967 and all forecasts today show nothing but sharp increases in the next five-year period.

In 1964 Washington lost 14,000 residents. After Evans' inauguration, the figures reversed and 1965 saw a gain of 6,000, 1966, a gain of 124,000, and in 1967 a gain of 75,000.

Total personal income, which had been $8 billion in 1964, reached $10.7 billion by the end of 1967—the highest percentage increase in the nation in 1966 and 1967. The outlook is for total personal income to top $11.7 billion by the end of the Governor's first term in office in 1968.

Per capita income in the state has increased from $2,514 at the end of 1963 to over $3,350; exports and imports have climbed to $1.5 billion (a 50 percent increase for this same period), and total value of agricultural products has now passed the $800 million mark, setting records for the third straight year.

In addition to bringing vigorous growth to his own state, Evans has asserted leadership in regional affairs as well as taking an active part in directing his party.

At the Western Governors' Conference, Evans proposed and obtained approval for the formation of a Western Interstate Nuclear Compact to allow closer cooperation between Western states in the management and encouragement of nuclear industries.

Evans was elected chairman of the Western Governors' Conference for 1968–69.

Evans also was instrumental in bringing together the governors of five Pacific Northwest states—Washington, Oregon, Idaho, Montana, and Wyoming—into the newly-formed Pacific Northwest River Basin Commission, a long step forward in the management of the region's No. 1 resource, water.

At the National Governors' Conference, Evans proposed the possibility of an amendment to the federal Constitution apportioning part of the federal income tax back to the states with no strings attached. The plan now is under study by a special committee headed by Governor Philip Hoff of Vermont.

In his party, Evans also has offered positive leadership. He outlined a progressive program which has resulted in a genuine resurgence of the Republican Party.

Early in 1966 the party published a series of White Papers patterned closely after the principles upon which Evans had based his 1964 campaign and which were the foundation of his administration. In the 1966 elections Republicans won control of the State House of Representatives (55–44) for the first time since 1953. The party also increased its strength in the State Senate, won control of King County (the largest county in the state with about one-third of the voters in the state) and made inroads into courthouses in many other counties.

Evans was chairman of the National Republican Governors' Association's campaign committee for the 1966 elections, which saw the Republicans increase their governorships from 17 to 25—a net gain of eight.

Although the State Senate in the 1967 Legislature was still controlled by the Democrats, Governor Evans was able to get more than two-thirds of his executive-request measures approved . . . and incidentally, he had more requests than any other Governor in the state's history. Some of the significant Evans' programs adopted by the Legislature were model water and air pollution control laws, creation of a new state community affairs and planning agency, direct financial aid to cities, creation of a traffic safety commission to tackle the nation's No. 1 killer—traffic accidents, a new community mental health and mental retardation program, a group of urban affairs bills giving local government greater flexibility in meeting contemporary problems, and a recreational program preserving ocean beaches, creating scenic highways, authorizing open spaces and proposing a $40 million recreation bond issue for voter approval.

Since the legislature adjourned in the spring of 1967, a significant accomplishment of the Governor has been the establishment of the state's Multi-Service Center in the Central Area of Seattle. This center has brought under one roof many services of state government so that they can better serve the residents of the Central Area, including many of the city's economically disadvantaged. In the center's first seven months of operation, jobs were obtained for 950 people and presently an average of 75 people per day (1,500 per month) are visiting the center to obtain one service or another. The center has been so successful that the building space was tripled and the federal government and the City of Seattle have assigned representatives to the center.

In national affairs, Governor Evans is serving as chairman of the Constitutional Revision and Executive Reorganization Committee of the National Governors' Conference. The committee conducted a research project during the past year and developed a long list of guidelines on how states can modernize their constitutions and executive departments. The National Governors' Conference commended the committee for its work, appointed Evans for another year as chairman and directed the committee to develop model state constitutions and executive department organization plans.

Highlight of Evans' emergence as a national figure was his selection as keynote speaker at the 1968 National Republican Convention, which begins August 5 in Miami Beach.

BIOGRAPHY: DANIEL J. EVANS, GOVERNOR OF THE STATE OF WASHINGTON

Born: October 16, 1925, Seattle, Washington.

Educated: Roosevelt High School, Seattle, graduated 1943. University of Washington, Bachelor of Science, Civil Engineering, 1948. University of Washington, Master of Science, Civil Engineering, 1949.

Married: Nancy Ann Bell of Spokane, Washington, June 6, 1959.

Children: Daniel Jackson Evans, Jr. (November 25, 1960); Mark Lawrence Evans (September 20, 1963); and Bruce McKay Evans (August 21, 1966).

Military service: 1943–46, U.S. Naval Reserve, commissioned an ensign, served aboard an aircraft carrier in the Asiatic-Pacific Theater in World War II. 1951–53, recalled to active duty during Korean War, served as operations officer of destroyer with rank of lieutenant, later was aide to Admiral William K. Mendenhall at peace negotiations at Panmunjom.

Professional background: 1949–51, member of structural design team for City of Seattle. 1953–59, assistant manager, Mountain-Pacific Chapter, Associated General Contractors. 1959–64, partner, Gray & Evans structural and civil engineers. Member Tau Beta Pi, national engineering honorary. Chosen "Engineer of the Year", 1965, Washington State Society of Professional Engineers.

Offices: State Representative (43rd District, King County), 1956–64. Voted "Outstanding Freshman Legislator", 1957. Member, Joint Interim Committee on Highway, 1957–63; secretary, 1959–61. Member, Legislative Council, 1963–65. Served as Republican Floor Leader of the House, 1961–65—instrumental in forming coalition in the House in 1963 and became Floor Leader for the voting majority.

Governor, elected November 3, 1964, inaugurated January 13, 1965. Member, Executive Board, National Governors' Conference, 1966–67. Chairman, Western Governors' Conference, 1968–69. Vice-chairman, Western Governors' Conference, 1967–68. Member, Steering Committee, Education Commission of the States, 1967–68. Chairman, Constitu-

tional Revision & Executive Reorganization Committee, National Governors' Conference, 1966–68.

Political activity: Keynote speaker, National Republican Convention, 1968. Delegate to King County Republican convention every year since 1948 (except 1952 when he was on active military duty). Delegate to every state convention since 1956. Permanent chairman, state convention, 1962, Platform chairman, King County convention, 1958. Member, platform committee, state convention, 1958. Chosen, King County's "Republican Man of the Year", 1964. Chairman, campaign committee, National Republican Governors' Association, 1965–66—resulted in net gain of eight Republican governors. Member, policy committee, National Republican Governors' Association, 1967–68. Member, National Republican Coordinating Committee, 1967–68.

Church: United Church of Olympia (Congregational).

Civic affairs, honors and awards: Honorary Doctor of Laws, Whitworth College, 1966. Honorary Doctor of Laws, Seattle Pacific College, 1967. Honorary Doctor of Laws, St. Martin's College, 1968.

Boy Scouts of America: Member, Executive Board, Chief Seattle Council, 1956–64. Member Executive Board, Region 11 (includes Washington, Oregon, Idaho, Montana, Alaska), 1965, Holder of "Silver Beaver" Award, given to Adult Scouters for distinguished service.

Chairman, Washington State Heart Fund, 1963. Member, Executive Board, Seattle-King County Safety Council, 1960–64. Seattle Junior Chamber of Commerce: Vice president, 1955–56, Key Man Award, 1955. Initiated Governor's Festival of Arts which he has continued to sponsor annually, 1965.

Recipient, Human Rights Award, 1967, presented by the Pacific Northwest Chapter, National Association of Intergroup Relations Officials.

Recipient, Special Award for leadership in improving criminal justice, 1968. Presented by National Council on Crime and Delinquency.

PROVIDING FOR AGREEING TO SENATE AMENDMENT TO H.R. 5037, LAW ENFORCEMENT AND CRIMINAL JUSTICE ASSISTANCE ACT OF 1967

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1968

Mr. THOMPSON of New Jersey. Mr. Speaker, crime could very well be the most important domestic issue we face today. It threatens all of us, rich and poor, white and black, suburbanite and city dweller. Without a decent respect for personal and property rights, without security in our homes, in our businesses, and on our streets, our society cannot remain orderly or long endure. But our desire to prevent and control crime must not lead us to accept ineffective and offensive crime control measures, merely because such laws are represented as designed to restore law and order. We must approach the problem of crime in the same way we approach all domestic problems, rejecting emotional appeals, and fashioning effective solutions consistent with our political traditions.

The House now has before it the Law Enforcement and Criminal Justice Assistance Act of 1967. I intend to vote for this bill because several sections of it represent a needed step toward making our communities safe. Unfortunately, this bill also contains several mischievous provisions which, in my judgment, will be of little help in fighting crime.

Unhappily, the procedure by which this bill is presented gives Members the choice of approving the entire bill, with its good and bad provisions, or rejecting it. Rejection will defeat those portions of the bill which offer promise that we can begin to combat crime more effectively. I will vote for this bill because the problem of crime must be faced now, but I will do so with grave reservations about several of its provisions.

As originally passed by the House, the crime control bill authorized Federal aid for the improvement of State and local law-enforcement agencies. Funds would have been made available to increase police salaries, to upgrade criminal investigation techniques, and to encourage police-community relations. I believe such aid is essential. Our local law-enforcement agencies bear the primary responsibility for preventing and controlling the crime which threatens us all. Unless these local agencies are strong and effective, our streets and homes will not be secure.

The Senate retained the crucial provisions to aid our local law-enforcement authorities, but added other sections which, in my judgment, stray from the bill's original purpose.

A powder-puff gun control section was added, regulating the interstate sale of handguns. This provision would not have prevented the assassinations of President Kennedy, Dr. King, or of Senator KENNEDY. I devoutly hope it will not serve as an excuse not to enact meaningful gun-control legislation. We must work for stronger legislation, which will prevent weapons from coming into the hands of criminals and lunatics. I am confident such legislation can be designed in such a way as to protect the right of responsible persons, including sportsmen, to own guns.

The Senate also added a provision which permits wiretapping for a wide variety of crimes, and even includes authority for 48-hour "emergency" wiretaps without court consent. If persuasive evidence had been offered that such wiretappings would help prevent muggings, murders, or rapes, then one might conclude that the substantial threat to our right of privacy posed by this broad authority was justifiable. But as the record stands, there is no conclusive evidence that this assault upon privacy is necessary to make our streets safe, or that it would, in fact, do so.

Finally, the Senate added language purporting to change the law relating to the admissibility of confessions and other evidence in Federal criminal trials. These provisions will introduce great uncertainty into the criminal law, and probably infringe on guaranteed constitutional rights. But more to the point, there is no persuasive evidence that they will help prevent crime. A man contemplating a criminal act does not ordinarily read Supreme Court decisions before taking to the street.

Presented with the Senate version of the original bill, the House had few options open. I supported a motion to send the amended bill to a House-Senate conference, so the questionable provisions added by the Senate could be fully debated and, hopefully, modified. Since this motion was defeated. I intend to vote to pass this crime control bill, because I believe the situation is critical, and that we must immediately provide Federal help to our local law-enforcement agencies. But I also intend to support legislation to modify the ineffective provisions of this bill. Our goal should be a bill that Senator KENNEDY could have supported were he spared.

HUNGER IN AMERICA

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. EDWARDS of California. Mr. Speaker, I am sure the experience I have had in response to the excellent CBS production called "Hunger in America" has been duplicated by my colleagues. I do not recall another occasion when a television production has produced such heartfelt letters from my constituents. The reaction has been overwhelming. Mr. Speaker, these letters are dramatic and poignant testaments to what some of us in the House of Representatives have been saying for some time. America's priorities are wrong. If we do not get these priorities in proper order there will be further deterioration of morale in our country. It is the shame of America that there are so many people hungry, or so poorly fed that they are prey to the deadening diseases of poverty.

Mr. Speaker, this is no time to reduce spending in the fields of education, health, housing, and jobs. I hope the administration and the agency heads read each one of these letters. The good citizens who wrote them represent the finest tradition of America—concern for their fellow citizens and a demand that this rich country do something to put an end to such inhumanity.

The letters follow:

MAY 21, 1968.

DON EDWARDS:

I have just now finished watching the CBS television special entitled "Hunger in America".

To say that I am shocked is to put my feelings mildly. The way I feel now is the same feeling one has after being a witness to a fatal auto accident.

I can understand that this is the reaction that CBS intended, but never-the-less, I felt that I was there and those children, their bodies and minds racked with the pain of hunger will live in my conscience forever. My two small children sleep now, their small bellies full; content where they lay, while somewhere in the South a 13-year-old boy cowers in a corner of a school, ashamed because he can't afford 25¢ for a school lunch and an expectant mother thinking only of her children, neglects herself only to lose her newborn due to malnutrition.

Where have we, as a Nation, Indivisible, under God, with Liberty and Justice for all, gone so wrong. Is our Government so tied up

in its circuitry of bureaucratic procedures that it can't administer legislation to see that 10,000,000 people can eat?

We must rely on your voice in Congress in order that our moral feelings may be sounded across this land. Mr. Edwards, please thunder loudly for Justice.

What does it profit a country to gain the minds of villagers on foreign soil and lose the "Cherubs of Alabama".

Mr. JOHN MALASPINA.

NEWARK, CALIF.

MAY 24, 1968.

DEAR SIR: I am writing to protest the negligent and inhumane manner in which the Congress of the United States has acted in trying to alleviate the blight of poverty. There are thousands of Americans who are starving or suffering from malnutrition daily.

I find it quite appalling that thousands of our citizens are going to bed hungry night after night, thousands of malnourished children are being born and are dying weekly, and thousands of people are suffering from disease because of inadequate medical care in this great and affluent society.

Something must be done and it must be done immediately. You were elected a Member of Congress to represent the views of your constituents. I feel that you must make other Members of Congress aware of the desperate need for initiating some action to alleviate these conditions. You must propose legislation that will stop spending billions of dollars sending rockets into space, but rather meaningful legislation that will alleviate poverty. Such legislation as removing food stamps from the control of the Department of Agriculture and under the control of the Department of Health, Education and Welfare. Also, I believe that people who are poor should not have to pay for these stamps (in most instances they don't have the money) but should be able to get them free.

We must re-establish our priorities and do it immediately.

If we do not take some positive constructive action now, this government will not be living up to its responsibilities.

Mr. ALFONSO GRACE, Jr.

PALO ALTO, CALIF.

MAY 23, 1968.

DEAR MR. EDWARDS: A couple evenings ago, I watched CBS "Hunger in America". It was enlightening and disturbing. I am also addressing a couple questions to Mr. Orville Freeman. I understand future investigations into this problem are to be made. Our country has come up to great challenger of true magnitude. Surely this can not be considered an insurmountable one! Do you feel you and other Congressmen and Senators really know the views of the people you represent? What can the reason be for the Department of Agriculture to turn back money to the Treasury that could be given towards programs in these areas of need? Can not surplus foods and meat be given and still keep prices up and controlled for consumers who afford it? It does not make sense to slaughter good meat animals when people are hungry who could never have afforded it to begin with. They should not be deprived in our land of plenty and supposedly richest nation in all time. There must be a way to contain prices etc. but not turn surplus crops and meats into the ground rather than given out to the qualifying few. Can not some tax break be given.

Pharmaceutical Houses who could supply vitamin supplements to these areas? Is there nothing that can be done in birth control programs, clinics or private agency grants as to planned parenthood to work in the areas? Are we never going to change the cycle with our poverty stricken groups? Only a healthy body and healthy brain makes a being prepared to absorb education.

Then we will see the results and have producing citizens. We must question our priorities in budget and government if we are to live with ourselves.

Mrs. JOANNE HEIDOHRN.

MOUNTAIN VIEW, CALIF.

MAY 24, 1968.

DEAR CONGRESSMAN EDWARDS: Three days ago I happened to watch the CBS special report "Hunger in America". Needless to say, I was shocked and horrified at the plight of 10 million malnourished Americans, most especially the children. Later in the week I read the May 17 issue of Time magazine, who also had a report on poverty. I found that both Time and CBS correlate as to statistics. That two separate forms of news media should correlate so closely seems to rule out propaganda or sensationalism on the part of CBS or Time magazine—two organizations with excellent reputations. I'm a professional Registered Nurse and took my training at a large ghetto hospital in Philadelphia. During my stay in the pediatric area, I saw 3 or 4 babies from deprived families brought in with the "failure to thrive" (starvation) diagnosis. The cost to the state of Pennsylvania to hospitalize these babies for the 2 to 5 months we cared for them was more than enough to feed their families for a year. The sad part was when they recovered they were sent right back to the conditions that brought them to the hospital. Apparently foster homes or chances for adoption are *rare* for Negro or Puerto Rican children. I expect this situation in a ghetto; however, until I saw the CBS report, I had no idea hunger and malnutrition was so rampant—10 million people—good grief! My husband and I like so many other Americans must be so intrenched in our middle class social strata that we are blind to the desperate needs of those in the throes of poverty.

Please, because of your position in the workings of our government, do everything you can to help alleviate the plight of our 10 million fellow Americans. One suggestion CBS made was to remove the food distribution program from the Department of Agriculture to the Department of Health, Education and Welfare. The Department of Agriculture is specifically designed to protect the businessman, namely the farmer, by keeping prices at a high level. I doubt if they are oriented to the needs of the poor and starving who happen to be consumers.

Another thing is a food relief program should not be one that a county voluntarily accept or reject. The leaders of the local government are going to be well fed members of the "establishment" with monetary interests in the business community. A food program may help the poor but the poor are consumers and a food program means less money spent in the local "establishment's" stores. What local government officials fail to realize is a malnourished poor man is going to stay poor. A well fed poor man has the energy and health to work. It also means fewer retarded children, lower hospital welfare costs and a stronger community.

I hope you have read my letter. It's the first time I have ever written to anyone representing me in government. I sincerely hope you give the problem of "Hunger in America" your consideration. The 10 million malnourished in these United States happen to be your fellow Americans also.

Mrs. ILENE J. SMITH.

DUBLIN, CALIF.

MAY 22, 1968.

Mr. EDWARDS:

Last night I saw a television program entitled "Hungry America". It left me angry, sick and very disappointed in my government, country and fellow Americans.

Why in this country (more than any other) are people hungry? *Why* are hogs slaughtered and buried when people are hungry? I know of neighbors and friends who would give food and clothing to the less-fortunate if we knew of an organization that would assure us that these things would reach these people.

I had heard of hungry people in the U.S. but I had never seen the ugly sight of a bulging starving stomach or a little boy humiliated because he had to sit and watch other children eat at school because he didn't have 25c. This little child had peas for breakfast. What can I do? What can *you* do?

My conscience hurts badly because I over extend my budget with things like the *best* furniture, shutters, drapes, etc. when *human beings* are hungry.

I'm overly emotional about this right now but God or somebody help me if I forget about this next week and fall back in my secure little world.

Mrs. PHYLLIS THORNLEY.

FREMONT, CALIF.

MAY 21, 1968.

Congressman DON EDWARDS:

Tonight I saw the CBS program "Hunger in America". Perhaps we all knew it existed—but the shock was overwhelming.

I implore you as my Congressman (and as a human being with power) to do everything in your power to correct the injustice.

When I saw malnutritioned infants in isolettes for as long as eight months, I could not help but think of the $340 it cost me for a 2½ day stay for my recent baby. For the cost of 8 months in the hospital that mother and countless others could have been provided with the needed foods, vitamins, etc. for prenatal care and still have plenty of money left for the baby's proper nourishment in its early years.

How can we afford such extensive medical care and not afford half as much to alleviate the problem altogether. This is not cancer—we know the cure.

The solution is clear—as vivid as the needs; as stark as the faces before you today, in the faces of the poor in Washington. It demands total commitment to justice, to reason and to humanity.

Our hopes are with you as our Representative in Washington.

Mrs. SHERWIN GREENE.

FREMONT, CALIF.

MAY 22, 1968.

DEAR CONGRESSMAN EDWARDS: On May 21, 1968, the Westinghouse Broadcasting Company, presented a one hour special dealing with the hungry people of this nation—all ten million of them.

As the program pointed up these people subsist on very little and what they do eat is just starch, a white diet. Since the 1930's the government has given these people surplus goods—potatoes, lard, beans, rice, etc. with no meat, vegtables or fruit. People were not meant to live on such a diet but they do. A food stamp program was initiated and the program again pointed up the fact that a good many of these people simply cannot get the money together to buy these stamps; thus, the people the program meant to help are out of luck. In our land of plenty, it is unreasonable to feed on this meager unwholesome diet. Most animals have far better than this and we are not discussing animals but men, women and their children.

Children who have gravy and fried bread for breakfast if they are lucky that is and go off to school and watch other children eat lunch while they themselves have no lunch and home again where there may or may not be dinner cannot properly function or grow. How can these children learn? Hunger and sickness and the sameness of each day is what they learn. Without an education of some sort or even an ability to read and write of what usefullness can they be? How will these children earn a living? Will more and more young girls of eleven prostitute themselves for food.

We fight with such a tenacity to live. We have laws against abortion with many feel-

ing each and everyone of us has a right to be born and a chance at life. Yet many babies are dying before they even have this chance. They starve and their mothers, fathers and all too many brothers and sisters are starving. The sickness among these people is great, they are old before their time and who would not be with a hungry belly.

This situation is a national disgrace. We are a rich country with money to fight wars, feed other countries and the like and yet, we allow ten million of our own people to go hungry. There is a need for charity at home. There is a need to let the food produced be put to good use rather than storing, burying, and sending it abroad. There are other needs as well.

What can be done? What can I do?

Miss LINDA TAYLOR.

SAN JOSE, CALIF.

MILPITAS, CALIF.,
May 22, 1968.

DEAR SIR: Last evening, our family watched "Hunger in America", presented by CBS TV. We are appalled to realize these conditions are present in the United States. Something must be done to alleviate this hunger.

It has been our opinion that the Agricultural Department's policy of paying land owners to let land lie fallow is ridiculous. After viewing this program, we are convinced it is criminal. To slaughter and bury surplus hogs while children are dying from protein deficiency is evil.

The time has come for Congress to enact effective programs to utilize our surpluses to feed our own hungry and those in other countries.

Instead of paying for unused land, we should use that land to grow *needed* products, such as eggs, meat, fruit, and vegetables. These essential foods must then be distributed to impoverished people.

Children must not suffer from hunger. Whether the father can not find work, is gone, or is just lazy, his family must have adequate food.

A supplemental welfare program to assist those persons who are employed at substandard wages is necessary. This is important to maintain dignity and stability of the family unit. Present welfare programs encourage desertion and dishonesty. We must fortify the man who tries to support his family, but we cannot ignore the children of those who will not work.

We pray that your humanitarian instinct will stir you to action in Congress. We expect observable results.

Mr and Mrs. CARL H. BARNETT.

SAN JOSE, CALIF.,
May 22, 1968.

DEAR MR. EDWARDS: Your attention is directed to the program, CBS Reports, "Hunger in America" which was televised on May 21, 1968.

Please inform me as to state's policies and actions in regard to problems of this nature in California. Do our programs find their way to the needy or are they consumed by bureaucracy on the way down?

There is no excuse for hungry Americans in a land that burns crops and kills hogs to keep surpluses from reaching the market in order to stabilize prices.

Your comments will be appreciated.

C. M. CLIGNY.

MAY 23, 1968.

DEAR SIR: I had occasion to view a television program broadcast by KPIX TV Channel 5 San Francisco on Tuesday May 21st at 10:00 p.m. entitled "Hunger in America". I have never before felt so strong an urge to write a representative in the government. According to figures presented during this telecast 10 million are at the point of starvation including Navajo Indians, who, I thought were under the protection of the U.S. Government.

If you did not see this program I suggest you avail yourself of any re-broadcast scheduled by the C.B.S. Network as the evidence presented is quite startling in this time of prosperity when our government is engaged in spending billions of dollars to feed Nations abroad and people at home are actually dying of starvation.

Factors interviewed on this program indicate that children raised in this environment do not sustain brain growth and are thus more readily to be slow to learn and be drop-outs later in school. This obviously is going to create a neverending cycle. It seems to me any program of "War on Poverty" would be wasted money if we can't first eliminate one of the causes of the poverty. Unless something is done on the federal level to eliminate interference on the local and state level, Americans will continue to starve and be under nourished. The inference drawn from this telecast is that the government would rather not agitate or provoke local politicians in the areas where these conditions exist by providing necessary food or supplements.

Apparently the U.S. Agriculture Department has the authority to feed these people but last year and again this year will return money allocated for this purpose to the Treasury unspent.

I would appreciate any effort or influence you can bring to bear on behalf of these starving Americans. Thank you.

Mr. DONALD R. LESSIONS.

SANTA CLARA, CALIF.

MAY 21, 1968

MR. EDWARDS:

I watched CBS TV's Special Report tonight and so help me, I never dreamed we had that kind of mass malnutrition. (Hunger in America)

As human beings we should solve this problem immediately! We certainly waste enough money on everything else, so that even if the solution involves mass waste we still must have it or we should stop pretending to be better than the lowest animals or even the Nazis!

Thank you.

Mr. TOM DAVIS.

SAN JOSE, CALIF.

MAY 21, 1968.

DEAR CONGRESSMAN EDWARDS: My eyes are still full of tears, and my heart is full of sorrow and shame. I just watched a program I hope every American watched called, "America is Hungry". I not only shed tears of pity and shame, but anger also. I'm mad clear through. Oh yes, we live in the "Land of the free", but also in the "Land of the hungry" and the destitute. Imagine! babies dying of starvation while our government buys up property and leaves it bare, when people could be raising life giving food to feed their families. How rotten can you get? I love my country and wouldn't want to live any where else in the world, but I can't help but be ashamed of a country who can spend billions to send rockets to the moon (and who needs it?) when our children are hungry.

Why don't you give us names of needy people, so that we can personally send money to help them buy milk for their children instead of money to help a millionaire be elected to office. How about "CARE packages in our own country, to give a little boy lunch at school, so he won't have to be ashamed in front of the children who are fortunate enough to have a lunch. It's incredible, to think that in the richest country in the world, starvation faces our less fortunate citizens. I was brought up during the depression, so I know a little bit about going without, that couldn't be helped, but this situation can.

Do something about it now!!!

I campaigned for you in your first election, and I've voted for you each time since then. It's up to all Congressmen as to how long they stay in office.

I hope this letter doesn't end up in your secretary's waste basket. For years I've heard, "write to your Congressman".

O.K. I've written. I'm not going to stick my head in the sand any longer, and pretend our American Indians, for instance, are not living a horrible existence, because we know better, don't we?

I'm sure you will be deluged with mail on this subject. I hope and pray to God you are. I believe the people of this country of ours are tired of the way our poor are being ignored. So what if a father is not a good provider. Must the children suffer because of that?

Think of this the next time you sit down to a full course dinner. I know I will, and I know I won't enjoy it.

I intend to vote for you as I have in the past. I believe you are a good, and honorable Congressman, but please do something about this along with the rest of the men in Congress.

Our country can only be as great as you men in government make it.

LOUISE QUIJANO.

SAN JOSE, CALIF.

P.S.—Let the people know what they can do to help, besides providing jobs. We can't all be in a position to hire people but we can donate funds to needy families—direct. Not through an agency where we don't know where the money is going.

MAY 22, 1968.

DEAR REPRESENTATIVE EDWARDS: I saw a baby die of starvation last night! I have been unable to sleep or swallow anything but the lump in my throat since that time.

If you did not see the CBS Special News Report at 10 p.m., Tuesday, May 21st, please find some means to learn of its content.

Surely if an area that has suffered fire, flood or storm damage can be classified as a Disaster Area and receive immediate Federal assistance, these four areas (and probably others) qualify as Disaster Areas and could receive immediate aid. The word disaster is too mild a term to adequately express hunger for four million Americans.

My family will gladly accept increase to give these people whatever assistance can be given *now*. I beg of you to do whatever is in your power to halt any Foreign Aid or giveaways of any kind, and Space Program spending and to decrease, rather than increase, any Defense spending, so that we may take care of first things first.

Please accept my sincerest wishes for your continued success.

Mrs. R. G. CAMPBELL.

SAN JOSE, CALIF.

STATEMENT BY THE HONORABLE W. AVERELL HARRIMAN

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. BINGHAM. Mr. Speaker, I should like to call the attention of my colleagues, and other readers of the RECORD, to a brief and moving statement made in Paris on June 6 by Ambassador W. Averell Harriman on the subject of his friend, Senator Robert F. Kennedy:

STATEMENT BY THE HONORABLE W. AVERELL HARRIMAN, PARIS, JUNE 6, 1968

Senator Robert F. Kennedy was one of the most gallant men I have ever known. He was fearless. He faced facts squarely. It was impossible for him not to tell the truth as he saw it. I think that is why some people thought he was ruthless. At times the truth is ruthless. He supported the causes

he believed in regardless of the enemies he knew that he would make. But few men have won the deep respect and affection of so many. Negroes and other minorities knew that he had accepted their cause as his own.

If he had been elected President, he would have been a great President. He shared with President Kennedy many of his inspired decisions. He understood the problems of our time, and in some capacity he would have played a major role in forwarding the greatness of our country in which he had such deep faith. Our country has suffered an irreparable loss.

TRADE AGREEMENT WITH CANADA

HON. CECIL R. KING

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. KING of California. Mr. Speaker, I am today introducing a bill to amend the Trade Expansion Act of 1962. This bill would provide a basis for expanding trade between the United States and Canada in those product areas in which expanded trade clearly would be of mutual benefit by reason of the predominant supplier relationship which each country enjoys in the other's market.

I am introducing the bill at this time for the consideration of the Committee on Ways and Means in conjunction with the administration's proposed Trade Expansion Act of 1968. As the House is aware, the Committee on Ways and Means is currently holding hearings on tariff and trade matters, including the administration's trade proposals entailed in H.R. 17551, introduced by the gentleman from Arkansas, the Honorable WILBUR D. MILLS, chairman of the Committee on Ways and Means.

One of the features of the administration's trade bill is the extension of the President's trade agreement authority for 2 years, until July 1, 1970. This would permit the President to utilize, if necessary, his remaining basic authority to reduce duties by 50 percent of their level existing on July 1, 1962. Along with this limited extension of the President's trade agreement authority, my proposal would provide the President with the opportunity in a trade agreement with Canada to eliminate duties under carefully prescribed conditions.

As provided in my bill, the President could enter into a trade agreement with Canada and eliminate duties on an article when he determines that, first, approximately three-fourths or more of the imports of such article into the United States are supplied by Canada; and, second, Canada has made a commitment with respect to duties or other import restrictions which is likely to assure comparable access for such an article which is principally supplied to Canada by the United States. The bill would also provide that when the President determines that such action will be mutually advantageous in such a trade agreement with Canada, he may exceed the limitation of the staging of tariff reductions required in section 253 of the Trade Expansion Act. This would avoid the necessity of making tariff reductions in five annual stages if immediate elimination of duties proves to be of mutual advantage to both countries.

The use of this authority, limited by the principal supplier relationship of the two countries would, of course, be subject to the prenegotiation safeguards of the Trade Expansion Act. These safeguard provisions include full and adequate public notice and public hearings, Tariff Commission investigation and advice, advice from all interested parties and from interested agencies in the executive branch, and reservation of articles from negotiation under certain conditions including consideration of national security.

Within the limitation on the use of such authority as would be provided under my proposal, I am firmly convinced it can represent an important step in capitalizing on the strength of our productive capacity in world markets, by developing the free exchange of goods between the United States and Canada. Given an expanded base of trade in the absence of tariffs between the two countries, producers in both countries would be enabled to better compete in export markets.

As a congressional adviser during the Kennedy round, I was impressed with the success achieved in negotiations with Canada to eliminate duties on products principally traded between the two countries. Significant among the categories on which both countries agreed to eliminate duties—or where one country matched the duty-free treatment granted by the other—were softwood lumber, coal, fresh apples, lime, pig and sponge iron, and certain paper products. This was accomplished within the limits of the authority of the Trade Expansion Act. I am informed that at present, about 70 percent of U.S. imports from Canada entered the United States free of duty in 1967, and it is estimated that in the other direction, about 60 percent of Canadian imports from the United States entered Canada free of duty in the same year. The volume of free trade between the two countries will rise further as the duty elimination agreed to in the Kennedy round become effective. I believe it is essential to keep this momentum going. In particular in those areas in which the mutual advantage of free trade between the two countries can be identified by careful study of the predominant supplier relationship that exists between the two countries. The elimination of tariffs in such areas would most likely require little if any economic adjustment. Should such economic adjustment be at all significant, however, the tariff adjustment and adjustment assistance provisions of the Trade Expansion Act would be available to assist in such adjustments in U.S. industries.

While I am convinced of the merits of my proposal, I have no preconceived notions as to all of the areas of trade between the United States and Canada which might be explored as fitting within the criteria of my proposal. This should appropriately be done by the executive branch agencies and the Tariff Commission which have responsibilities under the Trade Expansion Act. However, it has been called to my attention that aircraft and aircraft components and parts may be a likely area for review.

The United States is the world's largest exporter of aircraft and aircraft parts. Exports of aircraft and parts were $2 billion in 1967 while imports were $280 million. Exports of this industry have long played a vital role in our balance of trade and payments. It is essential that we encourage the maintenance of the strong competitive position of this industry in world markets.

Insofar as trade between the two countries is concerned, exports of nonmilitary aircraft to Canada were $111 million in 1967, and exports of aircraft engines, components and parts to Canada totaled another $121 million. Imports of aircraft from Canada were $12 million in 1967, and imports of aircraft engines and parts from Canada are reported at $164 million. Further study would be necessary to identify those product lines in which the elimination of duties would be possible under my proposal.

Mr. Speaker, I am convinced that this country must take every opportunity to capitalize on its strengths in face of ever increasing competition in world markets. A mutual elimination of tariff barriers on those products predominantly traded between the United States and Canada does offer a meaningful way to reduce unnecessary costs and to improve the competitive position of producers in both the United States and Canada.

COLUMNIST TAGS RECENT SUPREME COURT RULING AS GREATEST ESCAPE DEVICE SINCE HACKSAW BLADE

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. BARING. Mr. Speaker, last week our esteemed Supreme Court came up with another of its decisions further undermining the structure of law and order.

I commend my colleagues to read the following article by Las Vegas Sun columnist, Paul Price, who quite aptly tags the Supreme Court as the "greatest escape device since the hacksaw blade":

I'm a little confused. Little more than usual, that is.

Do not fault me, however. I have four members of the United States Supreme Court on my side, plus practically all the district attorneys, attorneys general and law enforcement officers of the country.

The Supreme Court, which has become the greatest escape device for criminals since the hacksaw blade, has knocked out the death penalty. By a 5–4 decision, it ruled Tuesday that a death sentence could not be imposed by a jury from which persons opposed to capital punishment were excluded.

As Nevada Atty. Gen. Harvey Dickerson and Dist. Attys. George Franklin and Bill Raggio of Clark and Washoe Counties, respectively, are agreed, this is the end of the noose.

No longer will the state, or the federal government for that matter, be able to hang, gas, shoot or otherwise execute the most rotten, depraved, brain-diseased, vicious criminal that walks the street.

It may not have been the court's design, but that's what it accomplished.

It's elementary.

If you are going to allow on juries citizens who don't hold to hanging or the quick sniff of cyanide then you won't get any death sentences.

Naturally I stand with the minority. You show me a monster who has raped and murdered a three-year-old child, gunned down an entire family in cold blood or chopped his wife to death with a hatchet in savage rage. I will show you a guy who has forfeited his right to exist.

What confused me, however, was the majority reasoning. If it's the law of the state that execution is proper how can the prosecution be expected to place the dissenter in the jury box?

In effect, the potential juror says, "Okay, I don't care if it is the law. I don't agree with it, so I can't be an impartial juror."

In other words, the statutes provide for execution but the citizen objects to the law. So the law is made ineffectual. Does that make sense?

There is no intent here to villify or demean the individual who does not believe in the death penalty. That is his right and privilege, and his opinion and belief are respected as much as the next man.

Some people are squeamish around blood and violence and that's understandable.

Let me proceed a step further, just a lone, ignorant newspaper reporter in the quest of understanding.

So the prospective juror says, "I don't believe in capital punishment." He is excused.

Suppose he claims, "I don't believe in imprisonment. This is not the answer to rehabilitation."

He also is excused.

Does this mean, then, that the defendant—burglar, robber, car thief, child molester, rapist or swindler—is to face something less than jail or prison because one person does not agree with the philosophy of punishment for wrongdoing?

Is it a farfetched argument? Is it fantasy or logic? The premise is the same and if you carry it to the ultimate degree nobody would be punished for anything.

Certainly it borders on the fantastic, but isn't that the doing of the United States Supreme Court?

What is the difference, friend, in opposing capital punishment and opposing long-term imprisonment?

The purists, of course, will claim that the argument is based on technicalities.

Never will I forget the words of our esteemed Nevada Supreme Court Justice, David Zenoff, who once said, "The law is made up of technicalities."

Well, it's some technicality when you can rule a man cannot face full and impartial justice merely because a citizen says, "I can't abide by the law of my state or country."

Frankly, it is all a mishmosh anyhow. Outside of the parallel I have drawn between the murderer and the robber, it is all a mishmosh.

The hard, cold fact of it is that people don't get executed anymore in the United States anyhow. Oh, there may have been a couple in the past 20 months, but I would not hazard against that. Execution is not in style anymore.

Look at California. Scores of men reside in "death row," and it is more obvious with each dawn that they will face a thousand more tomorrows. It's the same across the country. The killers' lives have been saved by technicalities, writs, appeals, delays and, most blatantly, by United States Supreme Court decisions.

The last man to be executed in Nevada whiffed the never-never fumes almost five years ago and any smart attorney will tell you that we never will see another man manacled to a similar fate.

Maybe that is as it should be.

It's my observation that most people don't truly believe in the death penalty. I don't. They react out of fear. So do I.

Fear of what. Fear of leniency, that is what.

The people aren't bloodthirsty. Not really. They would be satisfied if the vicious killer of golden-haired children was to be sentenced to prison "for the remainder of your life."

But it never happens! A life sentence these days is a laugh through the state prison. The killer—the most brutal beast—happily will settle for a life term and pay his attorney a bonus because he knows the golden gate to freedom is only a dream away.

And if he's lucky he cops the second degree and can sneeze his way through a rest cure.

It all is academic now. The sickened murderer cannot be paid in kind with vengeance, which some of us don't feel is such a worthless trifle. The penalty has been lessened in the criminal market.

All we can do now is lock up the enemy of society and toss him in durance vile.

The trick will be to keep him there.

INVISIBLE BONDS OF FRIENDSHIP

HON. HORACE R. KORNEGAY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. KORNEGAY. Mr. Speaker, our colleague, the gentleman from North Carolina, Congressman BASIL L. WHITENER, was honored last Saturday night by the Veterans of Foreign Wars at a dinner held at the post home of Absher-Flowers Post 9337, Gastonia, N.C.

The VFW sponsored the Basil L. Whitener Night to honor our colleague for his valuable service to his fellow veterans through his years of public service. Department Commander Conway Newsome, of Goldsboro, N.C., made a special presentation to BASIL WHITENER in behalf of the Veterans of Foreign Wars. Four past department commanders of the North Carolina Veterans of Foreign Wars organization were in attendance along with 200 other guests. Commander Newsome saluted our colleague in splendid remarks on his life and work as a public official, practicing attorney, and as a combat veteran of World War II. He pointed out that the honoree had been decorated by our Government for "courageous initiative under fire" during his military service and stated that:

The same courageous initiative is daily displayed by him as he serves our veterans and the people of the Nation in Washington.

Mr. Speaker, there is no finer organization anywhere than the Veterans of Foreign Wars. I am proud of my membership in the organization. As a member of the Committee on Veterans' Affairs in this body I have had many opportunities to observe the splendid effort that the organization consistently makes for a better America. I am proud of their action in honoring my good friend, BASIL WHITENER.

As a former member of the Committee on Veterans' Affairs and as one of the most distinguished Members of the House of Representatives, Congressman WHITENER is constantly concerned about the welfare of his fellow veterans.

I am impressed by the remarks that our colleague made in response to the presentation of the award by Commander Newsome. Those remarks are made a part of the RECORD at this point:

INVISIBLE BONDS OF FRIENDSHIP

(Remarks of Hon. BASIL L. WHITENER, Member of Congress, at Basil L. Whitener Night Banquet, Absher-Flowers Post 9337 Home, Gastonia, N.C., June 8, 1968)

Commander Newsome, Commander Mauney, my comrades of Absher-Flowers Post 9337, V.F.W., and friends:

You have paid me a signal honor tonight which I shall always remember with appreciation. This generous act by my comrades of Absher-Flowers Post 9337 means a great deal more to me than I can possibly express.

Those of us who have worn the uniform of our country in time of war have a special affection for one another. The generous remarks that have been made with reference to my military and official service deepens my affection for each of you. You may be sure that I have a reciprocal feeling of appreciation for the military record of each member of this post. I am equally appreciative of the many splendid contributions that you have made to our community, state and nation since you have returned to civilian life.

Out of the crucible of war friendships are molded which transcend any other type of human relation. Old acquaintances and total strangers have this invisible bond of friendship by the mere knowledge that another was his comrade in arms. Those who have not experienced war can neither understand nor appreciate this golden thread which links together the hearts and minds of those who have fought together for the preservation of their nation.

During my public career I have been the recipient of this golden thread of friendship which has linked my fellow veterans with me as we have worked together for a better America. I have felt this invisible bond of frendship for veterans—known and unknown to me—as I have been privileged to serve in positions of honor and trust.

Tonight I renew the pledge that I have often made: I shall not forget my comrades in arms when the occasion for service to them arises. Nor shall I forget that those of us who are here tonight, with family and friends, have a special obligation to the widows and orphans of our comrades who made the supreme sacrifice for our Nation.

Thank you so much, Commander Newsome, and my comrades of the Veterans of Foreign Wars. You have paid me an undeserved honor. Nevertheless, I shall always be grateful to each of you for this wonderful evening in my honor.

As we leave this building tonight let us do so with a renewed sense of dedication to the principles which have made our country the most honored in the history of mankind.

Let us rededicate ourselves to the principles of this great organization of veterans who have served their country on foreign soil and in international waters.

Thank you, again!

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. SCHERLE. Mr. Speaker, this is the 141st day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

MEMORIAL DAY ADDRESS

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. SNYDER. Mr. Speaker, on May 30, Memorial Day, I attended the annual service sponsored jointly by the Simon Kenton Post No. 20, American Legion, and the Ralph Fulton Post, Veterans of Foreign Wars, at Erlanger, Ky.

The address delivered by the Honorable Melvin T. Stubbs, presiding judge, Kenton Circuit Court, first division, was a great inspiration to all those present.

Mr. Speaker, I ask unanimous consent that this address may appear in full in the Extensions of Remarks of today's RECORD for all Members to read. It is a particularly significant speech in view of subsequent events in our Nation.

The speech follows:

MEMORIAL DAY ADDRESS, FOREST LAWN MEMORIAL PARK, ERLANGER, KY., MAY 30, 1968

(Delivered by Judge Melvin T. Stubbs, presiding judge, Kenton Circuit Court, first division, 16th Judicial District of Kentucky)

"Where is the heart that does not keep—
Within its secret core—
Some fond remembrance, hidden deep—
Of friends who are no more."

Here, at this hallowed place, on this Memorial Day, we meet, as is our custom, to commemorate the gift of devotion of those who fought and those who died for Freedom's cause.

What we do here today for our fallen comrades will, one day, be done for us for down through the ages of time the Legions of the Living have been kept close to the Sainted Dead through the living cause for which they died.

This then is a day of memories for the living, for memorial services are built upon remembrances of friends departed. They are the embodiment of thoughts borne in the realm of love and beauty from whence have come the most noble expressions of mankind.

Our very presence here today, at this hour, silently suggests for nobler sentiments than the human tongue can formulate into speech for when recounting the blessings of Freedom and the noble sacrifices which made possible that Freedom a tear is oft times more expressive than is verse and silence more eloquent than is speech.

We assemble here today on this day of memories to offer expressions of our gratitude for the life-giving efforts of those, who in the testing time of life, proved well their courage and devotion and established well their right to our highest tribute as a nation.

We assemble here today as heirs to Freedom, a Freedom purchased by the blood of our sires, a Freedom purchased at Concord, in the April dawn, at Gettysburg, amid the roar of the guns of death, on the high seas, and, in the grey, naked Forest of Argonne. A freedom purchased by our own generation through the blood that flowed on the sands of Omaha Beach, and in the winter's snow at Bastogne, on the Islands of the Pacific, and, on the hills and slopes of Korea. A Freedom being purchased now in the awful sweat and swamps of distant Viet Nam.

Yes, in ages past, on battle fields throughout the far regions of the world, America has given its blood and has shed the flower of its manhood to save the world for Democracy. Today America is again bleeding, this time in the desperate struggle to save Democracy for the world in the face of Communistic conquest.

In this all-out struggle against the forces of Communism our faith in God Almighty, our love of Freedom, our appreciation of Democracy, and our willingness to make sacrifices for the common good, must be our purpose and our shield.

If America is to remain *the last of this Earth's* great Democracies, if it is to be *the final citadel* of human Freedom, if it is to be *the repository* for the finer phases of civilization, it can not be defended by a people lax in their zeal of citizenship nor void in their love of their country.

It cannot be defended by the burners of draft cards, and those who would—in public demonstrations—desecrate the flag of the country which gave them birth and which affords to them the right of lawful dissent. In the name of good conscience, in the name of common sense, yes, in the name of America itself, it must be declared that there is a vast difference between *lawful dissent*—on the one hand—and *actual* treason on the other.

America, in the days and years which lie ahead, will need more than planes and ships, and armies in the field to defend its freedom and perpetuate its way of life. It will need the type of citizenship which has seen this country through the perils of the past, a citizenship deeply appreciative of its heritage and ingrained with a willingness to protect our institutions and our land at all cost.

On this Memorial Day, in the year 1968, as the world is bending under the awful weight of man's struggle for freedom, let us, as Americans, resolve in our minds and in our hearts that wheresoever, whensoever, and howsoever, we are called upon to exit from this life we shall *die* as free men so that those who come after us may *live* as free men.

Oh, America, America, at this fateful hour in your history when your way of life is being sorely tried on far off battlefields and in the streets of your cities, when the character and fate of this nation hang in the awful balance—

Seek ye the *will* of your people to preserve the *freedom* of our nation;

Seek ye the *discipline* of your people to preserve the character of our nation;

Seek ye the *faith* of your people to preserve the soul of our nation;

But seek ye, first, the *Kingdom of God* and *His Righteousness* and all these things shall be added unto you.

THE LATE SENATOR ROBERT F. KENNEDY

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1968

Mr. BARING. Mr. Speaker, a great American has been laid to rest and this Nation is more the poorer. Our Nation has lost a young and dedicated public servant.

Mere words cannot express the shock and horror that affected every man, woman, and child upon learning of the fatal shooting of Senator KENNEDY. No one will ever forget the depth of his feeling about the problems facing our Nation and his determination to do something about it.

There are many words of tribute that can be said—and have been said of Senator KENNEDY. But to me, seven words can best voice the tribute that can be tendered to this great American:

Senator KENNEDY awakened the conscience of America.

To all the Kennedy family, I wish to express my most heartfelt condolences and deepest sympathy.

ROBERT FRANCIS KENNEDY

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1968

Mr. PODELL. Mr. Speaker, John Donne, the 17th century British clergyman and poet, wrote:

Any man's death diminishes me, because I am involved in mankind; and therefore never send to know for whom the bell tolls; it tolls for thee.

As the bell tolled the knell of the departed ROBERT FRANCIS KENNEDY, it did indeed toll for all mankind, for all humanity. That we are all diminished by his untimely passing was visible in the faces of thousands who stopped to pray at his catafalque, in the faces of the thousands of Americans who waited with inexhaustible patience for his funeral cortege to pay their last respects and affection for this valiant spirit. As the world came to a sudden and shocking end for ROBERT KENNEDY, so did it stop momentarily in its orbit so that people throughout the world could pray for his soul and express their sympathy to the family and friends of our distinguished colleague.

Senator ROBERT KENNEDY brought to our Nation an aura of nobility and majesty. He dedicated his efforts and his energies to end the violence in action and the violence in rhetoric, not only in the streets of our cities, but in the lives of our people. He sought for new means to put an end to poverty in a land of plenty; to harness the vast resources deployed for destruction in war to the peaceful pursuits of the world's enrichment.

To those who were lost in the surging, impersonal technology of our times, he gave new directions; to the oppressed, he was a ray of hope; to those who rejected democracy as a viable political and social order, he restored their faith in social justice; to the alienated he brought the promise of reconciliation; to the poor, the homeless, the lonely and rejected, he renewed their faith in the fundamental principles of the democratic way of life; to all of humanity, he brought a fierce and dedicated compassion for an end to the sources of conflict which divide and separate people and the hope of uniting them, so that all would move forward to a fuller and more creative life. All humanity suffers a tragic loss, that so eloquent a voice for social justice and equality has so suddenly been stilled.

In a moving and eloquent eulogy at St. Patrick's Cathedral, Senator EDWARD M. KENNEDY said:

My brother need not be idealized, or enlarged in death beyond what he was in life, to be remembered simply as a good and decent man, who saw wrong and tried to right it, saw suffering and tried to heal it, saw war and tried to stop it.

Senator KENNEDY was all of these; and yet more. His life and his work trans-

cended the technology of communication, and those who touched him, or were touched by him, know that they were graced by the touch of an immortal. William Hazlitt once wrote:

Death strips a man of everything but genius and virtue. It is a sort of natural canonization.

And so it is with Senator ROBERT F. KENNEDY.

There is but little we can say that can bring solace to Senator KENNEDY's bereaved widow and children, to his parents, his brother and his sisters, other than that Senator KENNEDY lived wisely, well and intensely and that his compassionate spirit embraced all of humanity.

Almost four years ago, at the Democratic National Convention, Senator KENNEDY applied with filial reverence to his older brother Juliet's apostrophe to Romeo, words which apply with like poignancy to himself:

Take him and cut him out in little stars,
And he will make the face of heaven so fine
That all the world will be in love with Night
And pay no worship to the garish Sun.

WAF CELEBRATE 20TH ANNIVERSARY

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. RIVERS. Mr. Speaker, on June 12 the women in the Air Force will mark their 20th anniversary of service to this Nation.

For 20 years these women have given outstanding service to the Air Force in a variety of military occupations until today they work in nearly every type of military assignment except those directly associated with actual combat. They have shown they can make a valuable contribution in intelligence, communications, personnel management, logistics, public information, fiscal management, scientific specialties, general administration, and other fields. The Air Force has steadily expanded the career fields in which women can be of service. The WAF officers serve in all career fields, except those involving flying, and enlisted Air Force women serve in 160 career ladders.

Above all, these women have shown they can make a lasting contribution to the mission of the Air Force, and have earned for themselves a permanent place in the service.

The role of women in the Air Force is being expanded. From a strength of 695 officers and 5,100 enlisted women in 1966, the strength has increased to 850 officers and 6,000 enlisted women today and plans are to eventually go to a strength of at least 1,000 officers and 13,700 enlisted women.

Thirty-three of these dedicated Air Force women are today serving in Vietnam.

To the women in the Air Force serving throughout the world, I extend my congratulations on their first 20 years of service, I extend the gratitude of the Nation for their dedication and their professionalism, and I send them best wishes for what I know will be a bright future.

HUNGRIEST PEOPLE FASTERS

HON. OTTO E. PASSMAN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. PASSMAN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following from the Monroe, La., Morning World of June 6, 1968:

HUNGRIEST PEOPLE FASTERS

Apparently the hungriest and about the only "starving" people in the United States are those who are fasting or dieting for the purpose of losing weight. The widely publicized claim that 10 million Americans are suffering from "chronic hunger" because they have no food available has been exposed as pure political fraud intended to mislead the people.

When, in late April, the claim was made that 10 million people in this country were suffering from "chronic hunger," people from all sectors of the nation must have been asking, "What part of the country is letting its people starve? We know it isn't happening here." That was the feeling that was revealed throughout the South and it must have been felt in all other sections of the nation as well.

The 10 million figure originated with the Citizens Board of Inquiry into Hunger and Malnutrition in the United States. Even a hungry person would have difficulty trying to digest a name of those proportions. The Citizens Board of Inquiry into Malnutrition in the United States was an ad hoc group headed by Walter Reuther, head of the United Auto Workers Union. Reuther has been calling for "guaranteed living wages" for everyone in the United States who can't find a job or won't accept anything but a particular kind of job. Reuther's contention is that it is "depraving" to accept government "handouts" but that "wages" paid for not working would be "honorable." We fail to make a distinction as far as the matter of honor is concerned.

The Reuther report not only put at 10 million the number "chronically hungry," but listed 256 counties in 20 states as "hunger areas" involving "desperate situations."

This figure has been repeatedly cited by one Democratic presidential candidate, and Ralph Abernathy, who replaced assassinated Martin Luther King as head of the Southern Christian Leadership Conference, quoted the figure to bolster his demand for a guaranteed annual income of as much as $5,000 a year, which is considerably more than the salaries received by some who work and on which they live in fair comfort.

U.S. News and World Report recently pointed out that some 36 million Americans, mostly school children, share in assorted food programs, in some of which breakfast and the noon meal are served, and more than six million receive surplus food packages or help through the food stamp plan.

Those who know best have now debunked the Reuther claim.

Congressman W. R. Poage, D., Tex., chairman of the House Agriculture Committee, wrote the county health officers in the 256 allegedly "hunger-stricken" counties to determine the facts. When replies to half of these inquiries had been received, not a single one of them upheld the Reuther claim.

Random reports from some of these health officers included:

Dr. Linda S. Fagan, health officer, Powell County, Kentucky "I know of no serious hunger in Powell County occasioned by the inability of the individual either to buy food or to receive public assistance. Those persons who have no means of support or are unable to work do receive public assistance in the form of money and food."

Margaret Cotton, registered nurse, acting health officer, Alexander and Pulaski Counties, Illinois—"I feel I can say with truthfulness and confidence that, to my knowledge, there is no one in Alexander or Pulaski County starving to death. To verify this, I called on the two public aid departments and the physicians in this area and they, too, agree that no one is starving."

Dr. Clarence A. Bush, Wibaux County, Montana, health officer: "I will pay $100 to any selected charity if anyone will find in Wibaux County, Mont., or any adjacent county in Montana or North Dakota one individual who has suffered from lack of food. For 25 years I have known almost every resident of this and adjacent communities, and I say no such condition exists or has existed here."

These statements seem to prove conclusively that the 10 million "starvation" figure was manufactured out of the whole cloth for the purpose of providing "grist" for the campaign to give everyone a guaranteed wage.

If everyone were guaranteed a living wage, we are afraid there would not be enough people among us who would have the incentive to work. And, if fewer and fewer people worked, who would earn the money to pay the non-workers? All real income must come from earnings.

THAT SPECIAL GRACE: ROBERT FRANCIS KENNEDY—IN MEMORIAM

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. MOORHEAD. Mr. Speaker, less than 5 years ago, Ben Bradlee, of the Washington Post, wrote from the heart some memorable words to describe his feelings about his friend, the late President John F. Kennedy. They so aptly expressed how the Nation felt about him that they were later published in a small book called "That Special Grace."

Today, when our thoughts indeed "lie too deep for tears," we have sad occasion in the horrendous assassination of Senator Robert F. Kennedy to think on these words once again, as they apply to all of the Kennedy's—to whom we can only offer mute sympathy and prayers.

Among all of the words uttered or written at this time of great sorrow, loss, and trial, none are more moving, more eloquent, or more fitting than those spoken by the last brother, Senator EDWARD M. KENNEDY, at the funeral mass in St. Patrick's Cathedral last Saturday. Second to this might be the Washington Post editorial, "The Gift of Courage," of June 9.

Robert Kennedy's life truly bore testimony that "the way to do is to be." Under unanimous consent I include both of these tributes at this point in the RECORD, and commend them to the attention of my colleagues:

[From the Washington Post, June 9, 1968]

TEXT OF SENATOR EDWARD M. KENNEDY'S TRIBUTE TODAY IN ST. PATRICK'S CATHEDRAL TO HIS SLAIN BROTHER, SENATOR ROBERT F. KENNEDY

On behalf of Mrs. Robert Kennedy, her children and the parents and sisters of Robert Kennedy, I want to express what we feel to those who mourn with us today in this Cathedral and around the world.

We loved him as a brother and father and as a son. From his parents, and from his older brothers and sisters—Joe and Kathleen, Jack—he received inspiration which he passed on to all of us. He gave us strength in time of trouble, wisdom in time of uncertainty, and sharing in time of happiness. He will always be by our side.

Love is not an easy feeling to put into words. Nor is loyalty or trust or joy. But he was all of these. He loved life completely and he lived it intensely.

WORDS OF FATHER RECALLED

A few years back, Robert Kennedy wrote some words about his own father which expresses the way we in his family feel about him. He said of what his father meant to him:

"What it really all adds up to is love—not love as it is described with such facility in popular magazines, but the kind of love that is affection and respect, order, encouragement, and support. Our awareness of this was an incalculable source of strength, because real love is something unselfish and involves sacrifice and giving, we could not help but profit from it."

And he continued:

"Beneath it all, he has tried to engender a social conscience. There were wrongs which needed attention. There were people who were poor and who needed help. And we have a responsibility to them and to this country. Through no virtues and accomplishments of our own, we have been fortunate enough to be born in the United States under the most comfortable conditions. We, therefore, have a responsibility to others who are less well off."

APPEAL TO JUSTICE, COMPASSION

This is what Robert Kennedy was given. What he leaves to us is what he said, what he did and what he stood for. A speech he made to the young people of South Africa on their Day of Affirmation in 1966 sums it up the best, and I would read it now:

"There is discrimination in this world and slavery and slaughter and starvation. Governments repress their people; millions are trapped in poverty while the nation grows rich; and wealth is lavished on armaments everywhere.

"These are differing evils, but they are the common works of man. They reflect the imperfection of human justice, the inadequacy of human compassion, our lack of sensibility toward the sufferings of our fellows.

"But we can perhaps remember—even if only for a time—that those who live with us are our brothers, that they share with us the same short moment of life; that they seek—as we do—nothing but the chance to live out their lives in purpose and happiness, winning what satisfaction and fulfillment they can.

"Surely this bond of common faith, this bond of a common goal, can begin to teach us something. Surely we can learn, at least, to look at those around us as fellow men. And surely we can begin to work a little harder to bind up the wounds among us and to become in our own hearts brothers and countrymen once again.

OBSOLETE DOGMA AND CHANGE

"The answer is to rely on youth—not a time of life but a state of mind, a temper of the will, a quality of imagination, a predominance of courage over timidity, of the appetite for adventure over the love of ease. The cruelties and obstacles of this swiftly changing planet will not yield to the obsolete dogmas and outworn slogans. They cannot be moved by those who cling to a present that is already dying, who prefer the illusion of security to the excitement and danger that come with even the most peaceful progress. It is a revolutionary world we live in; and this generation, at home and around the world, has had thrust upon it a greater burden of responsibility than any generation that has ever lived.

"Some believe there is nothing one man or one woman can do against the enormous array of the world's ills. Yet many of the world's great movements, of thought and action, have flowed from the work of a single man. A young monk began the Protestant reformation, a young general extended an empire from Macedonia to the borders of the earth, and a young woman reclaimed the territory of France. It was a young Italian explorer who discovered the New World, and the thirty-two-year-old Thomas Jefferson who proclaimed that all men are created equal.

"These men moved the world, and so can we all. Few will have the greatness to bend history itself, but each of us can work to change a small portion of events, and in the total of all those acts will be written the history of this generation. It is from numberless diverse acts of courage and belief that human history is shaped. Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring those ripples build a current that can sweep down the mightiest walls of oppression and resistance.

MORAL COURAGE CALLED RARE

"Few are willing to brave the disapproval of their fellows, the censure of their colleagues, the wrath of their society. Moral courage is a rare commodity than bravery in battle or great intelligence. Yet it is the one essential, vital quality for those who seek to change a world that yields most painfully to change. And I believe that in this generation those with the courage to enter the moral conflict will find themselves with companions in every corner of the globe.

"For the fortunate among us, there is the temptation to follow the easy and familiar paths of personal ambition and financial success so grandly spread before those who enjoy the privilege of education. But that is not the road history has marked out for us. Like it or not, we live in times of danger and uncertainty. But they are also more open to the creative energy of men than any other time in history. All of us will ultimately be judged and as the years pass we will surely judge ourselves, on the effort we have contributed to building a new world society and the extent to which our ideals and goals have shaped that effort.

"A GOOD AND DECENT MAN"

"Our future may lie beyond our vision, but is not completely beyond our control. It is the shaping impulse of America that neither fate nor nature nor the irresistible tides of history, but the work of our own hands, matched to reason and principle, that will determine our destiny. There is pride in that, even arrogance, but there is also experience and truth. In any event, it is the only way we can live."

That is the way he lived. And that is what he leaves us. My brother need not be idealized, or enlarged in death beyond what he was in life, to be remembered simply as a good and decent man, who saw wrong and tried to right it, saw suffering and tried to heal it, saw war and tried to stop it.

Those of us who loved him and who take him to his rest today, pray that what he was to us and what he wished for others will some day come to pass for all the world.

As he said many times, in many parts of this Nation, to those he touched and who sought to touch him:

"Some men see things as they are and say why.

"I dream things that never were and say why not."

[From the Washington Post, June 9, 1968]

THE GIFT OF COURAGE

The great thing about the Kennedys is not just that they have courage but that they give it. And the sad thing, which is also the glory of it, is that they give it in greatest measure in the manner in which they meet trial and tragedy.

President John F. Kennedy, his brother Joseph before him, and Sen. Robert Kennedy—they all had this grace under pressure. It was everywhere in Sen. Edward Kennedy's eulogy to his brother yesterday, full of pride and sorrow, grief and promise. It was in the faces of the children, and the sisters and the mother and the first widow and the second—strained, anguished, composed. It was reflected, in some way, in the faces of the thousands of mourners who had filed past the casket for a day and two nights, touching it as they passed, paying homage, taking strength.

This strength is the special legacy to the Nation of the Kennedy who was President and the Kennedy who wanted to be. It does not matter whether they had all the right answers to all the hard questions. What matters is that they had the courage to ask the hard questions about hate and poverty and violence at home and abroad.

The lesson, laid down by Archbishop Terence C. Cooke in his eulogy yesterday, was for us "to find the courage to take up again the laborious work to which Senator Kennedy devoted all his energies." We must find this courage, the Archbishop said, in "the strength that still lies deep within the soul of America." But we will find it also in the legacy, and in the example, of the Kennedys. For it cannot be doubted that those who remain will take up the work of Robert Kennedy, for all their suffering.

That is the Kennedys' chosen way and it does them no honor to see in it, as some have done, the danger of a dynasty. There is no menace in the pursuit of excellence repeated under a common name. There is no peril in profound religious faith, in sound marriages or good teaching, or fierce family loyalty or a tradition of service by those who by birth could as easily choose a life of ease. If this is dynasty, we would do well to make the most of it, and take the best from it, and the best of it was movingly displayed at the Cathedral yesterday, and at the graveside, in the strength and courage of the Kennedy family.

BEST WISHES TO MR. LEE MORSE

HON. ROBERT G. STEPHENS, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. STEPHENS. Mr. Speaker, after 4½ years, the House Banking and Currency Committee is losing the valuable counsel of Mr. Lee Morse, a native Georgian who plans to set up a private law practice in Washington and Atlanta.

Mr. Morse, as legal counsel to the Banking and Currency Committee, held one of the most important staff positions ever held by a Georgian on a committee of the House. Prior to his work for the committee, he was employed in Washington by the Securities and Exchange Commission and the Comptroller of the Currency.

Mr. Morse, who received his master's degree in business and his law degree

from Emory University, is a member of the Georgia Bar, the Federal Bar, the American Bar, and the District of Columbia Bar.

His service to the House has been commendable, and I wish to offer my sincere best wishes in this young man's future endeavors.

NO ONE KNEW

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. NICHOLS. Mr. Speaker, many of us in the Congress, who are conservation minded, have supported Ducks Unlimited, an organization which is actively working in behalf of increasing the duck population of North America.

In my own State of Alabama, no one has worked harder for conservation than the late Don Drennen, Sr. of Birmingham, Ala., Mr. Drennen was an avid sportsman and hunter, but he was also a conservationist, who spent many hours carrying the conservation program to interested groups throughout Alabama.

Last winter I had the privilege of duck hunting on the Tennessee River flyway in north Alabama with my longtime conservation friend, Dr. Walter B. Jones, former State geologist. Dr. Jones was a great pal and hunting companion of Don Drennen. In Zipp Newman's column appearing in last Sunday's Birmingham News, Dr. Jones paid tribute to this great conservationist.

At this point, in memory of one who enthusiastically pursued wildlife conservation, I am inserting in the RECORD Dr. Jones' eulogy to Don Drennen, Sr.:

NO ONE KNEW

(By Zipp Newman, sports editor emeritus)

No one knew Don Drennen as a hunting companion and conservationist better than Dr. Walter B. Jones, former state geologist and professor at the University of Alabama. Their favorite hunting together was wildfowl.

Here is Dr. Walter B. Jones' tribute to his departed friend:

"Mr. Don Drennen Sr.—Mr. Ducks Unlimited in Alabama—is gone. While living he had wide interests and many talents. It seems to this writer that his truly outstanding accomplishment was his untiring and devoted efforts in behalf of Ducks Unlimited. Mister Don provided films on wildfowl, posters for billboards, all sorts of DU paraphernalia, and attended meetings whenever and wherever regardless of distance or weather. His faith in DU and its program was as solid as the granite in Stone Mountain. His quiet manner and softly spoken words filled the heart and mind of every one in his audiences. No one could doubt his sincerity or his devotion to wildfowl in abundance for future generations. The result has been an annual increase in donations from Alabama.

An ardent wildfowl hunter, Mr. Don wandered all over the Mississippi Flyway, having hunted all the way from our gulf to the Canadian provinces. He had his own shooting places at Boligee and the Swancott area in Madison County. Having been with him on numerous occasions I soon learned that his happiness was in calling rather than shooting. On one occasion he worked so close that black mallards came in so close to him that he was pretty thoroughly splashed with water. That sort of thing highlighted his hunting trips rather than the number of birds which he was able to bag. This man was a true-blue, died-in-the-wool one thousand per cent sportsman.

"At his Boligee place (Thisldu) he raised both mallard ducks and Canada geese. The flocks of both species continue to gain, particularly in the migratory season when wild birds would drop in and mingle with his semi-domesticated birds. In the spring most of the birds would take off for the North country and a lot of his birds would join them. In the last year or so it was difficult to tell which were wild and which were raised on his place. Incidentally, he bought corn by the ton, feeding one to three bushels each morning and evening.

"The birds knew quite well when chow time was due, and they managed to be within earshot of the first mallard hen's feed call. The ducks would rush about, while the geese made a stately, unhurried single-file approach, more often than not finding that the ducks had emptied the till.

"In all of Don Drennen fishing lakes (eight of them) there are special built boxes in which the wood duck nest. It is believed that the wood duck population in this area is the best anywhere in this state.

"Mr. Don had another trait, that of gathering around him a group of people who enthusiastically carried the ball in various regions of our state. He attended all regional meetings. Though staying in the background, all were aware of his presence. Even in his last years when his illness would have grounded most men, Mister Don was there. Naturally, he made many friends. In fact there have been few who had so many to call him friend.

"Now that there is a proposal to dedicate a DU project to his memory, let us, sportsmen and non-sportsmen alike, band together and make it worthy of our departed friend. Because of his efforts, duck and geese are flying. Let us be sure that some of them will be flying from the Don Drennen project."

RED CHINESE SUBVERSION

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. ASHBROOK. Mr. Speaker, we are all familiar with the role that the Red Chinese regime is playing in Vietnam assisting Ho Chi Minh's "liberation" campaign against South Vietnam. This is but one facet of the Chinese Communist program to sow the seeds of revolution throughout the world. Closer to home there is evidence of efforts by these Chinese revolutionaries to make inroads into areas hitherto outside their fields of endeavor. For instance, on February 23 of this year, Director J. Edgar Hoover commented on Red Chinese efforts in this hemisphere in his testimony before a House Appropriations subcommittee:

COMMUNIST CHINA

The intelligence activities of Red China have also brought about an increase in our work in carrying out our responsibilities in this area and the work can be expected to continue to mount.

The vociferous statements of the leader of Communist China make it abundantly clear that the United States is considered that country's No. 1 enemy. In one such statement, which serves as an outline of aggression, it was predicted that the defeat of the Western countries, and particularly the United States, would come about by first gaining control of surrounding smaller countries. This cannot be dismissed as just an idle threat when it is considered that in July 1967 the Mexican Government reported the arrest of several Mexican citizens who were conspiring to rebel against the Mexican Government with the financial aid of Communist China. Chinese Communist influence has also been evident in other Central and South American countries.

In the North, the New China News Agency, and agency of Communist China, maintains an office in Canada. Although posing as a legitimate newsgathering office, in every country in which it is established, its real function is to serve as a base for Chinese Communist propaganda activities.

In this country, Communist Chinese agents have mounted a concerted effort to obtain highly sensitive data for their homeland. This material goes to Red China by various means. For example, two individuals have been forwarding electronic components, which could be used in a multitude of military equipment, to Communist China through an intermediary in Hong Kong. Other Chinese in the United States have been furnishing strategic information to Communist China through individuals in European countries.

Another tax on our investigative resources stems from the amendment to the Immigration and Nationality Act in the fall of 1965 permitting up to 20,000 Chinese to enter this country each year. Some 17,210 did enter during 1966 and while the vast majority presents no problem, it is well known that in this group lies the potential for Communist China to introduce Chinese Communist agents into the United States.

Two other recent indications of the scope of Red Chinese activities appeared in the New York Times of May 25 and 28. The May 25 item deals with the Red Chinese presence in Tanzania and begins with this statement:

Although the Chinese are rarely seen on the streets here, Chinese communist projects seem everywhere.

The MAY 28 article describes Red Chinese influence in Nagaland near the India-Burma border and states, in part:

Indian intelligence officials suggest that several hundred Nagas have already traveled to China for military training while another large group is reported to be crossing Burma.

From the foregoing it is evident that the internal trouble on the Chinese mainland is not in the least deterring the Red Chinese from spreading their program of subversion throughout various parts of the world.

I include the two above-mentioned articles from the New York Times in the RECORD at this point:

[From the New York Times, May 25, 1968]

CHINESE COMMUNIST PRESENCE IN EAST AFRICAN NATIONS GROWS

(By Lawrence Fellows)

DAR ES SALAAM, TANZANIA, May 24.—Although the Chinese are rarely seen on the streets here, Chinese communist projects seem everywhere.

The technical help and the loans and gifts the Chinese have bestowed on the Tanzanians exceed by far what the Tanzanians are getting from anyone else.

These Chinese have helped set up a joint shipping line with Tanzania, employing two 10,000-ton freighters. Tanzania paid her share

with an interest-free loan from Communist China that the Tanzanians must start repaying only in 10 years and then from the profits they make on the line.

These Chinese have just finished building a textile mill at Ubungo, near Dar es Salaam, which Tanzanians are to pay for with another interest-free Chinese loan.

They also provided the Tanzanians with a 50-kilowatt radio transmitter at Mabibo, also near Dar es Salaam, with the same financing arrangement. A police-training camp at Moshi is staffed by the Chinese. They are also running a $15-million farming project at Ruvu. And they are providing loans and grants that the Tanzanians need to resume agricultural and road-building projects suspended when diplomatic relations were broken off with Britain and that source of money dried up.

LAST ENGINEERS ARRIVE

About 150 engineers and technicians from Communist China arrived in Dar es Salaam yesterday. They are the last of a team surveying for a 1,000-mile railway that the Chinese have undertaken to build from here to the Copper Belt in neighboring Zambia.

There were no Government announcement or fanfare about their arrival, but a crowd of Africans stood on the thin white shore that lines the harbor and watched the glistening blue-and-white liner Yao Hua slip into harbor and drop anchor.

It was a curious spectacle: the Chinese stepping into launches one after another, without smiling or speaking, to be carried ashore and driven away in crowded minibuses. The Africans giggled, but seemed not to talk much to one another about this evidence of China's growing presence in black Africa.

For the other foreigners in Dar es Salaam, swilling beers and exchanging alarming tales under paddling overhead fans in crowded bars these sticky nights, there is no more favorite topic of discussion than the Chinese. What do they hope to achieve in Africa? Why have they done so well in Tanzania when they have failed so miserably in so many other places in Africa?

RELATIONS TURN SOUR

After a promising start, China's relations with Ghana and the Central African Republic turned sour. From Burundi the Chinese supported the rebellion in the Congo and eventually got themselves thrown out. Their relations were strained in Kenya and Uganda when they were caught providing funds for the opposition, Dr. H. Kamuzu Banda, President of Malawi, called their hand for having tried to bribe some of his ministers into joining the opposition. In the Congo and Mali the Chinese were well received, but they failed to make any headway in the rest of the continent.

China's big initial success in Africa was in helping to stage a revolution in Zanzibar in 1964. It has never relinquished its hold on the island and has never made a political misjudgment serious enough to jeopardize its influence there.

With the union of Zanzibar and the mainland state of Tanganyika to become the state of Tanzania, even those who thought the islanders had been swallowed up wondered if they would ever be digested. Tanzania's politics have moved erratically but unmistakably to the left ever since.

This enormous, primitive country of more than 360,000 square miles—as big as France and Germany together—has 12 million people, most of whom care little about politics, scratching out no more than a peasant's existence on land that is abundant and that could be as productive as any in Africa. There is remote, scattered mineral wealth in the southern highlands that no one has bothered to exploit.

It is difficult to accept the idea that the Chinese are very interested in anything Tanzania has to offer now, or that the Chinese very badly need Tanzania's reassurance that China is leading a revolutionary force in the world. But Tanzanian Government leaders are easily excited about the continued presence of white governments in southern Africa.

The Tanzanians are receptive to the flow of Chinese weapons, for they can get them nowhere else as easily. A grip in Tanzania, whose vast area touches eight other countries, would give the Chinese a wide periphery in Africa and a base on the western littoral of the Indian Ocean. A project like the railway will give them valid reason to put thousands of people into the mineral-rich heart of the African Copper Belt that runs from Zambia into Katanga Province of the Congo.

MILITARY AID TO REGION

Of enormous potential importance is the military equipment and training that the Chinese provide for the dozen "liberation" movements based in Tanzania.

But not all of the weapons have gone to rebels operating against the white-dominated southern region. The rebellion in the Congo was kept alive by weapons sent by rail from Dar es Salaam to Kigoma. And a convoy of weapons bound for Uganda was stopped by the police in Kenya.

Dr. Banda has accused President Julius K. Nyerere of Tanzania of allowing plots against him to be hatched in Tanzania. Even the Watusis, in their long-bogged down invasion of Rwanda, got their Chinese weapons through Tanzania.

But the railway that the Chinese have undertaken to build is a far more spectacular idea, and they have wasted no time getting the project under way.

The job could be done in 15 months and the construction could begin then. The Chinese have already promised to finance the construction to the extent of $280-million.

The Chinese have also offered to talk about providing diesel locomotives and rolling stock for the railway.

Both President Nyerere and President Kenneth D. Kaunda of Zambia were anxious to get the railway. Mr. Nyerere sees it as a way to open up his southern region to development and to enhance the value of the port of Dar es Salaam. Mr. Kaunda wants the railway so that he need not ship copper out through the white-governed countries of Rhodesia and Portuguese Mozambique.

Mr. Kaunda was at first reluctant to accept the Chinese offer to build the railway, but he changed his mind when he failed to arouse any interest in the project in Britain, France, West Germany or the United States.

All of the nations seemed worried by the big initial investment and the time it would take for the railroad to start turning a profit. The United States offered to pay for a comprehensive transportation survey that would establish the economic facts of the matter, but the Africans were not interested.

President Nyerere was less worried than was President Kaunda about the political implications of bringing in the Chinese. He has always argued that big slices of Communist aid would help offset the old preponderant influence of the West in Africa.

Mr. Nyerere approached Soviet leaders and was turned down. The world bank was also approached, but it advised the Africans to ask instead for help to improve the crude road that is now being used to some extent to truck copper to Dar es Salaam.

Eventually Presidents Nyerere and Kaunda accepted the offer the Chinese had made to Mr. Nyerere when he visited China in 1956.

Several diplomats in this city are frankly puzzled about the intentions of the Chinese. The railway could take seven or eight years to build, they say, terming it an unusually long period for any country to commit herself to a project so sensitive and unsettled a part of Africa.

They feel that the Chinese will inevitably run into frictions that have been met by Britain, the United States, West Germany, Israel, Nigeria and every other country that has made any major contributions in Tanzania.

The Chinese are obviously aiming at the rich heart of Africa, but it is considered a long shot.

[From the New York Times, May 28, 1968]

INDIA REPORTS 200 NAGAS KILLED IN BORDER CLASH

(Dispatch of the Times, London)

NEW DELHI, May 27.—Official Indian sources say that more than 200 Naga insurgents were killed on the Indian-Burmese border by Indian security forces in the last week.

Reports from the restricted area suggest that Indian forces clashed with large groups of Naga underground fighters who were attempting to cross into Burma on their way to Communist China to receive military training and arms. Indian casualties were not announced.

The skirmishes on the Burmese border are regarded as the most serious incidents in the renewed conflict in Nagaland. They follow recent indications that an influential section of the insurgents turned to China for arms. The rebels in Nagaland, which became a full-fledged state of India in 1963; seek independence.

SOME REPORTED IN CHINA

According to official Indian sources, Naga rebels were ambushed and killed in a number of encounters during the week when they attempted to cross into Burma. This was the first major clash on the border since Prime Minister Indira Gandhi ordered increased patrols there six weeks ago.

Indian intelligence officials suggest that several hundred Nagas have already traveled to China for military training while another large group is reported to be crossing Burma.

According to these sources, the Chinese are prepared to assist the Nagas if the insurgents link their struggle with other anti-Indian movements in Assam, Manipur and the Mizo Hills.

The Government has barred foreigners and journalists from the area.

In a recent broadcast to Nagaland, the Peking radio encouraged the Naga struggle warning the insurgents not to be lulled into peace talks with the Indian Government.

Last week, a rebel leader, Khugahto Sukhai, defended the decision to seek aid from China. Mr. Sukhai recently met Mrs. Gandhi at unsuccessful Nagaland peace talks in New Delhi.

Mr. Sukhai justified the decision by citing India's reliance on outside support during her independence struggle.

The mounting tension in Nagaland coincides with serious unrest in the region adjoining Burma. In Assam, a curfew was imposed in one district after 4,000 angry tribesmen demanding a separate hill state attacked the district police headquarters. Tempers flared in Assam after New Delhi had postponed its decision on a plan to reorganize Assam into separate hill and plain states.

To the south, in the hills jutting into Burma, there are signs that the Mizo rebels might mount another offensive against hard-pressed Indian troops. The Mizo underground, which wants an independent hill state, launched a surprise attack on the district headquarters Friday.

MR. LEE MORSE TO LEAVE CAPITOL HILL

HON. JOHN W. DAVIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. DAVIS of Georgia. Mr. Speaker, a former resident of Rome, Ga., in my dis-

trict, is leaving Capitol Hill to set up a private law practice in Washington and Atlanta, and I would like to take this opportunity to commend him on his past services to the House and wish him well in his new pursuits.

Mr. Lee Morse leaves the House Banking and Currency Committee as legal counsel after 4 years of outstanding service there. Prior to that he was employed by the Securities and Exchange Commission and the Comptroller of Currency.

Mr. Morse received a master's degree in business and a bachelor of laws degree from Emory University. He is a member of the Georgia Bar Association, the Federal bar, the American bar, and the District of Columbia bar.

OPPOSITION TO H.R. 5037 IN ITS PRESENT FORM

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. NIX. Mr. Speaker, I am unalterably opposed to H.R. 5037 in its present form.

I direct attention to title II and title III.

The first of these would add two new sections to title XVIII, United States Code. Section 3501 concerns itself with the admissibility of confessions. Section 3502 goes into the admissibility of eyewitnesses testimony in the Federal courts. It is significant to note at this point that title II applies only to Federal courts, not to the State courts.

Mr. Speaker, to any one with even a passing acquaintance with the law, it is obvious that the main purpose of title II is to overrule the decisions of the Miranda and Wade cases as they effect Federal trials. If this body because of hysteria, indifference, or irresponsibility approved H.R. 5037 as written, we would in fact turn the clock backward to the injustices of pre-Mallory and Miranda times and literally make voluntariness the sole test as to the validity of a confession. Thus, there would discard, prompt arraignment, proper warnings, advice as to rights, entitlement to counsel, thus with one stroke the cloak of protection is torn from the accused.

Mr. Speaker, in further opposition to this legislation, I attach hereto the detailed analysis submitted by the great and competent chairman of the Judiciary Committee:

DETAILED ANALYSIS OF TITLE II

Title II of H.R. 5037, as approved by the Senate, would add two new sections to Title 18 U.S.C. (3501, 3502). These sections would modify present law in several principal respects. As described in the following paragraphs, they are vulnerable to serious constitutional and policy objections.

A. CONFESSIONS—THE REPEAL OF MIRANDA

Section 3501(a) of the bill makes voluntariness the sole criterion of the admissibility of a confession in a Federal Court.

According to the provisions of subsections (a) and (b) of Section 3501, the procedure in Federal courts will be as follows:

A preliminary determination of the voluntariness of a confession will be made by the trial judge, outside the presence of the jury. Sec. 3501(a).

In making his preliminary determination, the trial judge will be required to consider all the circumstances surrounding the confession, including the following specified factors, none of which is to be conclusive on the issue of voluntariness, Sec. 3501(b):

Delay between arrest and arraignment of the defendant.

Whether the defendant knew the nature of his offense.

Whether the defendant was aware or advised of his right to silence or that anything he said might be used against him.

Whether the defendant was advised of his right to counsel.

Whether the defendant had the assistance of counsel during his interrogation and confession.

If the trial judge makes a preliminary determination that a confession was voluntary, he must admit the confession in evidence. Sec. 3501(a). The Jury must then hear the relevant evidence on the issue of voluntariness and determine the weight to be accorded the confession. Sec. 3501(a).

Sections 3501 (a) and (b) are squarely in conflict with the Supreme Court's decision in *Miranda* v. *Arizona*, 384 U.S. 436 (1966), and will almost certainly be held unconstitutional. In *Miranda*, the Supreme Court held unequivocally that a confession obtained from a defendant during custodial police interrogation could not constitutionally be used in evidence against the defendant unless the following specific procedural safeguards were followed, based on the defendant's privilege against self-incrimination under the Fifth Amendment:

The defendant must be advised that he has a right to remain silent and that anything he says may be used against him.

The defendant must be advised that he has the right to consult with a lawyer and to have the lawyer with him during the interrogation.

The defendant must be advised that if he cannot afford a lawyer, a lawyer will be appointed for him.

Although the case also held that a suspect could waive these rights, the Court stated that a heavy burden of proof rests on the prosecution to demonstrate that the waiver was knowing and intelligent.

The Court emphasized in *Miranda* that the procedural safeguards established in the case are in addition to the traditional voluntariness test. Since section 3501 specifically dispenses with these safeguards and in lieu thereof establishes voluntariness as the sole test of the admissibility of a confession, the section is obviously contrary to the Constitution.

The Supreme Court made clear in the *Miranda* opinion that its holding was firmly grounded on a constitutional basis that no legislature could overrule. In both the briefs and oral arguments in the case, the Court was specifically requested to withhold decision until legislative bodies had a chance to act upon the issue. The court replied,

"Congress and the States are free to develop their own safeguards for the privilege, so long as they are fully as effective as those described [in the Court's holding] in informing accused persons of their right of silence and in affording a continuous opportunity to exercise it. In any event, however, the issues presented are of constitutional dimensions and must be determined by the courts. The admissibility of a statement in the face of a claim that it was obtained in violation of the defendant's constitutional rights is an issue the resolution of which has long since been undertaken by this Court.... Judicial solutions to problems of constitutional dimension have evolved decade by decade. As courts have been presented with the need to enforce constitutional rights, they have found means of doing so. That was our responsibility when *Escobedo* was before us and it our responsibility today. *Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them.*" (Emphasis added). 384 U.S., at 490–491.

The Court's invitation in *Miranda* for legislatures to adopt "other fully effective means" to protect suspects in the free exercise of their constitutional rights offers no solace to the proponents of Section 3501. The provisions of that section can hardly be characterized as "other fully effective means," since the means chosen by the section are manifestly less effective than the safeguards announced in *Miranda*.

Moreover, even though Congress has broad general power under the Constitution to enact procedural rules governing the admissibility of evidence in Federal Courts, nothing in the Constitution gives Congress the power to adopt procedural rules that override specific decisions of the Supreme Court interpreting the fundamental requirements of the Constitution. Simply put, Congress has the power only to expand, not to contract or abrogate these basic guarantees.

The fault in the *Miranda* decision, if any, lies not with the Supreme Court, but with the Fifth Amendment itself. In the words of the Fifth Amendment, no person "shall be compelled in any criminal case to be a witness against himself." At the very heart of the privilege against self-incrimination lies one of the fundamental principles of our system of criminal justice, that the Government must produce evidence against an individual by its own independent labors, rather than by the cruel simple expedient of compelling it from his own mouth. *Chambers* v. *Florida*, 309 U.S. 227, 235–238 (1940). As Sir James Fitzjames Stephen commented almost a century ago on the use of interrogation by law enforcement officers.

"There is a great deal of laziness in it. It is far pleasanter to sit comfortably in the shade rubbing red pepper into a poor devil's eyes than to go about in the sun hunting up evidence." [1] Stephen, *A History of the Criminal Law in England*, 442 (1883).

In *Miranda* the Supreme Court breathed life into the privilege as applied to police interrogation. The basic thrust of the Court's decision was to place the poor and inexperienced suspect on an equal footing with the wealthy and most sophisticated suspect by informing all suspects of their constitutional right to silence and assuring them of a continuous opportunity to exercise it.

As Justice Walter Schaefer of the Supreme Court of Illinois, one of our most distinguished jurists, has eloquently stated, the quality of a nation's civilization can be largely measured by the methods it uses in the enforcement of its criminal law. See Schaefer, "Federalism and State Criminal Procedure," 70 Harv. L. Rev. 1, 16 (1956). To allow the Government in the administration of justice to take advantage of the ignorance or indigence of an accused would violate the most elementary principles of our constitutional jurisprudence.

Forty years ago, Justice Brandeis forcefully answered the recurrent argument that the needs of law enforcement outweigh the rights of the individual. In *Olmstead* v. *United States*, he said,

"Decency, security and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. Our Government is the potent, the omnipresent teacher. For good or for ill, it

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[1] In the *Miranda* opinion, the Supreme Court actually decided four separate cases—*Miranda* v. *Arizona*, *Vignera* v. *New York*, *Westover* v. *United States*, *and California* v. *Stewart*. See 384 U.S. 436 (1966).

teaches the whole people by its example. Crime is contagious. If the Government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy. To declare that in the administration of the criminal law the end justifies the means . . . would bring terrible retribution. Against that pernicious doctrine this Court should resolutely set its face." 277 U.S. 438, 485 (1928) (dissenting opinion).

Contrary to the suggestion of the proponents of Title II, it can hardly be said with authority that the *Miranda* decision has seriously hampered law enforcement. Essentially the same warnings required by the Supreme Court in *Miranda* were being used by the FBI fourteen years before the decision in that case. As Chief Justice Warren stated in delivering the opinion of the Court in *Miranda:*

"Over the years the Federal Bureau of Investigation has compiled an exemplary record of effective law enforcement while advising any suspect or arrested person, at the outset of an interview, that he is not required to make a statement, that any statement may be used against him in court, that the individual may obtain the services of an attorney of his own choice and, more recently, that he has a right to free counsel if he is unable to pay . . . [T]he present pattern of warnings and respect for the rights of the individual followed as a practice by the FBI is consistent with the procedure which we delineate today." 384 U.S. at 483–484.

Equally important, each of the two major field studies published to date on the impact of *Miranda* on law enforcement has concluded that the impact has been small and that the decision has had little effect on police practices or the clearance of crime. What is by far the most comprehensive of these studies was conducted by the student editors of the Yale Law Journal and faculty members of the Yale Law School. See "Interrogations in New Haven: The Impact of Miranda," 76 Yale L.J. 1519 (1967). Over a period of three months, the Yale investigators observed every stationhouse interrogation undertaken by the New Haven police force. One of the basic conclusions reached by the study was that interrogation of suspects by police was unnecessary in the overwhelming majority (87%) of the cases observed, since the police had already obtained enough evidence against a suspect at the time of his arrest to assure his conviction. In the typical case, either the police already had enough evidence to convict a suspect without interrogation, or they did not even have enough evidence to arrest him in the first place.

The second major study of the impact of *Miranda* was a statistical survey by two law professors at the University of Pittsburgh Law School. See Seeburger and Wettick, *"Miranda in Pittsburgh—A Statistical Study,"* 29 U. Pittsburgh L.R. 1 (1967). Using files made available by the Pittsburgh Detective Bureau, the authors found that the incidence of confessions declined by almost 20% in the period following the *Miranda* decision. But—and this is the crucial finding of the study—the decline in the incidence of confessions was accompanied by no substantial decline in the arrest rate, the conviction rate, the rate of crime clearance, or the court backlog.

The Yale and Pittsburgh studies point up the crucial defect in many of the studies relied upon by the proponents of Title II to support the provisions of Section 3501. It is not enough to study the impact of *Miranda* on law enforcement by the crude measure of the incidence of confessions. The real impact can be determined only by measuring the effect on convictions and crime clearance. By this scale, the only true scale, the much-ballyhooed deleterious impact of *Miranda* on law enforcement has been extremely small, if not illusory.

Indeed, *Miranda* itself and its three companion cases[1] present graphic examples of the overstatement of the "need" for confessions in law enforcement. In each case, law enforcement officers had developed substantial other evidence against the defendants before conducting the interrogations held invalid by the Supreme Court. Thus, Miranda, Vignera, and Westover had been identified by eye-witnesses. Marked bills from the robbed bank had been found in Westover's car. Articles stolen from several robbery victims had been found in Stewart's home.

The overstatement of the "need" for confessions becomes even more obvious when the subsequent history of the four *Miranda* defendants is considered. Miranda himself was convicted in Arizona in February 1967 on the same two counts of kidnapping and rape with which he was originally charged, and received the same sentence of concurrent prison terms of 20–30 years on each count. Vignera pleaded guilty in New York to an indictment charging a lesser robbery offense, and was sentenced to a prison term of 7½–10 years. Westover was convicted in February 1967 on the same two counts of bank robbery, and received the same sentence of consecutive 15-year prison terms on each count. Stewart has not yet been retried on the original charges of robbery and murder, for which he was convicted and sentenced to death. However, a motion to suppress evidence in the case was denied in November 1967; after several continuances, the trial has been set for May 1968.

One spectre raised by the committee majority must be laid to rest. The suggestion is made that the harmful effect on *Miranda* will be compounded as the lower Federal courts expand its doctrine and extend its interpretation. Nearly two years of judicial experience under *Miranda* in the Federal courts of appeals have proved this suggestion false. The trend of cases to date shows a strong reluctance by the Federal courts to apply the requirements of *Miranda* except in obvious instances of formal custorial interrogation. If anything, the definition of custodial interrogation in *Miranda* as "questioning initiated by law enforcement officers after a person has been taken into custody or otherwise deprived of his freedom in any significant way" is receiving a highly restrictive interpretation. See, for example, *O'Toole v. Scarfati,* 386 F. 2d 168 (1st Cir. 1967) (statement to prosecutor by city official given chance to explain deficiencies held admissible); *United States v. Adler,* 380 F. 2d 917 (2nd Cir. 1967) (volunteered statements to FBI agent examining books of suspect's corporation held admissible); *United States v. Gibson,* 4th Cir. (March 1, 1968) (discussion of stolen car by defendant after State police officer asked him to step outside held admissible); *Yates v. United States,* 384 F. 2d 586 (5th Cir. 1968) (statements made to hotel manager holding suspect in conversation pending arrival of FBI held admissible); *United States v. Agy,* 374 F. 2d 94 (6th Cir. 1967) (incriminating reply to question asked by alcohol tax agent held admissible); *United States v. Holmes,* 387 F. 2d 781 (7th Cir. 1968) (statement to Selective Service clerk held admissible); *Frohman v. United States,* 380 F. 2d 832 (8th Cir. 1967) (statement to internal revenue agent making criminal investigation held admissible); *Williams v. United States* 381 F. 2d 20 (9th Cir. 1967) (false statements to border-crossing guards held admissible); *Mares v. United States* 383 F. 2d 811 (10th Cir. 1967) (statements to FBI by suspect free to leave held admissible); *Allen v. United States,* D. C. Cir. (January 25, 1968) (statement made during detention after failure to produce auto registration held admissible).

B. CONFESSIONS—THE REPEAL OF MALLORY

Section 3501(c) of the bill specifies that a confession shall not be inadmissible in evidence in a Federal court solely because of delay between the arrest and arraignment of the defendant.

Subsection (c) is obviously intended to repeal the decision of the Supreme Court in *Mallory* v. *United States,* 354 U.S. 449 (1957). In *Mallory,* the Court held that if an arrested person is not taken before a magistrate or other judicial officer "without unnecessary delay," as required by Rule 5(a) of the Federal Rules of Criminal Procedure, any confession obtained during the period of delay is inadmissible in evidence in a Federal court.

Section 3501(c) will inevitably encourage prolonged incarceration and interrogation of suspects, without opportunity to consult with friends, family, or counsel. Section 3501(c) expands the time limit to six hours during which interrogation may take place. The present District of Columbia Crime Act provides a maximum three-hour period for interrogation after which a person may be released without charge and without an arrest record.

Rules prohibiting unnecessary delay between arrest and arraignment are based on sound law enforcement policy. Prompt arraignment of arrested persons is necessary in a free society which values the fair administration of criminal justice. Prolonged incarceration and interrogation of suspects, without giving them the opportunity to consult with friends, family or counsel, must be condemned. Yet, it is precisely such incarceration and interrogation that are countenanced by the bill. In effect, Section 3501 (c) would leave the "without unnecessary delay" provision of Rule 5(a) of the Federal Rules of Criminal Procedure as a rule without a meaningful remedy.

C. EYEWITNESS TESTIMONY—THE REPEAL OF WADE

Section 3502 of Title II makes eyewitness testimony that a defendant participated in a crime admissible in evidence in any Federal court.

Section 3502 is squarely in conflict with the Supreme Court's decisions in *United States v. Wade,* 388 U.S. 218 (1967), *Gilbert v. California,* 388 U.S. 263 (1967), and *Stovall v. Denno,* 388 U.S. 293 (1967). In *Wade* and *Gilbert,* the Supreme Court held that a pretrial lineup at which a defendant is exhibited to identifying witnesses is a critical stage of a criminal prosecution, and that the defendant is constitutionally entitled to the assistance of counsel at the lineup. In *Stovall,* the Court held that, even though the *Wade* decision was not to be applied retroactively,[2] lineups in pending cases must still satisfy the requirements of the Due Process Clause.

For essentially the same reasons above, Section 3502 will almost certainly be held unconstitutional. The section dispenses with the procedural safeguards established in *Wade* for police lineups and is therefore in clear conflict with the requirements of the

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[2] Decisions like *Stovall* indicate that, contrary to the suggestions of the proponents of Title II, the Supreme Court is in fact highly sensitive to the problems and needs of law enforcement. In a series of recent constitutional decisions, the Court has moved gradually to a position of almost completely prospective application of new constitutional principles. The Court has explicitly stated that it attaches "overriding significance" to such factors as the reliance by law enforcement officers on the prior law, and the severe burden on law enforcement and administration of justice if the new principles are to be applied retroactively to grant new trials to defendants already convicted under the prior law. See *Linkletter v. Walker,* 381 U.S. 618 (1965); *Tehan v. Shott,* 382 U.S. 406 (1966); *Johnson v. New Jersey,* 384 U.S. 719 (1966); and *Stovall v. Denno,* 388 U.S. 293 (1967).

Constitution announced by the Supreme Court. In addition, Section 3502 does not even attempt to establish effective alternative safeguards for lineups in lieu of the requirements of *Wade*. Instead, the section is a blanket provision making eyewitnesses testimony admissible in all circumstances, whether or not even the most fundamental and time-honored requirements of due process have been met in the identification, let alone the requirements of the right to counsel under the Sixth Amendment.

One expert authority quoted by the Supreme Court has given graphic examples of cases in which grossly unfair lineups were conducted.

"In a Canadian case . . . the defendant had been picked out of a line-up of six men, of which he was the only Oriental. In other cases, a blackhaired suspect was placed in a group of light-haired persons, tall suspects have been made to stand with short non-suspects, and in a case where the perpetrator of a crime was known to be a youth, a suspect under twenty was placed in a line-up with five other persons, all of whom were over forty." Wall, *Eyewitness Identification in Criminal Cases* 53.

In these circumstances, therefore, we believe that precipitous legislative action overruling *Wade* would be not only unconstitutional, but unwise and highly premature as well.

[From the Legislative Reference Service, May 27, 1968]

CONSTITUTIONALITY OF THE NEW TITLE 18 U.S.C. 3501 TO BE ADDED BY H.R. 5037 AS PASSED BY THE SENATE

The new section 3501 to be added to Title 18 U.S.C. by section 701 of Title II of H.R. 5037 deals with admissibility of confessions in criminal prosecutions by the United States or the District of Columbia. It would require the admission into evidence in such prosecutions of any confession which is voluntarily given. It would direct the trial judge, in determining voluntariness, to take into account all the circumstances surrounding the confession including time between arrest and arraignment, whether the defendant knew of the nature of the offense with which he was charged or of which he was suspected, whether defendant was informed or knew that he was not required to make a statement and that any he did make might be used against him, whether the defendant has been advised of his right to assistance of counsel and whether he was without the assistance of counsel when questioned or when giving such confession. Perhaps the most significant provision is that which states:

"The presence or absence of any of the above mentioned factors to be taken into consideration by the judge need not be conclusive on the issue of voluntariness of the confession."

The report of the Senate Committee on the Judiciary, S. Rept. No. 1097, makes it quite clear that the purpose of the proposed legislation is to avoid the results reached by the Supreme Court in *Miranda* v. *Arizona*, 384 U.S. 436 (1966). It would seem that, to the extent that this section permits the courts to admit into evidence confessions obtained in the absence of any one of the safeguards held by the court in *Miranda* to be indispensable to protect the right of an accused not to be compelled to be a witness against himself, the provisions of Title II might well be held unconstitutional. It is axiomatic that a right guaranteed against infringement by the United States, cannot be extinguished by a mere act of Congress. To extinguish such a right requires nothing less than an amendment to the Constitution.

Perhaps the most important fact on which this conclusion of law hinges is that the Court in *Miranda* did hold that each of the safeguards it set forth was indeed a constitutionally indispensable condition to the admissibility of a confession. Because there is some language by the Court inviting alternative action by legislatures, that language, as well as the language of the holding, should be examined carefully to determine whether the provisions of Title II might not be a valid response to the Court's invitation.

Although the opinion of the majority in *Miranda* occupies 60 pages, the Court was good enough to capsulize its holdings:

"Our holdings will be spelled out with some specificity in the pages which follow but briefly stated it is this: the prosecution may not use statements, whether exculpatory or inculpatory, stemming from custodial interrogation of the defendant unless it demonstrates the use of procedural safeguards effective to secure the privilege against self incrimination. By custodial interrogation, we mean questioning initiated by law enforcement officers after a person has been taken into custody or otherwise deprived of his freedom of action in any significant way. As for the procedural safeguards to be employed, *unless other fully effective means are devised to inform accused persons of their right of silence and to assure a continuous opportunity to exercise it, the following measures are required.* Prior to any questioning, the person must be warned that he has a right to remain silent, that any statement he does make may be used as evidence against him, and that he has a right to the presence of an attorney, either retained or appointed. The defendant may waive effectuation of these rights, provided the waiver is made voluntary, knowingly and intelligently. If, however, he indicates in any manner and at any stage of the process that he wishes to consult with an attorney before speaking there can be no questioning. Likewise, if the individual is alone and indicates in any manner that he does not wish to be interrogated, the police may not question him. The mere fact that he may have answered some questions or volunteered some statements on his own does not deprive him of the right to refrain from answering any further inquiries until he has consulted with an attorney and therefore consents to be questioned." 384 U.S. 436, 444–45. [emphasis added]

Later in its opinion the Court expanded on its suggestion in the paragraph above that there might be "Other fully effective means" to safeguard the rights of an accused. It stated:

"We have already pointed out that the Constitution does not require any specific code of procedures for protecting the privilege against self-incrimination during custodial interrogation. *Congress and the States are free to develop their own safeguards for the privilege, so long as they are fully as effective as those described above in informing accused persons of their right of silence and in affording a continuous opportunity to exercise it. In any event, however, the issues presented are of constitutional dimensions and must be determined by the courts. The admissibility of a statement in the face of a claim that it was obtained in violation of the defendant's constitutional rights is an issue the resolution of which has long since been undertaken by this Court.* See *Hopt* v. *Utah*. 110 U.S. 574 (1884). Judicial solutions to problems of constitutional dimension have evolved decade by decade. As courts have been presented with the need to enforce constitutional rights, they have found means of doing so. That was our responsibility when *Escobedo* was before us and it is our responsibility today. *Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them.*" 384 U.S. 436, 490–491. [emphasis added]

It would seem quite clear that 18 U.S.C. § 3501, to be added by § 701 of Title II, since it would permit the introduction into evidence of a confession even if the accused were not informed of his right to remain silent, or that any statement he made might be used against him, or that he had a right to counsel, is legislation which would abrogate the constitutional rights found to exist in *Miranda* and would therefore seem to be invalid. Can a statute which, although it requires the courts to consider all of the *Miranda* guidelines, permits them to admit confessions as voluntary in the absence of any of them, be said to provide "other fully effective means" of securing the constitutional rights of accused persons? This is the essential question. Only if it is answered in the affirmative, can the statute satisfy the requirements laid down by *Miranda*.

VINCENT A. DOYLE,
Legislative Attorney.

REMARKS OF ADMINISTRATOR ROBERT C. MOOT, OF THE SMALL BUSINESS ADMINISTRATION

HON. NICK GALIFIANAKIS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. GALIFIANAKIS. Mr. Speaker, Administrator Robert C. Moot, of the Small Business Administration, addressed an industrial development seminar in Raleigh on Friday, June 7.

Praising President Johnson for his role in bringing about closer cooperation between the private sector and public agencies, Administrator Moot described benefits that can be obtained through economic cooperation—balanced economic growth, equal opportunity in the marketplace, more jobs.

North Carolina is a good example of the good that cooperation can bring. Between 1962 and 1966, North Carolina ranked at the top of all our States in development of new employment in industry. In that period, my State added almost 160,000 jobs to industrial payrolls.

I think Administrator Moot's remarks at the Raleigh seminar are most timely. His words serve to remind us, too, of what lies ahead—of what we must do to continue the momentum of our nearly 8 years of sustained economic growth.

I feel that my colleagues will be interested in Mr. Moot's address, and I insert it in the RECORD at this point:

REMARKS BY ROBERT C. MOOT, ADMINISTRATOR, SMALL BUSINESS ADMINISTRATION, BEFORE THE INDUSTRIAL DEVELOPMENT SEMINAR, RALEIGH, N.C., JUNE 7, 1968

It is a special pleasure for me to join in this program to bring together small business, community growth, and economic and industrial development. Conferences of this nature, which serve as information clearinghouses on participation programs, are very essential to community economic growth.

These too are proper times for businessmen and public agencies not only to discuss together economic and industrial development, but also to work together through America's small business community to achieve it. We must think, plan, and act together if our efforts are to achieve the greatest possible results. SBA today has no higher aim than to help generate greater economic teamwork . . . to help you turn your ideas and your enthusiasm into community development. To do this, we place first emphasis on local initiative, local pride, and local planning.

Such teamwork is not, of course, solely SBA's idea.

President Johnson himself has set the examples. History is bound to place high among the hallmarks of his administration his ceaseless striving to achieve the closer cooperation of the public and private agencies of our society, and to harness their ingenuity and energy in common solutions to our common problems.

The President himself reflects the profound change which his administration has made in the basic attitude and posture of the Federal Government.

No longer are we in the posture of the government trying to take the big lead. We do not think in terms of programs coming down from the top. Our posture is to play the support role—to plug ourselves and our services into programs that come from the bottom up.

I share with you the eloquent words our President expressed to the National Industrial Conference Board more than three years ago:

"For the continuing strength and success of our system—I attach the utmost importance to trying to maintain a respectful partnership between business and labor and their government. . . .

"Our prosperity and our progress, the prestige our free system enjoys throughout the world—all reflect the victory of the enlightened mind . . .

"So I ask you then, as enlightened men of our times, to join as full partners in all the problems of the Nation, the social problems as well as the economic problems. . . ."

His words reflect two great elements of our progress. One is that our country has always excelled at organization and cooperation. Frontier conditions made cooperation a lesson of survival. More and more economic historians observe that our American knack for organization has no equal in any other system.

Second, in our current wave of sustained growth, now in its eighth year, the economy shows more teamwork than it ever has before.

Our Gross National Product, between the first quarter of 1961 and the last quarter of 1967, has climbed 60 percent. Even if we eliminate the rise in average prices, this increase is larger than our own total national product of just thirty years ago.

Total employment has risen by nine million persons, as much as today's combined employment of the New York and Chicago labor markets. In other words, for 87 consecutive months, every working day has seen 5,000 more people going to work than went to work the day before.

Other growth, equally important, cannot go unnoticed:

Our disadvantaged citizens have had significant improvements in job opportunities.

Teenagers at work have risen 38 percent.

Employment of Negroes has risen 17 percent while total employment has increased 13.5 percent.

The growth is still more graphically revealed for us right here in North Carolina. The December issue of Steel magazine ranked the States on their development of new employment in industry, between the years 1962 and 1966. You can be proud that North Carolina ranked at the top.

In the period mentioned North Carolina added 159,832 new jobs to industrial payrolls, either by the attraction of new plants or the expansion of existing industries. North Carolina's total investment in new facilities and new equipment was placed at $2.1 billion.

Obviously this State—like the Nation—has achieved monumental teamwork.

With such abundant proof of your teamwork, you may ask, "How can SBA help North Carolina maintain this momentum?"

Under the Small Business Act of 1953, Congress gave us a mandate to protect and expand free enterprise.

With nearly 15 years of operation behind us, we now translate our mission into five objectives:

First, to help maintain balanced economic growth on a national basis;

Second, to aid in maintaining a healthy competitive environment;

Third, to assure that opportunity in the market place is open to all qualified individuals;

Fourth, to help expand employment, and

Fifth, to help bring about the above four objectives on the State and local levels.

We now pursue these objectives with a variety of tools.

You will have the opportunity later in the day to learn more of our SBA programs and to ask questions, but I want to briefly present to you some of the tools we have, which when fully utilized by your communities, can help you to achieve new progress and prosperity.

Our 502 Program has brought the birth of local development companies in all but one of the States. These local development companies have resulted in some 65,000 jobs in cities and towns all across America.

You know as well as we do how effective the 502 formula is. At Lillington yesterday many of you attended the dedication of the plant built with SBA's 100th 502 loan in North Carolina. The plant says more about the teamwork we are discussing than words ever can.

The 100 jobs that the Lillington Industry Promotion, Inc., will provide—within two years—will bring to 8,399 the total number of jobs our 502 loans have provided in North Carolina. This figure is higher for North Carolina than for any other State.

A word in government that we would like to make synonymous with opportunity for small business is procurement. SBA is promoting the "buy from small business" concept with every Federal agency.

Yet if small business were playing the same relative role in Federal procurement that it now plays in the economy as a whole, Federal purchases from small sources would be $7 billion a year higher than they are today. While the Nation's five million small businesses account for almost 40 percent of the GNP, and provide half of all the jobs, less than 25 percent of the Federal procurement—or about $10.2 out of $49.8 billion in goods and services the Federal agencies buy at the current annual rate.

The procurement of State and local governments is an even larger horizon that small business has only begun to tap on an organized basis. SBA is emphasizing this potential, but the States themselves should take up the challenge of this unlimited opportunity of helping their own small businesses grow . . . helping them to grow with the aid of contracts for goods and services needed within the States.

Although State and local governments are about evenly matched today with the Federal government on the amount of goods and services they buy, the prediction is that by 1975, State and local procurements will reach $75 billion a year, perhaps $10 billion ahead of the Federal total.

You, as businessmen in your communities, should be looking into the purchase lists of Federal, state and local agencies to pinpoint new sales possibilities.

How often historically have small businesses been handicapped in competing for price business locations? The answer is far too often . . . and SBA has a new tool to give the little man the same chance to compete for prime business locations that the big businesses boasting Triple-A credit have. I speak, of course, of the lease guarantee—a program you will hear more about from Mrs. Sara Knight in this morning's panel on Lease Guarantee for Small Business.

You have heard me mention only a few of the tools we employ at SBA. The big ingredient in the overall effectiveness of these tools is you, . . . yes, you . . . you and your community.

Let me firmly emphasize that SBA has no intention of handing you a grand design to dominate your economic destiny. We believe that planning is vital, but we emphasize again that planning must come from your own local initiative, your own determination to take the tools which are available, and shape them to your own productive future.

It has been well said that: "The greatest asset of any nation is the spirit of its people, and the greatest danger that can menace any nation is the breakdown of that spirit—the will to win and the courage to work."

Let us bear in mind that community involvement is the key to community development.

This spirit—this blend of cooperation public and private—has deepened, not hindered, competition in our economy. The closer we work together—Federal agencies, State and local governments, and private interests—the brighter the future will be. Universal experience shows us that no nation can rise above poverty and want without the unremitting toil of all the citizens working in close harmony.

Surely Americans do not forget that small business, the foundation of our economic system, began with the cooperative venture of government and private interest. Yes . . . the first colonies on these shores were small business enterprises—joint-stock companies sponsored by private English capital. Economic rights have been a major part of our heritage since the days in 1776 when the Declaration of Independence was drafted. And that historic document established the state and federal role in these words, "That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed."

From its beginning, small business has had a continuous and profound influence on our economy. President Lyndon B. Johnson recognized this influence in this Proclamation of Small Business Week, 1968, when he stated, "Throughout the development of our dynamic marketplace, the small businesses of America have been the building blocks of our economic structure. The creative abilities and diversified commercial efforts of small businessmen have fostered the innovative genius that has always been the hallmark of American economic progress."

Frank Threatt, an industrialist from your sister state of South Carolina, is a man who truly exemplifies the kind of creative ability referred to by the President.

This 1968 Small Businessman of the year, who defied the spectre of bankruptcy by starting a steel fabricating shop that literally lifted both the town and himself off poverty's floor, is an inspiration to the whole Nation.

Although small business does not dominate production today as it did 100 years ago—when just about all of the then 300,000 shops and plants were small by our standards of today—it is as vital in terms of human satisfaction and growth dynamics as it ever was.

It is significant that in a total population of more than 200 million, there are more than 5 million small firms. More graphically, this means that every 40th American runs his or her own shop. And it means that roughly every 10th family has its own business. Small business in the aggregate produces more each year now than did the entire economy in 1940.

Just as we see small business as a focal point to the unprecedented prosperity we enjoy today, we also see it as the brightest road to future growth.

Community self-help is the essence of SBA programs. Our programs of financial, management and procurement assistance are aimed at helping your communities bring your own development planning to full function. Our programs can be of little value unless you turn possibilities into probabilities.

By your actions, and by your planning, you will assure yourselves that you have made the fullest and most beneficial use of your available resources, including those of

government at every level, and those of the Small Business Administration.

You here today are the leaders of your community—men who reflect Emerson's belief that "nothing great was ever achieved without enthusiasm." Make the enthusiasm that brought you here contagious. Couple your enthusiasm with the abundant resources that are ours as Americans.

The testimony of our State Department to the Congress this year has emphasized that half the personal income in the world now flows into American pockets. With wealth on this scale, your opportunities can be limited only by your own initiative and enterprise. In both, you can count on the energies and services of SBA. We hope you knock at our door often.

THE AMERICAN TRAGEDY: END OF THE GREAT AMERICAN DREAM OF 200 YEARS

HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. TAYLOR. Mr. Speaker, I would like to commend to my colleagues the following editorial by Mr. John P. Sholar, editor, Western Carolina Tribune, Hendersville, N.C., appearing in its June 7 issue:

THE AMERICAN TRAGEDY: END OF THE GREAT AMERICAN DREAM OF 200 YEARS

The great American dream, the ideal boys, girls, kids everywhere across this great land (and we need to keep telling ourselves that for the next few hours or so) have tucked under their pillows each night for 200 years or so was dealth a death knell. November 22, 1963 with the assassination of President John Kennedy, but it lingered nonetheless, dying slow and painful death, nurtured poignantly in the breasts of hopeful youth everywhere.

On June 5, 1968 that great American ideal, a boyhood dream of some day, any day and any boy anywhere, becoming President of the United States of America was forever shattered. Now that bright-eyed youth is saying to his numb and horrified dad, "Who wants it; you get shot if you do!"

Now coffee-house pundits and wiseacres and filling-station philosophers are saying "Served 'em right, one more Kennedy to go!"

Gone is the great American ideal of every man a king; Horatio Alger is dead; long die Horatio Alger!

The world conspiracy of Communism is doing a great job of destroying us; their time table, only recently looking put asunder, now goes right back on the track. They've brainwashed two goons to kill a president and his brother, who somehow, against all advice for his safety, plunged into an abyss of hate he must have known he couldn't survive. Why?

Why would a man with untold millions be foolhardy to stick his naked head out, unprotected, to be shot? Why? Because, hate him or no, Robert F. Kennedy was just a boy at heart, he, too, couldn't wash the great American dream from his heart, the great American ideal which brought this great nation from colonial primitive to world glory of Yank Over There, long lines (including the volunteering Kennedys) of millionaires and paupers shoulder-to-shoulder waiting to enlist to prove the once-great American ideal which has swelled the virgin breast of ever American boy and girl before and after Abe Lincoln.

Gone is the dream, the ideal.

What next? If anything at all, a sort of synthesis of existence, a mechanized, computerized modus. "Program it in section TY-12 of the new Arbitron and we'll see what it tells us to do," in which a boy will tell his dad:

"Why stick your neck out with that kooky idea that you can stay in the laundry business and get rich? Get smart, dad, and go to computer school nights, you're only 55."

Offering little hope for those tender souls who still engender the once-great American ideal, the once-great American dream, we can only submit the following:

"We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America . . . Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press of the right of the people peacably to assemble, and to petition the government for a redress of grievances . . ."

"The Lord is my shepherd; I shall not want.

He maketh me to lie down in green pastures: He leadeth me beside the still waters.

He restoreth my soul: He leadeth me in the paths of righteousness for his name's sake.

Yea, though I walk through the valley of the shadow of death, I will fear no evil: for Thou are with me; Thy rod and Thy staff they comfort me.

Thou preparest a table before me in the presence of mine enemies: Thou anoinest my head with oil; my cup runneth over.

Surely goodness and mercy shall follow me all the days of my life: and I will dwell in the house of the Lord for ever."

EQUALITY OF HOUSING: A GHETTO FOR ALL

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. RARICK. Mr. Speaker, the Dan Smoot Report for May 27, 1968, Box 9538, Dallas, Tex., "Slums for Everybody" contains an eye opener for every American—especially the liberal who may conscientiously feel he is helping America and not be able to evaluate the true product of the destruction of society.

Nothing is more painful, yet revealing, than the truth—plain old tried experience and results. And should you think the truth is racist—it is racist by their own making.

I include that the Smoot report, "Slums for Everybody," and news clippings from the New York Times for June 10, to be printed in the RECORD, as follow:

[From the Dan Smoot Report]

SLUMS FOR EVERYBODY

In the early 1950's, the federal government spent $36.8 million to convert a 55-acre area of St. Louis (formerly known as the Kerry Patch slum) into a high-rise apartment city for low-income workers.

The project, named Pruitt-Igoe, was originally planned as two separate housing facilities. The Pruitt was to be a complex of 20 buildings, 11-stories high, for Negroes only. The Igoe was to be 13 buildings for whites only.

The National Association for the Advancement of Colored People (NAACP) filed a lawsuit against the St. Louis Housing Authority for fostering segregation. NAACP won the suit; and Pruitt-Igoe was built for integrated occupancy.

The 33 11-story buildings contain 2755 dwelling units. On 4 floors of each building there are "laundry galleries" complete with space for small children to play while mothers do the family wash. There is an abundance of beautified parkways, gardens, open spaces, playgrounds.

When the 55-acre patch of man-made heaven known as Pruitt-Igoe was completed in 1954, it was widely acclaimed a spectacluar accomplishment which proved that lavish spending of tax money could create paradise. Architectural journals extravagantly praised Pruitt-Igoe for the economy, the uniqueness, the beauty of its design. Liberal uplifters and planners of other people's lives pointed to it with triumph. Government planning and spending had converted the ugly old Kerry Patch slum into a showplace where black and white would live together in tax-subsidized bliss.

The St. Louis Housing Authority set rents on a sliding scale: those with the lowest incomes paid the lowest rents; those who earned more paid more; but persons with incomes above a specified level were excluded. The Authority controlled the influx of tenants by reserving a certain percentage of units for each economic level accommodated. Only 10% of the units were available for unemployed persons on relief.

Though the NAACP had won its lawsuit to force integration, Pruitt-Igoe was never integrated. White people stayed away, and the 2,755 dwelling units were quickly taken by Negroes.

All seemed to go well for a while—until the late 1950's when the Housing Authority yielded to pressure, by the overburdened St. Louis Welfare Department, to accept more reliefers as tenants in Pruitt-Igoe.

By 1968, two-thirds of the 10,000 Negroes living in Pruitt-Igoe were on welfare—mostly families of illegitimates, or families deserted by fathers. Pruitt-Igoe had become a cancer in the heart of St. Louis, an indescribable cesspool of filth, fear, obscenity, and crime.

Vandals keep elevators out of order most of the time. Stairs, landings, halls and yards reek of human offal, and are littered with garbage, beer cans, broken wine bottles, assorted trash. Rape, robbery, and assault—in the buildings and on the grounds—are commonplace.

The laundry galleries have been largely taken over by hoodlums who do not live in the project, but who are attracted by the women who reside there. Areas where children were supposed to play while mothers did the laundry are now foul and cluttered dens where men and women drink, gamble, fight, and engage in sexual acts in full view of children or whoever else happens to be around.

Larry Fields, *Globe-Democrat* reporter who wrote a full-page feature on Pruitt-Igoe, called the project a "local and national disgrace." One elderly woman tenant told him she has not dared to go outside her apartment in 3 years. Violence and obscene disorder disturb her continuously, but she is afraid to call the police—afraid the police will be hurt; afraid the hoodlums will discover that she reported them.

Another woman told Mr. Fields:

"It was wonderful when we moved here . . . . We all used to be neighbors, and we all cared about the place. But now, there are so many people who live here like animals.

"They throw bottles out of the windows, and they let their kids run around wild. Just the other day, a group of them set fire in the hallway and were having a barbecue . . . . And then, when they were through, they just left all their dirt behind, the bones and the burnt wood and bottles." [1]

Larry Fields interviewed Dr. Lee Rainwater, professor of sociology and anthropology at Washington University. Dr. Rainwater has a solution for the nation's slum problems. He suggests that the government give all poor people a guaranteed annual income, and lend them enough money to buy their own homes, wherever they please.[1]

Obviously, the lesson of Pruitt-Igoe is lost on Dr. Rainwater. Slums do not make people. It is the other way around. People make slums. Dr. Rainwater's scheme could make a Pruitt-Igoe of every neighborhood in the country.

The open-housing section of the 1968 civil rights bill forces people to sell or rent houses to whoever comes along. The government will take enough money away from you to provide the rent or the purchase money, and to guarantee your new neighbors enough annual income to buy booze, beer, clothes, and food. What will you do about the wild, drunken orgies they stage in the very presence of your families? What will you do about the swarms of illegitimates they will breed and turn loose in your neighborhoods, to roam uncontrolled like animals, littering, vandalizing, stealing, assaulting, robbing, and raping?

Perhaps Dr. Rainwater's scheme should cause us no anxiety, if it were only his scheme; but that is not the case. Rainwater's scheme is, basically, the scheme of powerful politicians like Robert F. Kennedy, Richard Nixon, Eugene McCarthy, Hubert Humphrey, Nelson Rockefeller, Lyndon Johnson. It is the scheme of powerful union bosses like Walter Reuther. It is the scheme of all prominent civil rights leaders. It is essentially the scheme of influential religious organizations like the National Conference of Catholic Charities, the American Jewish Congress, the Council of Jewish Federations and Welfare Funds, the National Council of Churches, the National Board of the Young Women's Christian Association. It is the scheme of the Southern Christian Leadership Conference whose leaders (successors to Martin Luther King) are conducting the poor people's march on Washington; and it is the scheme of President Johnson's National Advisory Commission on Civil Disorders (Riot Commission).

The Riot Commission recommended a guaranteed annual income, plus subsidized housing and a multitude of other benefits, for everyone who chooses not to work and for everyone who works but does not earn enough money ("enough" being a figure not yet specifically defined, but generally considered to be about $5000 a year income for a family of 4).

The Commission condemned the present system of public welfare as designed "to save money instead of people," and as operating "to remind recipients that they are considered untrustworthy, promiscuous, and lazy." The Commission alleged that whites created the slums Negroes live in, that whites ignore or condone horrible living conditions of Negroes, and that middle-class whites are unwilling to tax themselves for adequate help to Negroes—alleged that little has been done for the "ghetto poor" in the United States.

All of which is an outright lie.

From 1935 to the end of 1966, the federal government spent more than $421 billion on programs designed to aid, train, rehabilitate the nation's poor.[2] Most of the money was taken from middle-class whites. The spending not only continues, but increases with accelerating speed every year. From 1960 to the end of 1966, federal spending for welfare and health programs increased 210%, while U.S. population grew 10%.[3] The rate of increase on health and welfare spending during 1967 was vastly greater than the rate of increase during the 1960–66 period.

The federal government alone is now spending about $59 billion a year to help the nation's poor[4]—a sum which does not include the astronomical amounts spent on the poor by city, county, and state governments.

Negroes constitute about 11% of the population, but get 40% of the tax money spent on welfare.

Washington, D.C., is a classic case for study.

In 1950, when Washington was ⅔ white, the city's budget was $98 million. Academically, its schools rated with the best in the nation. Crime rates were lower than those of most other cities of comparable size. There were areas where housing was shabby and residents were careless about the appearance of their neighborhood (as in every other city of the world); but there were no vast slum sections where filth, crime, and tax-subsidized idleness were the most conspicuous features of life.

In 1968, the total population of Washington is only 25,000 greater than it was 18 years ago; but now the population is ⅔ Negro; and the city's budget is $450 million—which does not include additional billions of tax money being poured into the city by the federal government for urban renewal, rent supplements, public housing, welfare, poverty war operations, manpower training, freeway construction.

Negroes constitute 92% of the enrollment in District schools, which now rate, academically, among the lowest in the nation. Many of the schools are stews of crime and violence, where the educational process is virtually nonexistent. Yet, the District schools cost more now than they did in 1950 when they were among the best in the nation. For example, the District schools have a greater number of professional staff per 1000 students than the schools of any other city of comparable size.[5]

Negroes get 80% of the "free" medical care at the D.C. General Hospital. The cost to taxpayers of providing this "free" medical service to Negroes in this one hospital in the District is more than $19 million a year. Approximately 90% of all welfare funds in the District goes to Negroes.[5]

In recent years, Congress has appropriated huge amounts of money for playgrounds, swimming pools, recreation projects—primarily for the benefit of Negroes. Job-training programs, poverty programs, and summer-employment programs have been directed almost exclusively for the benefit of Negroes.[5]

The Mayor of Washington is a Negro. More than 55% of all employees of the District government are Negroes (and the percentage would be higher if more Negroes would accept employment). More than 30% of all federal employees in the District are Negroes.[6]

Yet, the Reverend Ralph Abernathy's delegation of "poor people"—on the first day of their march on Washington (April 29)—told the Secretary of Agriculture that Washington is a "slave city," because so little has been done for the poor.[7]

Today, Washington is a hellhole of crime and mob violence. Vast sections of this once-lovely city have been converted into sloughs of filth by the people who live there at taxpayers' expense.

Liberals who control the federal government are financing, with our money, this rape and degradation of the nation's capital.

The answer? The only way to save our country is to stop all unconstitutional spending by the federal government and stop federal court interference and dictation in state and local affairs—thus leaving private individuals and state and local governments the responsibility and the resources to manage their own affairs and to enforce the laws, without regard to race or political affiliation.

It can be done, if we will elect a Congress and a President who will do it.

FOOTNOTES

(1) "The Separate World of Pruitt-Igoe," by Larry Fields, St. Louis *Globe-Democrat*, Apr. 27–8, 1968, Sec. C, p. 1.

(2) *Historical Statistics Of The United States, Colonial Times To* 1957, U.S. Department of Commerce, 1960, p. 194; *Statistical Abstract (s) Of The United States*, U.S. Department of Commerce, 1959—p. 266; 1962—pp. 274–5, 1965—p. 282, 1966—p. 281

(3) "Conclusions," editorial, *The Dallas Morning News*, July 25, 1967, p. D2

(4) "Any Answer To Riots?", *U.S. News & World Report*, Apr. 29, 1968, pp. 34–6

(5) "What's Wrong With A 'Poor People's March,'; Interview With Robert C. Byrd, Senator From West Virginia," *U.S. News & World Report*, May 6, 1968, pp. 72–3

(6) "Aftermath of Riots—What Next?", *U.S. News & World Report*, Apr. 22, 1968, pp. 27–30

(7) Article by Charles Conconi. *The* (Wash., D.C.) *Evening Star*, Apr. 29, 1968, pp. A1,6

[From the New York Times, June 10, 1968]

NEGRO YOUTH GROUPS ENLIST AID OF URBAN AMERICA'S TRUSTEES

(By Anthony Ripley)

DETROIT, June 9.—Standing with the serene dignity of a man who knows his own strength and position, Howard (Tree) Henry, 19 years old, black and tall, surveyed the wealthy, white-faced trustees of Urban America, Inc.

He was in the Versailles Ballroom of the Hotel Pontchartrain representing the Twelfth and Oxford Film Maker Corporation.

Twelfth and Oxford had been a fighting street gang with its own ground to protect in North Philadelphia. But two years ago, it began to look at that ground and found it was not much.

"I've been living in this beat-up shack all my life and I'm tired of it," Tree said. "All we have are these old raggedy cars on the street and trash."

FIGHTING TO WORKING

So Twelfth and Oxford turned from fighting to working and has become a corporation. It makes profitable movies, rehabilitates houses and sends its members off to study urban planning, market research and building code inspection.

Tree and members of 11 other youth groups were invited to take part last week in the three-day annual meeting of Urban America. Staff workers felt that the Urban America trustees, most of them wealthy business and foundation leaders, should get a little closer to the urban scene.

The youth groups did more than attend the meeting. They took it over. They allowed the trustees a few formalities but dominated everything else, dispensing with most of the formal agenda and substituting their own.

They had come to get financing and technical help for their slum-based organizations that are becoming increasingly involved in housing rehabilitation, setting up private businesses, neighborhood planning and a wide range of other activities.

They left with written pledges—no one would say for how much—from some trustees and a commitment to study a possible permanent working relationship between Urban America and the youth groups. Leland P. Sillin Jr., a trustee, who is president of the Northeast Utilities Service Company of Hartford, was chosen to head the study group.

A NEW ROLE

For Urban America, it was a new role as a broker to channel funds into slum neighborhoods.

Urban America is a nonprofit corporation with a $1.3-million budget, raised largely from business contributions and foundations.

Though it served as a forum last year for the Urban Coalition, Urban America has no formal connection with the coalition, which is an alliance of business, church, civil rights leaders, labor, civic and education leaders working to advance city programs on local and national levels.

The tone of the annual meeting this year was set by the Rev. Jessie James, the bearded, black leader of Mission Rebels in Action of San Francisco.

He told the trustees his youth group and others were "here for one reason and only one reason: because our community needs your help."

"If you can't help," he said, "tell us who can."

He explained that young black men representing such groups as Thugs United of New Orleans, Sons of Watts, Inc., of Los Angeles and the Real Great Society of New York wanted to avoid red tape and deal directly with corporation and foundation presidents in seeking help.

SIX OF 40 ATTEND

Of the 40 Urban America trustees, six were present for consultation the first day and 15 the second. Other trustees sent representatives.

A total of 22 trustees were listed as having attended the private board meeting.

Mr. James criticized the absences. He argued with John W. Gardner, president of the Urban Coalition, who spoke at a luncheon. Mr. Gardner, former Secretary of Health, Education and Welfare, had refused to get out of bed for a 2 A.M. meeting with the young men, who often argued all night over the agenda for the next day.

Andrew Heiskell, Urban America chairman, who is chairman of Time Inc., said that the businessmen generally came away from such meetings with a much deeper understanding of what was happening in the cities.

[From the New York Times, June 10, 1968]

CITY MAY CHARGE FOR SERVICES PROVIDED TO TAX-FREE GROUPS

(By David Bird)

Budget Director Frederick O'R. Hayes said yesterday that the city was considering a plan to charge tax-exempt institutions for direct services—such as water and garbage collection—that are now free.

He said the charges could add $25-million to $50-million to the city's annual income.

Mr. Hayes, who spoke on the WCBS radio program "Let's Find Out" and in an interview later, said the plan was a "somewhat different approach" to the question of tax-exempt institutions.

The city had been pressing to remove some institutions completely from the tax-exempt rolls, but Mr. Hayes conceded yesterday that this had run into almost immovable opposition.

PLAN IN EARLY STAGE

Mr. Hayes said the new plan, which, he emphasized, is still in the thinking stage, would collect only for direct services provided to a tax-exempt institution.

The charges, he said, would be a "very small percentage" of the taxes that an institution would have to pay if it were not exempt.

This is so, he said, because the bulk of taxes are used for such high-cost items as schools and police and fire protection. These indirect costs would be difficult to determine on an individual basis, Mr. Hayes said, and there is no plan to include them in the charges that would be levied on tax-exempt institutions.

Although Mr. Hayes said he felt there would be considerably less opposition to the present plan than to removing some exemptions entirely, he added that there were still hurdles to be overcome in the fee system.

One of these is that state legislation would probably be needed, especially in the case of water charges, which are controlled by state law.

Mr. Hayes said that about a third of the city's real property was now tax exempt. If this property were taxed on its full value, he said, it would bring about $500-million in additional revenue to the city.

But he said, it would be "unrealistic" to use that figure as a goal because a "substantial portion" of the tax-exempt real estate is owned by the Federal, state and city governments. It has been estimated that nearly half the tax-exempt property in New York City is owned by the city itself.

In addition to the supplying of water and the collection of waste—including sewage as well as garbage—Mr. Hayes said the city might be able to charge for "certain other direct activities."

He declined to specify what these might be.

Although a majority of exempt property is governmental, a growing amount belongs to churches, hospitals, schools, cemeteries and foundations.

[From the New York Times, June 10, 1968]

TAX BILL PASSAGE URGED ON CONGRESS BY CHAMBER PANEL

WASHINGTON, June 9.—A panel of industrialists and financiers sent telegrams to every Congressman today calling passage of the tax increase bill "a matter of extreme urgency."

The special committee, formed recently by the United States Chamber of Commerce, said its members were alarmed by a rising threat of "a national and international financial crisis of serious dimensions."

The telegrams were signed by Winton M. Blount, president of the Chamber, all 16 members of the committee and spokesmen for eight major business associations. The associations are:

The American Bankers Association, American Retail Federation, American Industrial Bankers Association, Mortgage Bankers Association, Manufacturing Chemists Association, National Association of Manufacturers, National Retail Merchants Association and National Association of Food Chains.

BANKER HEADS PANEL

The Chamber group, called the Committee to Consider Problems of the Dollar, is headed by Archie K. Davis, board chairman of the Wachovia Bank and Trust Company, Winston-Salem, N.C.

Among the other members are George Champion, Board chairman, the Chase Manhattan Bank, New York; Martin R. Gainsbrugh, senior vice president, National Industrial Conference Board; Gabriel Hauge, president, Manufacturers Hanover Trust Company, New York; Gerald L. Phillippe, board chairman, General Electric Company, New York; H. I. Romnes, Board chairman, American Telephone & Telegraph Company, New York; and Robert S. Ingersoll, board chairman, Borg-Warner Corporation, Chicago.

The pending Bill would impose a 10 per cent income tax surcharge and order a $6-billion cut in Government spending planned for the fiscal year starting July 1.

GUN CONTROL LEGISLATION

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. GUBSER. Mr. Speaker, Mr. Melvin K. Cotton, president of Mel Cotton's, Inc., the largest gun dealer in San Jose, Calif., has written a very enlightening letter regarding gun control legislation. As one who has a very definite financial interest in the sale of guns, I think his attitude is commendable and his views worthy of thoughtful consideration. Mr. Cotton's letter follows:

MEL COTTON'S, INC.
San Jose, Calif., June 5, 1968.

Re: Enactment of proper and necessary controls on sale of firearms.

Congressman CHARLES GUBSER,
House of Representatives,
Washington, D.C.

DEAR MR. GUBSER: Mel Cotton's, Inc., is the largest gun dealer in San Jose, California, a city of over 400,000 population. A substantial portion of our income is derived from the sale of firearms and ammunition.

The need for restrictive legislation is now more than ever imperative. Attempts at gun legislation in the past have been met with a tremendous amount of resistance from sportsmen and the armaments industry. One problem has been that no distinction was made between sporting weapons and those that are useless to sportsmen. Over 50% of the weapons that we sell in our store have little or no use other than to kill people. This type of weapon should be highly restricted; for example, to use by law enforcement officers only.

Weapons primarily used by sportsmen for hunting and target shooting, whether hand or shoulder weapons, should be required to have serial numbers put on them by the manufacturer and to be registered to the owner, similarly to hand-guns in California. No true sportsman should have any objection to such a law.

The laws restricting weapons should be federally-controlled and should be strictly enforced.

We are sending a copy of this letter to the National Sporting Goods Dealers Association, of which we are a long-standing member, in an attempt to have them further endorse our stand.

In the interests of true sportsmanship and the preservation of life, liberty, and the pursuit of happiness, we feel that all gun dealers should endorse a sensible, stronger, workable gun-control law.

Very truly yours,

MELVIN K. COTTON,
President.

NATIONAL CHARITY CONTEST OF PAINTING AND DECORATING CONTRACTORS OF AMERICA BENEFITS LOCAL COMMUNITIES

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. GARMATZ. Mr. Speaker, in view of the sad events of the past week and the many unpleasant and often fatal incidents which have occurred across the country in the past months, our faith in mankind can readily be shaken. Now, I learn of a project which has become an annual affair and I am much encouraged and my belief in the goodness of the majority of our people is greatly increased.

The Painting and Decorating Contractors of America has for the past several years sponsored a national PDCA charity week contest. The contest is based on public works performed by the member chapters.

Last year the Baltimore chapter won first place in the national contest by painting the frigate *Constellation*, a national shrine based in Baltimore. In 1966, they painted the large Kernan Hospital

for Crippled Children; and in 1965 the building occupied by the Family and Children's Aid Society was the recipient of their good work.

This year's projects far outstrip the previous ones in size and number. The main project will be the cleaning of the Washington Monument in the center of an old and lovely area of Baltimore. This will be its first cleaning since it was built in 1815. It is estimated that the value of this job to the city of Baltimore will be about $10,000.

Other projects included this year will be:

Paint the exterior of the Peale Museum.

Paint the exterior of the Maryland Historical Society Building.

Paint the exterior of the Druid Hill Avenue YMCA.

Paint the exterior of the Mental Health Association.

All of this work will begin on Monday, June 17, and all is expected to be completed that day, except the work on the Washington Monument. That is expected to take about 5 days.

The Baltimore Chapter of the Painting and Decorating Contractors of America is composed of 43 professional painting and cleaning contractors and suppliers. All will be cooperating in these projects. It is their hope that their efforts will encourage many firms and individual citizens to clean up their places of business or homes.

What I thought was very interesting was the cooperation which the painters and decorators have received from other companies in the city.

It has been found that the best way to clean the monument will be with water under high pressure. In addition to the equipment owned by the members, other items are needed.

The gas and electric company is furnishing additional scaffolding.

The Chesapeake & Potomac Telephone Co. is furnishing rain gear.

The Maryland Petroleum Association is furnishing 500 gallons of gasoline for the compressors which will be used in the cleaning.

The Eager House Restaurant is providing lunches for the several hundred workers.

The Painting and Decorating Contractors of America and all of its participating chapters deserve our highest praise for their activities in behalf of their communities and their efforts are worthy of emulation by all segments of business and by private citizens. These activities should be publicized overseas instead of the unfavorable events which receive such wide publicity.

THE THINK BANK OF TRIANGLE STATIONS

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. ROBISON. Mr. Speaker, recently I have been asked to join with four of my distinguished colleagues here in the House, Representatives B. F. SISK, J. IRVING WHALLEY, ROBERT N. GIAIMO, and EDWIN D. ESHLEMAN, in a most worthwhile project which I believe will interest other Members of the House.

This is the Think Bank, launched by the enterprising Triangle Publications broadcast group, Triangle Stations. Anne Blair is their Washington correspondent.

Triangle's idea is to utilize the knowledge of local experts in many fields, upon whom they may call for commentary and analysis as befits a fast-breaking news story or special program. These experts and we Members of Congress who are members of the Think Bank are, in effect, contributing editors to the stations.

The "Bank" will include faculty members from local colleges and universities, as well as business leaders and Members of Congress. Such schools as Cornell, Yale, Ithaca, Harpur, Penn State, Franklin and Marshall, Fresno State, and many other equally fine State and private colleges will be represented. Top minds on their faculties in such fields as economics, agriculture, law, medicine, and politics will participate.

Since this concept is already being adopted by other radio and TV stations around the country, I thought it especially fitting to bring this new and imaginative approach to broadcast journalism to the attention of the House.

I trust my colleagues will join me in congratulating Triangle on this fine innovation aimed at enriching program content.

CULVER COMMENDS DUBUQUE SOS CLUB

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. CULVER. Mr. Speaker, I would like to express my strong support and appreciation for the recently formed Support Our Servicemen Club, a club for Dubuque parents and wives of servicemen in Vietnam. This most worthwhile project is providing not only a great deal of comfort to the club members, but is also demonstrating to the servicemen in Vietnam from the Dubuque area the deep appreciation and gratitude felt by the people back home for the sacrifices they are making. It is an idea which, I am sure, other parents and wives of those serving in Vietnam would be interested in.

The club was organized this past February under the sponsorship of the Dubuque County Chapter of the Red Cross in order to enable those with loved ones in the service in Vietnam to share each other's problems and to help each other through these difficult times. However, to this desire to give each other moral support the desire to show their husbands and sons through some token of appreciation their care and concern naturally followed.

Therefore, to demonstrate their support for the men in their community serving in Vietnam the club organized recently its first activity, a "Christmas in July" program. With money raised through financial contributions and a candy sale in downtown Dubuque, the SOS Club will send gift boxes to every serviceman in Vietnam who comes from the Dubuque area, and show, thereby, to the boys in Vietnam that the Dubuque people are thinking of them at all times—not just at Christmas. The gift boxes will include items which are most frequently requested by servicemen writing home, such as canned meat or spread, small cans of fruit, ballpoint pens, stationery, and so on. Local merchants are providing substantial discounts for some of the items to be included in the gift boxes.

Although the club was organized under the auspices of the Dubuque County Chapter of the American Red Cross, its operations are autonomous. The Red Cross does provide a variety of services and has placed its meeting room at the club's disposal. Otherwise, however, the SOS Club is completely independent of the Red Cross; it has its own officers and its own account. The approximately 100 members of SOS meet once each month to discuss their common concerns and to hear speakers on a variety of subjects of interest to them. At their last meeting, Robert Woodward, Jr., vice-president of Telegraph Herald Corp., and general manager of radio station KDTH, who recently returned from a tour of Vietnam, showed slides taken in Southeast Asia.

Instrumental in organizing the group were Mrs. Tom Tully, Mrs. Dwight Lloyd, and Mrs. Thomas Bell, Jr. Mrs. Lloyd and Mrs. Bell are now advisers to the club. Elected as officers were Mrs. Edward Gaulke, president; Mrs. Alvin Maus, secretary; Mrs. Merlin Frieburger, treasurer; Mrs. Richard Chapman, public relations chairman; and Mrs. LaVerne Vondran, chairman of the packing and wrapping committee. Members were also selected to serve on the advisory board of the club. Selected to serve for a period of 6 months were: Mrs. Donald Blakeman, Sandy Blakeman, a representative of the Dubuque Post DAV—yet to be named—Mr. Merlin Frieburger, Mrs. Robert J. Friedman, Mrs. Robert L. Friedman, Mrs. John Galle, Mrs. Curtis Liermoe, Mr. Dwight Lloyd, Mrs. Jeff Sample, and Mrs. LaVerne Vondran.

I commend their efforts and am pleased to bring them to the attention of my colleagues as a valuable program in the service of our country.

HAWAII OBSERVES JUNE 11 AS KING KAMEHAMEHA DAY

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. MATSUNAGA. Mr. Speaker, June 11 is a very special day in Hawaii. It is a day set aside to honor the memory of one of her greatest sons, King Kamehameha the Great, who, in 1810, united the Hawaiian Islands under one rule.

Kamehameha Day is an official holiday in the 50th State, and as such is the

only holiday in the United States which honors a king.

Kamehameha Day also honors the Hawaiian people as they continue to express their joy and their pride in this most unique of holidays and in this most extraordinary of 19th century monarchs.

A brief yet eloquent tribute to Kamehameha the Great appeared in the recent issue of the Punchbowl Homes Newsletter. I found this article, written by Madeline Smith, to be exceptionally noteworthy for the simple yet most profound thoughts which she expressed.

I certainly commend the reading of the article to my colleagues in Congress, and to all those interested in reading more on the history of our Nation's newest State.

The article follows for the CONGRESSIONAL RECORD:

KAMEHAMEHA DAY

(By Madeline Smith)

Hawaii has a heritage of romance, excitement and adventure, that is equal to the history of any other country in the world. Perhaps the best known of the Hawaiian Chiefs is Kamehameha who is honored by the state holiday on June 11th.

Much has been said about his uniting all of the islands under his rule, but enough can never be said about his wise and kindly rule. He gathered about him a council of chiefs who were skilled in matters of government affairs, war, or of the welfare of the people, who advised him in the administration of his kingdom.

Kamehameha's laws were made to protect the commoners as well as the chiefs. There were laws prohibiting murder, wanton destruction or theft of property, robbing the weak, praying to death and also laws to observe the tabus of the gods. For the first time in Hawaii's history old men, women and children could sleep in safety by the roadside should they so choose. He not only ruled his people, but he labored for them, going out with the fishermen, helping to provide food and shelter for all of his people and meting out justice to friend and foe alike.

A truly great man, comparatively uneducated by the standards of today, but were he to live again today, his administration of the affairs of his people would be as modern as tomorrow.

SUPPORT FOR THE PRESIDENT'S COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. ALBERT. Mr. Speaker, with the creation of a National Commission on the Causes and Prevention of Violence, President Johnson has taken a significant step to help the Nation come to grips with the causes of the terrible tragedies that have shocked us all.

We need answers to the big question—why? Why has violence become so much a part of our lives in this country, and most important, what can we do to control it.

As the President said yesterday when he addressed the Commission at its first meeting, we need "an understanding and an insight into the kind of violent aberrations which have struck down public figures and private citizens alike."

The President's Commission will help to supply some important answers. Hopefully, the work of this Commission will bring greater understanding of why assassinations and violence occur with such terrible frequency.

I commend the President for his leadership in creating this Commission. Under the unanimous consent previously obtained, I include the President's remarks yesterday to the Commission and the Executive order establishing the Commission:

REMARKS OF THE PRESIDENT TO COMMISSION ON THE CAUSE AND PREVENTION OF VIOLENCE, THE CABINET ROOM

Dr. Eisenhower, Mr. Attorney General, Ladies and Gentleman of the Commission: As I reviewed with you in the Fish Room earlier, I shall shortly, in your presence here, sign the Executive Order creating the Commission and will ask the Congress for authority for support of the Commission.

It is anticipated that there will be, as the order outlines, additional appointees to the Commission, perhaps two, maybe more. The request to the Congress for additional authority will go up this afternoon.

Following the signing of the order, I will make a statement of some 10 or 15 minutes that will give you my views, as well as background, I think, that will be appropriate for you to review in the light of the responsibilities which you are undertaking.

I want to, before I go into the formal statement, again express to Dr. Eisenhower, as I do to each member of this Commission, my deep and lasting gratitude on not only my part but, I think, on the part of the American people for their willingness to assume this responsibility. I am grateful to each of you.

This troubled world will long remember the scar of the past week's violence, but when the week is remembered, let this be remembered, too; that out of anguish came a national resolve to search for the causes and to find the cures for the outbursts of violence which have brought so much heartbreak to our Nation.

Violence has erupted in many parts of the globe, from the streets of newly emerging nations to the old cobblestones of Paris. But it is the episodes of violence in our own country which must command our attention now.

Our inquiry into that violence brings all of us together here this afternoon in the Cabinet Room at the White House. You members of this Commission come here from the church, the university, the Senate and the House, the Judiciary, the ranks of the workingman on the waterfront, and the professions.

My charge to you is simple and direct: I ask you to undertake a penetrating search for the causes and prevention of violence—a search into our national life, our past as well as our present, our traditions as well as our institutions, our culture, our customs and our laws.

I hope your search will yield:

First, an understanding and an insight into the kinds of violent aberrations which have struck down public figures and private citizens alike.

One out of every five Presidents since 1865 has been assassinated—Abraham Lincoln in April 1865, Garfield in July 1881, McKinley in September 1901, and John Fitzgerald Kennedy in November 1963.

In this same period, there have been attempts on the lives of one out of every three of our Presidents, including President Theodore Roosevelt while campaigning in October 1912, President Franklin D. Roosevelt in February 1933, and Harry S. Truman in November 1950. In the attempt on Roosevelt's life, Mayor Anton Cermak of Chicago was killed. In the attack on President Harry Truman, a White House policeman lost his life.

The list of assassinations during the last five years is also long and shocking. Here are some of them:

In 1963: Medgar Evers, ambushed by a sniper; four Negro girls killed in a church bombing; President John F. Kennedy assassinated, 8,500 Americans were murdered that year, also, in America.

In 1964: Three civil rights workers murdered as part of a Ku Klux Klan conspiracy; Lt. Col. Lemuel Penn shot down on a highway. 9,250 Americans were murdered that year in America, also.

In 1965: Mrs. Viola Luizzo. 9,850 Americans were murdered that year in America, too.

In 1966: Malcolm "X". 10,920 Americans were murdered that year.

In 1967: George Lincoln Rockwell. 12,230 Americans were murdered that year.

In 1968: Martin Luther King, Jr. and Senator Robert F. Kennedy.

Just yesterday, the newspapers recorded that a Jordanian grocer was shot to death and police speculate that the killing may have been in revenge for the assassination of Senator Kennedy.

Second, I hope your search will uncover the causes of disrespect for law and order—disrespect for proper authority in the home and disrespect for public officials—and of violent disruptions of public order by individuals and groups.

Third, I hope your studies will lead to practical actions to control or prevent these outbreaks of violence.

Here are some of the questions I hope you will consider:

Is there something in the environment of American society or the structure of American institutions that causes disrespect for the law, that causes contempt for the rights of others, and incidents of violence? If there is, how can we correct it?

Has permissiveness toward extreme behavior in our society encouraged an increase of violence?

Why do some individuals and groups reject the peaceful political and institutional processes of change in favor of violent means?

Are the seeds of violence nurtured through the public's airwaves, the screens of neighborhood theaters, the news media, and other forms of communication from our leaders that reach the family and reach our young? I am asking the heads of the radio and television networks and the Chairman and the members of the Federal Communications Commission to cooperate wholeheartedly with this Commission.

Is violence a contagious phenomenon? To the extent that it is, are there ways we can reduce the contagion?

What is the relationship between mass disruption of public order and the individual acts of volence?

What is the relationship between mental derangement and violence—remembering that half of our hospital beds in America are now occupied by the mentally ill?

Does the democratic process which stresses exchanges of ideas permit less physical contact with masses of people—as a matter of security against the deranged individual and obsessed fanatic?

To the extent we can identify the basic causes of violence and disrespect for the law, what practical steps then can we and should we take to eliminate them?

Can our society any longer tolerate the widespread possession of deadly firearms by private citizens?

What—beyond firm and effective Federal and State gun control laws which are so desperately needed—can be done to give further protection to public leaders and to private citizens?

How can the Government at all levels, the churches, the schools and the parents help to dispel the forces that lead to violence?

These are some of the questions that are on the minds of Americans today. But I will and I must leave to you the task of defining precisely the scope and boundaries of this inquiry. For you will be venturing into uncharted ground.

Some of the questions I have asked and the matters you look into may be beyond the frontiers of man's knowledge. Nevertheless, I urge you to go as far as man's knowledge takes you.

Even where basic causes are beyond the knowledge and control of man, you may still be able to propose actions and laws and institutions which can limit the opportunities for violence by individuals and groups, for as I said to the Nation only last Friday:

"Two million guns were sold in the United States last year. Far too many were bought by the demented, the deranged, the hardened criminal and the convict, the addict and the alcoholic. We cannot expect these irresponsible people to be prudent in their protection of us, but we can expect the Congress to protect us from them . . ."

"I have spoken before of the terrible toll inflicted on our people by firearms: 750,000 Americans dead since the turn of the century. This is far more than have died at the hands of our enemies in all the wars we have fought. . ."

"Each year in this country guns are involved in more than 6,500 murders. This compares with 30 in England, 99 in Canada, 68 in West Germany, and 37 in Japan. 44,000 aggravated assaults are committed with guns in America each year. 50,000 robberies are committed with guns in America each year."

The truths we seek will yield stubbornly to search. But I do want to be sure that search is made, and that search must be started now.

Your work should help us all move toward that day when hatred and violence will have no sway in the affairs of men. Since violence is an international phenomenon, your work will be a service not only to your countrymen, but, I hope, to the world.

The agony of these past days lies heavy on the hearts of all the American people.

But let us now have the will and have the purpose to forge our sorrow into a constructive force for public order and progress, for justice and compassion. This is the spirit that has sustained the Nation, and sustained it in all the years of our history.

This is the spirit, I believe, that can see us emerge from this hour of sorrow—and emerge as a stronger and a more unified people.

EXECUTIVE ORDER ESTABLISHING A NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

By virtue of the authority vested in me as President of the United States, it is ordered as follows:

SECTION 1. *Establishment of the Commission.* (a) There is hereby established a National Commission on the Causes and Prevention of Violence (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of: Dr. Milton Eisenhower, *Chairman;* Congressman Hale Boggs; Archbishop Terence J. Cooke; Ambassador Patricia Harris; Senator Philip A. Hart, Judge A. Leon Higginbotham; Eric Hoffer; Senator Roman Hruska; Albert E. Jenner, Jr.; and Congressman William M. McCulloch.

The President from time to time may appoint additional members to the Commission, and may designate additional officers thereof.

SECTION 2. *Functions of the Commission.* The Commission shall investigate and make recommendations with respect to:

(a) The causes and prevention of lawless acts of violence in our society, including assassination, murder and assault;

(b) The causes and prevention of disrespect for law and order, of disrespect for public officials, and of violent disruptions of public order by individuals and groups; and

(c) Such other matters as the President may place before the Commission.

SECTION 3. *Compensation of Members of the Commission.* (a) Members of the Commission who are otherwise compensated by the United States for full-time service shall serve without compensation in addition to that received for their full-time service; but they shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law.

(b) Other Members of the Commission shall receive compensation in accordance with law when engaged in the actual performance of duties vested in the Commission. In addition they shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by 5 U.S.C. 5703, for persons in the Government service employed intermittently.

SECTION 4. *Staff of the Commission.* (a) The Commission shall have an Executive Director, appointed by the President, who shall receive such compensation as may be directed by the President in accordance with law.

(b) The Commission is authorized to appoint such additional personnel as it deems necessary, to fix their compensation in accordance with law, and to obtain services in accordance with the provisions of 5 U.S.C. 3109.

SECTION 5. *Cooperation by Executive Departments and Agencies.* (a) The Commission, acting through its Chairman, is authorized to request from any executive departcent or agency any information and assistance deemed necessary to carry out its functions under this Order. Each department or agency is directed, to the extent permitted by law and within the limits of available funds, to furnish information and assistance to the Commission.

(b) The General Services Administration shall provide administrative services for the Commission.

SECTION 6. *Report and Termination.* The Commission shall present its report and recommendations as soon as practicable, but not later than one year from the date of this Order. The Commission shall terminate thirty days following the submission of its final report or one year from the date of this Order, whichever is earlier.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 10, 1968.*

NEWSLETTER

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. SCOTT. Mr. Speaker, each month I prepare a newsletter to constituents in an effort to keep them informed on congressional activities and am inserting a copy of the June issue in the RECORD at this point for the information of my colleagues:

YOUR CONGRESSMAN BILL SCOTT REPORTS

AN IMPORTANT NEW LAW

Last week the House adopted the Senate version of the Omnibus Crime Bill and sent it to the President for approval. The Bill provides:

1. Law enforcement assistance through the States to localities by granting funds for recruitment, education and training of policemen and for research and construction.

2. That confessions in criminal cases are admissible in evidence if voluntarily made and the trial court shall determine if they were made voluntarily. The purpose is to reduce the impact of recent court decisions holding confessions inadmissible where there is a delay in bringing an accused person before a magistrate or if he has not been advised of his constitutional rights. A separate section provides for admission of testimony by an eye witness to a crime. This is a response to a decision holding inadmissible the identification of a suspect in a line-up in the absence of counsel.

3. That interstate shipment of guns or destructive devices is illegal except between federally licensed dealers. Sales are forbidden to minors and felons, among others. Rifles and shotguns are excepted.

4. That any person employed by the government, convicted of feloniously participating in a riot or civil disorder, shall be removed from office, or one not employed by the government at the time of committing the offense shall be barred from employment by the government for a five year period immediately following the date of conviction.

5. That extortion within the District of Columbia is a felony similar to interstate extortion and punishable by up to 20 years imprisonment.

This brief digest of a 134 page bill certainly does not include all of its provisions but if the measure is signed by the President and adequately enforced, it should be helpful in reducing crime. There is no doubt that crime and disorder in the country are among our most important domestic problems. In my opinion there is not only the need for adequate enforcement of existing laws, and an effort to improve environmental conditions which breed crime, but we need the help of our homes, schools and churches to re-establish respect for authority in our nation. We must reverse the trend toward tolerance of criminal activity and remove political considerations from determination of the question of prosecution. I certainly hope that recent events will persuade the Executive Branch of the government to fairly and impartially enforce all existing laws and that the example set by the national government will be followed at state and local levels.

The large majority of law-abiding citizens must let their influence be felt in favor of upholding the law, rather than permitting a small vocal minority to encourage disobedience. The theme of this year's Law Day observance sponsored by the American Bar Association, "Only a lawful society can build a better society", should be taken to heart.

SALEM CHURCH DAM

A hearing has been set on the authorization bill for the Salem Church Dam and Reservoir commencing at 10:00 A.M., on June 20, in the House of Representatives Public Works Committee Room, 2167 Rayburn House Office Building. This proposed dam on the Rappahannock River in Spotsylvania County has been under consideration for a long number of years and I am hopeful that favorable consideration will be given by the Committee.

PASSED BY THE HOUSE

The House of Representatives recently passed a bill to provide increases in the rate of compensation for disabled veterans. Under the proposal totally disabled veterans would receive an additional $100 per month, and partially disabled veterans would receive a cost of living increase of 8% or an addition of from $2 to $17 per month, depending on the degree of disability. The bill also provides for the furnishing of additional mechanical aids, medical equipment and supplies to certain disabled veterans. Recommended by the Veterans' Advisory Commission which held hearings last year throughout the country, the proposal must be acted upon by the Senate and approved by the President before it becomes law.

PUBLICATIONS AVAILABLE

Some of the pamphlets available in the office are listed below. We will be glad to furnish any of them upon request as long as the supply lasts.

How Our Laws Are Made; Vietnam and Asian Continent Maps; Health Insurance for People 65 or Older; Your Social Security; Our American Government. How Does It Function?; Summary of Veterans Legislation, 1st Session, 90th Congress; Our Flag; Nutritive Value of Foods; Your Child from One to Six; Buying Your Home Sewing Machine; Home Laundering, the Equipment and the Job; and Honey, Some Ways to Use It.

PROPOSED CRIMINAL STATISTICS CENTER

The Subcommittee on Census and Statistics of the House Post Office and Civil Service Committee has been holding hearings for several weeks on a proposal to create a National Criminal Statistics Center. This Center would gather and disseminate statistical information on all aspects of law enforcement and criminal justice. The Center was originally suggested by the National Crime Commission and substantially all of the witnesses appearing before the Subcommittee indicated that the information would be valuable in determining causes of crime and for sharing between law enforcement officials at all levels. Some Subcommittee members have expressed concern over the cost of the Center and possible use of the information for other than law enforcement purposes. No legislative action is expected this year. As a member of the Subcommittee I enjoyed the demonstration FBI agents made of their present data bank and was gratified when my name and birthdate were read into the machine and the report came back of no criminal record.

EVENING ENGAGEMENTS FOR THE NEXT MONTH

June 11, Bull Run Lions Club, Loudoun; June 12, Loudoun Valley High School Commencement, Loudoun; June 13, Gala on the Potomac, Fairfax; June 14, Goose Creek Country Club Dinner, Loudoun; June 16, Elks Club Patriotic Observance, Fairfax; June 22, National Assn. of Postal Supervisors, Alexandria; June 24, Businessmen's Dinner, King William; June 28, Disabled American Veterans, Norfolk, and June 29, Dulles Young Republicans, Fairfax.

July 1, Spotsylvania County Dinner, Spotsylvania; July 3, Ruritan Club of Nokesville and Manassas, Prince William; July 4, Manassas Fourth of July Celebration, Prince William; July 9, Fairfax County Republican Committee, Fairfax, and July 10, Sterling Ruritan Club, Loudoun.

AIRCRAFT NOISE ABATEMENT

The House unanimously passed and sent to the Senate a bill to require the Federal Aviation Administration to prescribe rules and regulations for the control and abatement of noise and sonic boom. It would also direct the Administrator to apply these standards of noise abatement to the issuance of certificates authorizing design, production, airworthiness and operation of aircraft as well as standards for airmen and requires the regulations to be consistent with the highest degree of safety. Constituents living in the Alexandria area have expressed concern about the noise from aircraft arriving and departing from National Airport. Therefore it is hoped that in addition to Senate passage of this bill, some way can be found to move some flights from National to Dulles Airport which was not only constructed for jet planes but also has built-in noise abatement features.

SUMMERTIME

It has been nice to speak to so many graduating classes over the last several days. I enjoyed the opportunity of being with the young people as well as adult constituents and hope you will continue to invite me. Summertime is coming, however, and Inez and I are hopeful of having about two weeks in August away from regular office duties and evening functions. I'm sure you understand that even your Congressman needs some relaxation.

QUESTIONNAIRE

HON. DELBERT L. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. LATTA. Mr. Speaker, every year I send a questionnaire to my constituents wherein I solicit their views on current national issues. I have found that most of the people in the district like this method of expressing themselves and not only do they complete the questionnaire but they use the back side to comment on other matters not specifically listed. I have just finished tabulating this year's returns and I would like to call them to the attention of the Members of the House. They are as follows:

[Results in percent]

1. Do you approve of the President's handling of the Vietnam war?

Yes	24
No	76

2. Should the President take unilateral action and order an end to the bombing of North Vietnam with the hope that Communist attacks on the south would cease?

Yes	42
No	58

3. Should the administration seek congressional approval before increasing U.S. troops in Vietnam?

Yes	77
No	23

4. Should the administration insist that the South Vietnamese shoulder a greater share of the war effort before additional U.S. troops are committed?

Yes	91
No	9

5. Would you favor a U.S. "pullout" of Vietnam even though this may mean another Communist takeover?

Yes	26
No	74

6. Do you favor legislation making it a Federal crime for a person, offering his home for sale or rent through a real estate agent, to refuse to sell or rent the same to anyone because of race, color, religion, or national origin?

Yes	27
No	73

7. Do you favor a 10 percent "across-the-board" reduction in all government spending except for Vietnam?

Yes	71
No	29

8. Do you favor President Johnson's proposed 10 percent surtax on private and corporate earnings?

Yes	33
No	67

9. Should the Congress follow the administration's recommendations and pass legislation to expand trade with Eastern European Communist countries?

Yes	39
No	61

10. Do you favor the proposal to have national holidays fall on Monday?

Yes	37
No	63

11. Do you favor legislation making it a crime to travel from one state to another to incite or participate in a riot?

Yes	94
No	6

12. Do you favor the termination of our foreign aid program?

Yes	64
No	36

13. Do you believe the President's poverty program has been successful?

Yes	13
No	87

14. Do you favor the President's recommendation that the wheat and feed grain programs be made permanent?

Yes	16
No	84

NEWSLETTER TO RESIDENTS OF NORTH DAKOTA'S SECOND DISTRICT

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. KLEPPE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following comment in my newsletter being mailed to residents of North Dakota's Second Congressional District:

Tax increase and spending cuts. I shall vote against the tax increase-spending cut package now scheduled to come before the House June 12. My reasons for taking this position are twofold:

First, the Administration's proposed 10 per cent, across-the-board surcharge on individual and corporate income taxes discrinmates against low and middle income wage-earners and smaller business enterprises. It represents a retreat from the long-established principle of graduated income taxes. It would fall most heavily upon those least able to bear an additional tax load.

The 10 percent surcharge was added to an excise tax bill on the floor of the Senate. It did not come from the House Ways and Means Committee which has Constitutional responsibility for originating tax legislation. If there is to be a tax increase, it should be channeled through this Committee.

Second, the measure does not spell out where the proposed spending reductions of $6 billion would be made during the new fiscal year beginning June 30. We are being asked, in effect, to "buy a pig in a poke."

If past experience is any criterion—and I think it is—the major reductions would come from education, agriculture and such programs as highways and public works. Some would not represent real savings at all. The current freeze on Interstate Highway funds, a separate trust account collected exclusively from users, is an example of this. The money is there. It can't be spent on anything but highways. Other cuts in the foregoing list would have to be largely restored through supplemental appropriations to meet fixed, statutory commitments.

My fear is that desirable, worthwhile and even essential programs would bear the brunt of the $6 billion spending reduction. The President has at no time indicated he would substantially trim any of the Great Society programs launched by the 89th Con-

gress. I believe that Congress should spell out a specific list of priorities for expenditure cuts.

At the top of the list, I would place foreign aid. Because of prior commitments, it can't be chopped off overnight but it could certainly be cut in half, for a saving of at least $1.5 billion over the next year. Today, 23 years after the end of World War II, the United States still has 300,000 troops in Europe. Most of them could be brought home, along with their dependents, at an annual saving of at least $1 billion. Moreover, such a step would go a long way toward easing the critical U.S. balance of payments deficit. Such programs as space exploration, highway beautification and development of the commercial supersonic transport plane could be stretched out for further savings of at least $1 billion in fiscal 1969.

The number of Federal civilian employees could be reduced by leaving unfilled a substantial number of jobs vacated through retirement, death and resignation. This would save $1 billion or more a year. Since 1960, 550,000 civilian employees have been added to the Federal payroll. The Administration request was for 45,000 more in Fiscal 1969. If we really mean to trim government spending, the mushrooming growth of the Federal establishment itself must be halted.

During Fiscal 1969, interest charges on the national debt will total $16 billion—the second largest item in the budget. If Congress and the Administration adopted a policy of genuine fiscal responsibility, bringing the budget into approximate balance and thereby checking rampant inflation, interest rates would inevitably fall by at least one percentage point. That alone would save the Federal government perhaps $3 billion a year, and the benefits to individual borrowers and local governments would be infinitely greater.

Through these actions, Federal expenditures could be reduced by at least $7.5 billion a year—a figure well over what is proposed—and, more importantly, the cuts could be made without crippling needed services and programs. If such steps were taken *first*—with actual cuts spelled out on a strict priority basis—I would then look with favor on a graduated income tax increase.

Farm bill extension faces doubtful outlook. The House Agriculture Committee, of which I am a Member, recently voted to extend the Food and Agriculture Act of 1965 for one year.

The House Rules Committee has not yet cleared the bill for House action. The Senate is also considering extension of the Act which would otherwise expire in 1969.

I voted for the extension because the farmer must plan ahead. His decision to buy or not to buy an expensive piece of machinery, or to rent or buy additional land, is determined by the outlook for farm prices. Failure to extend the present act would mean an end to wheat certificate payments after 1969. Wheat price supports would drop to 50 per cent of parity—about $1.30 per bushel. For feed grains, there would be no production or acreage diversion payments after 1969.

Unfortunately, there have been attempts to make a political football of a one-year extension of the basic farm law. The following facts should be made clear:

First, the one-year bill was offered in the Committee by Chairman Bob Poage (D.-Tex.). It was approved overwhelmingly, 28 to 5, on a bi-partisan vote.

Second, as Chairman Poage emphasized, it was this or nothing. He said, "We realized that if we had opened the measure up to changes that undoubtedly no bill would have been passed."

Third, the majority party has 2 to 1 control of the Rules Committee. It can report the bill for House action any time the Administration leadership wants to.

Fourth, a key Member of the Rules Committee, Rep. Ray Madden (D.-Ind.) has firmly expressed all-out opposition to any extension of the 1965 farm Act. He said: "I am serving notice that many Members will oppose continuation of this multi-billion dollar boondoggle when we must deal with difficult fiscal and monetary problems, discontent, riots and untold poverty in urban areas where 71% of our population resides."

As for myself, I have said repeatedly I would support an extension of the farm program for more than one year. It will be extremely difficult, however, to get an extension of even one year, in view of the opposition already expressed.

Meanwhile, I believe farmers and their friends should unite to obtain what is possible. It serves no one, least of all the farmer, to pursue a course which may result in no extension whatsoever in the present farm program.

OCCUPATIONAL HEALTH AND SAFETY ACT OF 1968

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. BURTON of California. Mr. Speaker, in my district in San Francisco recently a rather remarkable speech was presented to a large group of scientists that forcefully stated the need for the passage of the Occupational Health and Safety Act of 1968.

It was delivered by an Assistant Surgeon General of the U.S. Public Health Service, Dr. Richard Prindle, to the annual convention of the Industrial Medical Association of the United States. I feel that it was sufficiently important to call to the attention of the Members of Congress several of the salient paragraphs of the speech:

Health officers and physicians cannot afford to approach the potential health hazards of the contemporary environment, and we must include the work environment, as though we were attorneys in a court where the suspect is deemed innocent until guilt is proved beyond reasonable doubt. The size of the population at risk and the possible consequences of failure to control both the known and the suspected hazards are too great to await absolute proof. Strong circumstantial and theoretical evidence requires action. To await positive proof is to court disaster.

The people of this country need and desire the products and the affluence of a prosperous industrial economy. But they also need and increasingly are demanding cleaner air and water; they want safe jobs, safe food, drugs, and clothing. I believe it is clear the people are convinced that an unsafe and unhealthy environment is not a reasonable price to pay for prosperity. I believe the American people feel that a science which can unravel the genetic code, develop artificial hearts and kidneys, and an industry which can transmit clear photographs back to earth from the moon's surface can also clean up the environment and improve the workplace without destroying the American way.

Air and water pollution have held the center of legislative and public attention until now because their gross effects are readily apparent to millions of people. Health authorities have concentrated on air and water because of the size of the populations exposed to their potentially harmful contaminants.

Belated as were the legislative enactments of recent years designed to cope with air and water pollution, with better delivery of health services, even more belated but equally welcome to health workers was the introduction this year of the Occupational Safety and Health Act of 1968. This is clearly one of the most important and needed pieces of health legislation introduced in the last decade.

MASSACHUSETTS COMMITTEE OF CATHOLICS, PROTESTANTS, AND JEWS, 31ST ANNUAL BANQUET

HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. McCORMACK. Mr. Speaker, for over three decades, the Massachusetts Committee of Catholics, Protestants, and Jews, has been in existence. This great organization, which is dedicated to the furtherance and strengthening of understanding and of the American spirit and ideals, consists of outstanding citizens of all races, color, and creed. The contribution of this committee has been stimulating and most effective in extending areas of understanding and agreement, and thereby reducing areas of misunderstanding, of tension, and of disagreements.

It is also a most unusual organization in that it functions effectively without paid quarters, or any paid help, with voluntary contributions by its members and supporters.

This most unusual organization, with its high ideals and purposes, constitutes an example for noble-minded persons in other cities and communities of our country to follow.

On the occasion of its yearly banquet, three persons, noted for their nobility of character and their contributions to decency and progress, are selected to be the recipients of the committee's awards.

The annual dinner this year was held the evening of May 16, 1968, at the Statler-Hilton Hotel in Boston, Mass., with over 1,200 persons in attendance.

The annual dinner is a splendid public manifestation of good will and of the American spirit and ideals.

At the recent banquet, Mr. Edward B. Hanify was the toastmaster and Mr. H. D. Hodgkinson was the general chairman.

The recipients of the awards and citations at this year's banquet were: First, Hon. Ramsey Clark, Attorney General of the United States; second, Hon. Sol. M. Linowitz, U.S. Ambassador to the Organization of American States; and third, Hon. John A. Volpe, Governor of the Commonwealth of Massachusetts.

The members of the Massachusetts Committee of Catholics, Protestants, and Jews, are too numerous for me to mention, but all the members are distinguished and honorable gentlemen. However, there is one whom all members recognize as deserving of special commendation, whose dedication to the organization is recognized by everyone, and whose unselfish and untiring work and leadership has played a most important part in its success. I refer to Mr. Ben G. Shapiro, the secretary of the committee since its incorporation.

For 31 years leaders in the Catholic, Protestant, and Jewish faiths have worked together in this committee to improve group relations. It engages in many outstanding activities, too numerous to mention, but among which are—

Good citizenship program of the Boston Park Department;

Tufts University civic education project;

Brandeis University three chapels program;

Human relations center at Boston University;

Massachusetts Department of Education; and, in addition, the committee has distributed many thousands of copies of educational material to schoolteachers and heads of educational institutions throughout the United States. For the last 17 years it has conducted an annual junior good will dinner, bringing together boys of the Boston public and parochial schools, which has created favorable comment by leaders in human relations throughout the country.

The general aims and purposes of this splendid organization are—

First, to sponsor good will work in the general community of Greater Boston;

Second, to serve as a medium through which representative citizens can endorse the basic democratic principle of good will among men of different faiths and different racial origins;

Third, to bring out and emphasize the many fine things which citizens of different faiths have in common;

Fourth, to encourage and support those forces in the community which generate in the individual a respect for the validity and dignity of each other individual's particular religious faith, with no qualifications or reservations based upon racial origins; and

Fifth, the committee is a separate, independent association, not connected with any other local or national organization.

I include herein: First, remarks of Oscar W. Haussermann, chairman, Massachusetts Committee of Catholics, Protestants, and Jews.

Second, remarks by Mr. Edward B. Hanify, toastmaster;

Third, remarks by Mr. Ben G. Shapiro;

Fourth, introduction of Mr. Joseph Wilson by Mr. Edward B. Hanify, of the Jamaica Plain High School, who spoke for the youth of Boston;

Fifth, remarks made by Mr. Joseph Wilson;

Sixth, remarks made by Gov. John A. Volpe, citation recipient;

Seventh, remarks made by Ambassador Sol M. Linowitz, citation recipient;

Eighth, remarks made by Attorney General Ramsey Clark, citation recipient;

Ninth, copy of citation to Gov. John A. Volpe, presented by Sidney R. Rabb, vice chairman, Massachusetts Committee of Catholics, Protestants, and Jews;

Tenth, copy of citation presented to Hon. Sol M. Linowitz by H. D. Hodgkinson, general chairman of the dinner and vice chairman, Massachusetts Committee of Catholics, Protestants, and Jews;

Eleventh, copy of citation presented to Attorney General Ramsey Clark, presented to him by Hon. Erwin N. Griswold, former dean, Harvard Law School, and Solicitor General of the United States; and

Twelfth, remarks made by Edward B. Hanify in announcing television program and his expression of thanks to those who assisted in the arrangements of the dinner.

The material follows:

INTRODUCTORY REMARKS OF CHAIRMAN OSCAR W. HAUSSERMANN AT THE 31ST ANNUAL DINNER OF THE MASSACHUSETTS COMMITTEE OF CATHOLICS, PROTESTANTS, AND JEWS, MAY 16, 1968

Reverend Clergy; Your Excellency, Governor Volpe; Your Honor; distinguished guests; ladies and gentlemen, this, as you probably know, is the Thirty-first Annual Senior Good Will Dinner of our Massachusetts Committee of Catholics, Protestants and Jews.

My usual assignment at these affairs is to say a few words about the good will work of our Committee and then to present to the gathering its Toastmaster. Tonight I'm leaving to your sui generis Ben Shapiro the outlining of our Committee's achievements and am confining myself to a rehash of what I said four years ago about tonight's Toastmaster when I introduced him as the presiding maestro of our 1964 Dinner.

At that time I pointed out that my distinguished friend, Ed Hanify, was the past President of the National Alumni Association of Holy Cross College, a graduate of the Harvard Law School, a Life Trustee of Tufts, a Trustee of the John F. Kennedy Memorial Library, a past Chairman of a Greater Boston Community Fund Campaign, a member of the Board of Directors of a number of important business corporations, and the recipient of at least five honorary degrees from discerning institutions of learning. I wound up my 1964 remarks by referring to some deathless Hoosier verse of mine, written a few years earlier, which summed Ed up as a scholar, a modern Demosthenes and an enlightened laborer in the Vineyard of the Lord. Tonight, I can assure you that what I said then fits now.

Ladies and gentlemen; your Toastmaster, Mr. Edward B. Hanify.

REMARKS BY TOASTMASTER EDWARD B. HANIFY

As this Thirty-first Annual Dinner of the Massachusetts Committee of Catholics, Protestants and Jews reaches its climatic hour, I pause on behalf of the 1200 people assembled in this ballroom to welcome our fellow citizens of the television audience to our midst.

The purpose of this dinner tonight, and as it has been conducted during the last three decades, is simple and forthright.

It has been an effort to preserve the spirit of human brotherhood by bringing to the community, responsible individuals who have given the precept of brotherhood practical and conspicuous exemplification in the life of the nation.

The emphasis of these dinners has not been upon abstruse social theory, but upon personal responsibility and accountability.

All too frequently in our day we deal with trends and movements in contemporary life as if they were as free of human causation as the ebb and flow of the sea. We appear to forget that all the collective forces for good and evil about us are composed of individual good or bad men and women.

There is no responsible brotherhood among men in a society reduced to anarchy by waves of lawlessness. Among nihilists, there is no brotherhood, only the unfettered instincts of the voracious wolf pack on a rampage. The new bigotry, the bigotry of the incendiary, the looter, the forcible trespasser, is a bigotry directed against society itself. Brotherhood in America presupposes an orderly society, preserving a spirit of moderation, discipline and restraint. The recipients of our honors tonight exemplify that spirit.

There is no responsible brotherhood in a society reduced to paralysis of individual will by a massive guilt complex. We have developed a strange and anomalous note in much social commentary. We obscure the accountability of the criminal for his individual acts, and then transfer to the conscientious and law abiding a nebulous, massive, inherited guilt complex for every species of social malaise. This rewards the evil and confuses the good and solves no problem. Men accomplish a constructive work when they plan their own lives with good will in the here and now, not when they conduct endless probes of the alleged deficiencies of their own or someone else's remote ancestors. The recipients of our honors tonight exemplify a spirit of present individual achievement; not the vain backward glance, but the forward look.

The architect of the structure of these dinners is a simple, uncomplicated, forthright man who would rather light a candle than curse the darkness. For thirty-one years he has kept the program of our Committee alive and vital by the force of his own voluntary dedication. His professional staff has been his own good heart. His natural resources are his own dedication and unflagging zeal. He gives his fellow man the benefit of a presumption of a good will equal to his own. His formula is no secret. It works. It needs broader application. I present the Secretary of our Committee, and Commissioner of the Massachusetts Commission Against Discrimination—Mr. Ben G. Shapiro.

REMARKS BY BEN G. SHAPIRO, SECRETARY, MASSACHUSETTS COMMITTEE OF CATHOLICS, PROTESTANTS, AND JEWS, 31ST ANNUAL DINNER, MAY 16, 1968

Gentlemen of the clergy, Governor Volpe, our guests of honor, distinguished guests, ladies, and gentlemen, if one were to say that we are living in tense, tumbled, twisted times, the man should be described as a realist. Headlines shout at us day after day; the television screen screams with the nervous tensions of the world; the radio news reports are exercises in human disorders.

But for every headline of hatred in the world, there are still, and in abundance, the human interest stories of man's humanity for man; for every image on the TV tube, showing us America in disarray, there are the pictures of man showing a love and concern for one another. The next time you read and see the stories of the tornadoes twisting through our mid-country; when the hurricanes whip and lash our own coasts; when the angry, raging rivers swell and attack our fellow Americans; when an earthquake rumbles, roars, and brings human beings to their knees, I ask you to look for the stories and the films that show other human beings rushing to help their neighbors. This is what Americans do in every crisis; this is what the fabric of the American is all about; this is what makes America great—even in the crisis of disaster. This is what makes heroes on battlefields; this is what keeps the humane society of Massachusetts and the Carnegie Foundation still in the business of recognizing the humanity of man for his fellow man.

This, I believe, has a bearing on what is being done in thousands of unspectacular, unpublicized ways by the members of the Massachusetts Committee, Catholics, Protestants and Jews. For all of us who profess, each in our own individual way, a love of God there is the collateral covenant that we love our neighbor. And who is your neighbor, and mine? He is man—of heart and soul, of bone and blood, of skin and sensitivity, of dreams and of dignity. He is man in the image of God.

Love of our fellow man is based on knowledge and respect, and this is derived, in one

special way to a commitment to the basic philosophy of our land, phrased in the Constitution of our beloved country. The phrases ring and resound with these, among other words: In order to achieve a more perfect union . . . to establish justice . . . to insure domestic tranquility.

These are not mere words strung together by our forefathers; these are ways of living! We must, in every way, have a more perfect union—in slum and suburb; in city and country. We must thirst and hunger for the sake of justice—justice for all men, regardless of the bank accounts they do or do not have; regardless of the origins of their forebears; regardless of the way in which they pray to their God; regardless of the color of their skin. And we here tonight must reaffirm that we seek and yearn and work for domestic tranquility.

Now, I would like to give you only a brief summary of our activities over the past year. The Massachusetts Committee, Catholics, Protestants and Jews has continued its support of programs in some of our major institutions of learning.

At Boston College we are involved with the Institute of Human Sciences, which is attacking on many fronts and in unified but diverse ways the human problems of society;

At Tufts University, through the Civic Education Center, we are continuing to support its important work;

At Brandeis University, we are assisting the three-chapels program of the Catholic, Protestant and Jewish faiths;

At the Human Relations Center of Boston University, our support of fellowships is sustaining the academic careers of many young men and women who are active in and involved in the works of civil rights.

The playground leadership program that the committee supports is an example of grass-roots democracy in action. At the annual junior good will dinner at Fenway Park with many of the Red Sox players as hosts, we have an example of joys and happiness of brotherhood at work.

The Massachusetts Committee, Catholics, Protestants, and Jews does not build buildings; we are not the surveyors of highways, nor the architects of skyscrapers. But we truly feel that we are involved with, concerned for, in love with, and have the highest hopes for people. For people, and only people, matter.

I thank you for this privilege to speak to you tonight, and to work through this committee with you. I extend my warmest and sincere thanks to all of you who have supported the work of the Massachusetts Committee, Catholics, Protestants, and Jews.

REMARKS OF EDWARD B. HANIFY IN INTRODUCING JOSEPH WILSON

At the Junior Good Will Dinner sponsored by this Committee and the Boston Red Sox at Fenway Park last January, the audience was captivated by the earnestness and eloquence of our next speaker. He was born in Rayford, North Carolina, where he lived on a small farm. When his mother died, the family moved to Boston. At Jamaica Plain High School he is President of the Senior Class. He has been a Captain of the football team in his Junior and Senior years, and was elected to the All-Conference Football Team. He has been a sound scholar and an outstanding athlete and represents the constructive leadership of tomorrow. He speaks to us tonight on behalf of the youth of Boston, Mr. Joseph Wilson.

WHAT BROTHERHOOD MEANS TO ME

(By Joseph Wilson, Jamaica Plain High School)

Where I came from down in North Carolina, there was a farmer who had a beaten-up, battered, small-windowed sedan with a fancy nickel-plated radiator cap. Sometimes we wondered how the car kept going and how it had stayed on the road so long. One day, a small boy asked the farmer how he had kept the car together so long, and the farmer said, "See those letters 'D.B.' under the cap? Those letters mean Dodge Brothers, and all the years I've been driving around this country, I've been blowing my horn and telling anybody who got in the way, 'Just you Dodge, Brothers!, Dodge!' "

It may symbolize the attitude of past generations to say, "We are all brothers, and we can get along together, so now Dodge, Brothers!, Dodge!" If we could be sure that all of us could stay out of the way of the next fellow, who may not believe and worship as we do, or who speaks with a different accent, or derives from a different race, then perhaps all our lives would be simpler, and we could excuse our conduct by denying any obligation to our fellow man, and proceed through life with a "Dodge, Brothers!, Dodge" attitude.

I cannot subscribe to the notion that we can get along together, Christians and Jews, Negroes, Orientals and Whites, by staying in our own narrow grooves and avoiding all communication and association with others. This is not the brotherhood of man to which we are dedicated in this generation. How aptly does my own limited experience justify the partial triumph of brotherhood right in this city.

Born and raised in North Carolina, which is not the most backward of Southern states, I came to Boston four years ago, from a small town school of the South. Complete segregation was the rule and practice. When I entered a Boston Public High School, I found a dedicated and understanding group of teachers, who showed in practice, and not just in preaching, an understanding of the true meaning of brotherhood. I was able to participate in schoolboy sports and get recognition from my teammates and opposition based entirely on competition and performance. In the classroom and in every school activity, it has been my pleasure to work with my fellows and often share in the rewards of scholastic achievement and the sweet taste of athletic victory. Nowhere have I seen a greater exhibition of true brotherhood than within the walls of Jamaica Plain High School and on the athletic fields of the Boston Public Schools.

Mine may seem a limited experience in brotherhood, but if brotherhood is to have any meaning for the mass of the people, it must show itself in individual experiences. Here in Boston, the "Cradle of Liberty," I have seen in my brief four years a greater tolerance and feeling of responsibility for fellow human beings than seemed possible before my arrival. From the Governor, from the Legislature, from the Mayor, from the religious leaders of the community, and from all responsible officials a great new spirit of brotherhood has been conveyed to the people. The people have responded at the voting booths where they cast their votes without regard for race and religion in many notable cases.

You will excuse me for attempting to speak for my generation, but I know that all of us have benefited from the excellent example set by people of your organization. Perhaps I would not be here tonight, speaking so hopefully of our future, but for the examples of brotherhood you have set for all of us. For this, I thank the Massachusetts Committee of Catholics, Protestants and Jews.

REMARKS OF GOV. JOHN A. VOLPE, AT THE 31ST ANNUAL GOOD WILL DINNER OF THE MASSACHUSETTS COMMITTEE OF CATHOLICS, PROTESTANTS, AND JEWS

This is a unique occasion for me. And one which touches me very deeply. I have had a long association with the Massachusetts Committee, Catholics, Protestants and Jews, going back as much as 25 years—to the very infancy of this committee, created through the inspiration of Ben Shapiro.

I served on the executive committee for many years and, since becoming Governor of the Commonwealth, it has been my great privilege to serve as honorary chairman.

Consequently, I have attended many previous Good Will dinners and joined in paying tribute to past recipients of the Massachusetts Committee's Citation given in recognition of contributions to Human Brotherhood.

Now, to be a recipient of the citation myself, I am most proud. It makes my honor all the more meaningful to me that also receiving citations are two outstanding Americans whom I esteem and admire, Ramsey Clark of Texas, Attorney General of the United States, and Sol M. Linowitz of New York, United States Ambassador to the Organization of American States.

If I have made even a small contribution to Human Brotherhood, I shall consider my lifetime to date, in building a business and then serving in public office, to be well worth the effort.

And all of us know that is just what human achievement means—whether it be the achievement of the individual or the nation: it takes unrelenting effort.

We pursue certain ideals, like that propounded in the Declaration of Independence: "That all men are created equal."

We live by a certain faith, like that which has been the enduring motto of the United States: "In God We Trust."

Yet the ideal is seldom attained in human affairs. And our faith is not always as strong as we pray for it to be. However, the effort goes on. At different times it assumes new forms. But always, by fighting the good fight, by pursuing the ideal as a lamp unto our feet—we as Americans have succeeded in making real progress.

Sometimes, when the going is rough—when the gulf between the ideal and the everyday practice of equality—and brotherhood—in our land, is exposed sharply, and harshly to view—as in the new form of urban violence that has erupted—we forget that we really have made progress in America. And through the example of America—in the world. In Massachusetts, in Boston, we are in an old part of America, of the United States, where the extent of our progress can be well observed.

To begin with, the first Protestants—and they were indeed protesting—landed at what is now Provincetown, and then proceeded to Plymouth Rock, in 1620.

It was not until 1788—right after the American Revolution, and the year before George Washington assumed office as President, that the first Catholic church came into being in Boston. Actually it was a house on School Street, near our present City Hall, where the first public mass was said by a priest for a group of French Catholics living here.

And it was not until 1842, that the first synagogue was founded in Boston. And that brings us to within 20 years of the Civil War. It took a war like the American Revolution to bring into existence "on this continent—a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal," as Abraham Lincoln so well said.

And it took the agony of the Civil War to carry the ideal expressed in the Declaration of Independence a step closer to actuality. But out of each struggle we emerged as an American people moving steadily along the difficult road toward true brotherhood and equality, even as we built a mighty land of opportunity such as the world had never seen before.

As a Catholic, in this year of a national election, I think it may be appropriate to point to two other dates in our modern history as exemplifying how we passed one more major milestone of progress in our own generation.

First, we recall the year 1928. That year, for the first time, an American of the Roman

Catholic faith ran for President of the United States. And we saw bigotry and prejudice cast an ugly shadow across the land as Governor Alfred E. Smith became the Democratic candidate.

But, always, we make progress. Just eight years ago, in 1960, John F. Kennedy a native son of Massachusetts, faced the issue, declaring that a new day had come for America. And his campaign, apart from any political considerations—made all Americans feel that we had once again moved closer to the ideal of brotherhood.

Now, in 1968, the question of brotherhood, the quest for brotherhood, is in the context of a violence-torn urban America, and in the context of a fatal gunshot that rang out in Atlanta scarcely more than a month ago, killing the Reverend Martin Luther King Jr. But we will make progress again. We are all aware that this year, 1968, is a year of decision for the American people.

And while the national election will take the form of a contest between the two great political parties, Democratic versus Republican, still, I am convinced, it will be a year when the American people will above all be seeking unity.

As we confront a new kind of world in the making, in the years leading to the Twenty-first Century, I believe that Americans want nothing more than to march forward together—"one nation, indivisible."

Surely if America is to lead the world, as lead we must, we shall have to be a nation united. We have more reason in 1968 to be a united American people, strong at home through unity, because we have much more at stake to be lost, if we permit our country to be weakened by division.

Together, Americans all, and all for America, trusting in God, we cannot fail to move forward into a new age of opportunity, and abundance, in which no man's creed or color will be called into question.

REMARKS OF AMBASSADOR SOL M. LINOWITZ, U.S. REPRESENTATIVE, ORGANIZATION OF AMERICAN STATES, IN ACCEPTING THE BROTHERHOOD AWARD PRESENTED BY THE MASSACHUSETTS COMMITTEE OF CATHOLICS, PROTESTANTS, AND JEWS, BOSTON, MASS., MAY 16, 1968

I am deeply grateful for the honor you have conferred on me. Coming as it does from this illustrious Committee, it has great personal significance for me, and I accept it with pride.

I am doubly honored, moreover, that you have seen fit to include me in such distinguished company. The cause of brotherhood and the entire family of man are well served by such gifted men as the Governor of your Commonwealth and the Attorney General of the United States, men who in their personal lives and in their public service do so much to advance, in ways big and little, the principles for which you stand.

Governor Volpe, Attorney General Clark and I share a common cause—the pursuit of peace—the peace that will never be secure anywhere until all men everywhere, in the community of their nation or in the wider community of our world, achieve equal dignity, equal opportunity, equal justice.

Today poverty and despair have no national, racial or religious boundaries. For whether it concerns a Washington riot or a Caracas tinderbox, the misery that goads and torments the under-privileged of the world has much the same root and all too frequently the same result.

The Irish poet, Arthur O'Shaughnessy, once said that "Each age is a dream that is dying or one that is coming to birth." The one that is coming to birth—the one that is with us already—is so changing and dynamic that no one can foretell how it will be to live in its time. We only know that the habits of the past will not suffice for the challenges of tomorrow.

This is not only a time of anxiety and uncertainty, but also a time of paradox—a time when we have learned to achieve most and to fear most. It is a time of unparalleled need and unprecedented plenty, a time when great achievements in science and technology are overshadowed by incredible advances in instruments of destruction. It is a time when we recall the observation of the late Justice Robert Jackson that we "fear not the primitive and ignorant man, but the educated and technically competent, who has it in his power to destroy the earth." It is a time when we can send men aloft to walk the sky, yet recall Santayana's frighteningly timely words that "men have come to power who, having no stomach for the ultimate, burrow themselves downward toward the primitive."

And who are the people of the world with whom we are living at this time of anxiety and paradox? Let's look at them in microcosm. Here they are:

During the next 60 seconds, 200 human beings will be born on this earth. 160 of them will be colored—black, brown, yellow, red. About half will be dead before they are a year old. Of those who survive, approximately half will be dead before they reach their 16th birthday. The survivors who live past 16 will have a life expectancy of about 30 years. They will be hungry, tired, sick most of their lives. Only a few will learn to read or write. They will till the soil, working for their landlords, living in tents or mud huts. They—as their fathers before them—will lie under the open skies waiting, watching, hoping.

If one thing is clear, it is that for these people of our earth—whether in Latin America, Africa or Asia—or Harlem or Boston or Washington—poverty, privation and prejudice are no longer tolerated as a meekly inherited state. The people of this earth know they are no longer condemned to lead lives that are "nasty, brutish and short," that there is more to living than disease, hunger, indignity and despair, and they mean to have their share of what this world has to offer.

What happens to them is directly related to the overriding challenge of our day—the attainment of a lasting peace with justice everywhere. For there is no security for anyone in such a world of injustice and resentment.

We learned more than a hundred years ago that our nation could not live half slave and half free. Neither can the world today. For a quarter of a century, the essential thrust of our foreign policy has recognized that hunger and poverty and ignorance are threats to the peace, and we have tried to do something about it on a scale unmatched in human history. We cannot, of course, try to do the total job ourselves; but we must continue doing what is right and necessary for us to do—our just part to assure that the prisoners of poverty become full partners in progress.

But the job can never be completed, the world can never be made safe while it suffers the ugly evidence of discrimination in too many places—a discrimination as irrational as it is immoral. Unless nations act to heal these wounds, the only beneficiaries will be the cynics and the despoilers of liberty.

Our national belief in the rights of all men cannot be merely a form of rhetoric to be espoused in international forums; it must yet become a way of life for every American. For though this belief is the supreme law of our land—though prejudice is without official sanction—it is no less cruel when it occurs, no less a force that has kept millions of our citizens from attaining lives of fulfillment and purpose. And despite the fact that prejudice is not official, it did not prevent, on a dark yestedray, the violent death of a non-violent man who knew better than most there could be no distinction between the national rights of all Americans and the civil rights of some.

But if we merely continue to talk about the horror of Dr. Martin Luther King's slaying, we will condemn anew the people he tried so valiantly and compassionately to lead from the bondage of poverty and prejudice.

Robert Frost once wrote:

"They cannot scare me with their empty spaces
Where no human race is;
I have it within me to scare myself
With my own desert places."

What should scare us is that "desert places" of squalor and prejudice still exist in our nation and that we have not searched them out and eliminated them. It is in the desert place of our ghetto school, no less than on some distant battlefield, that the basic struggle for freedom must be fought and won.

To meet the challenge, we need the moral impetus that can come from the human heart; but with it we need more—we need the practice of equality in our business enterprises, in the executive suite no less than in the factory, in the store, in the home, in the school—in every walk of life and in every calling in our land. We need to live the American dream.

I am convinced that a society that can work to send a man to the moon can also work to send individual dignity into the life of every one of its citizens. A society that can work to create and maintain the industrial complex that is the underpinning of our strength can also work to create a domestic social pattern that will allow every man to profit—socially and economically—from its wealth—and still have enough left over to work for the attainment of an international community in which every man can enjoy the blessings of peace, domestic and international.

A little over 23 years ago I stood with a hundred thousand people on Pennsylvania Avenue in Washington, D.C. It was a day of great silence and great sadness. And then down the middle of Pennsylvania Avenue they came—seven white horses, and behind the horses a caisson, and on the caisson the flag draped coffin, and in the coffin the body of a dead American President. And as the procession turned into the White House, I recalled a line from Franklin Roosevelt's last speech: "The only limit to our realization of tomorrow will be our doubt of today."

At this troubled time, there is one guidepost for the future of which we need to remind ourselves as we take new heart and go forward: "The only limit to our realization of tomorrow will be our doubt of today."

ADDRESS BY ATTORNEY GENERAL RAMSEY CLARK TO THE MASSACHUSETTS COMMITTEE, CATHOLICS, PROTESTANTS, AND JEWS, BOSTON, MASS., MAY 16, 1968

Mark Twain, noted for his humor but not always in a humorous mood, wrote, "If you find a starving stray dog and give him a home again and make him fat and prosperous, he will not bite you. That is the difference between a dog and a man." But we have some better authority for a vastly different proposition. Throughout history, men of understanding have seen man's basic goodness. The Romans had a phrase, "homo sum, nihul humani a me alienum puto"—"I am a man, nothing human is alien to me." If we would all realize that, it would be difficult to strike out in anger at any fellow man. Thomas Jefferson had the understanding to note at the height of the Revolutionary War that human nature was the same on both sides of the Atlantic. Lincoln found it the same on both sides of the Mason-Dixon line in the Civil War. It is for us to know that human nature is the same on both sides of the street in America today. Will Rogers said, "I never met a man I didn't like." If you really meet a man, you will recognize

his human qualities and know him as a human being, a brother.

The Gospel according to St. Mark tells us: "And if a Kingdom be divided against itself, that Kingdom cannot stand. And if a House be divided against itself, that House cannot stand." Our house is divided.

The poor, the young, the minorities are aliens in our house and none more than the poor, young Negro. He is seven times more likely to die in infancy. He and half of his brothers and sisters live in worn out shanties in rural America or dilapidated tenements in central city. His education is a struggle from the beginning. In a nation which in 25 years has increased its college student population from 1½ million to 7 million, his chances of attending college are ⅓ as good as his white brothers and sisters. And six of 10 who make it will attend an all-Negro southern college which, for all its good will and heart, will not give him a sufficient education. His job prospects are poor. In a nation where only 3.2 per cent are unemployed, one fourth of the Negro boys and one-third of the Negro girls cannot find jobs and, for many who do, the job is menial, the pay low, and the chance to advance slim. The poor, young Negro is jammed up against poverty, hunger, ignorance, vice, crime, strangers and fear. Thus is our house divided.

From one part of our house, we hear the cry, "justice." From another comes the cry, "order," but neither is possible without the other.

While we work to remove barriers in this house of ours, we must maintain order under law. Law is the one technique civilization has devised which can effectively preserve freedom for the individual including as its first essential safety of person and property. Our law, our purpose as a people, must have a clear and generous meaning of justice for all.

However difficult our task may be, we must know that we will always live together on this soil. Nothing else is possible. Nor should we be despondent, for our task is also a great opportunity for a great people. We should recognize it, as did President Johnson, as ". . . the glorious opportunity of this generation to end the one huge wrong of the American nation and in so doing to find America for ourselves, with the same immense thrill of discovery which gripped those who first began to realize that here, at last, was a home for freedom."

The Massachusetts Committee of Catholics, Protestants and Jews, at its Thirty-first Annual Dinner, presents this citation and testimonial to Governor John A. Volpe, distinguished American; founder of the John A. Volpe Construction Company in 1933; Lieutenant Commander in the Civil Engineer Corps of the United States Navy in World War II; past president of the Society of American Military Engineers; appointed by Governor Herter in 1953 as Massachusetts Commissioner of Public Works and by President Eisenhower in 1957 as Federal Highway Administrator to launch a new forty billion dollar Federal Interstate Highway Program; former President of the Greater Boston Chamber of Commerce; elected in 1960 to a first, and in 1964 to a second, two-year term, and in 1966 to his present four-year term, as Governor of Massachusetts; chosen by his fellow Governors as Chairman of the National Governors' Conference and as President of the Council of State Governments.

In recognition of his valuable public service within and beyond the confines of our Commonwealth, the Massachusetts Committee of Catholics, Protestants and Jews presents to its fellow member, Governor John A. Volpe, this citation and award.

Dated at Boston, Massachusetts, this sixteenth day of May, 1968.

The Massachusetts Committee of Catholics, Protestants, and Jews, at its Thirty-first Annual Dinner, presents this citation and testimonial to the Honorable Sol M. Linowitz, a native of New Jersey; a Phi Beta Kappa scholar at Hamilton College; a summa cum laude graduate of Cornell Law School and editor of its Law Review; assistant general counsel of the Office of Price Administration in Washington; former United States Navy lieutenant serving in the office of the Secretary of the Navy; former board chairman of the organization now known as the Xerox Corporation and former chief executive officer of Xerox International, Inc.; a member of the board of trustees of various educational institutions; one who has served as chairman of numerous advisory committees and commissions concerned with foreign affairs; and since November 1966 the United States Ambassador to the Organization of American States.

In recognition of his distinguished career as a scholar, lawyer, business executive and diplomat, the Massachusetts Committee of Catholics, Protestants, and Jews presents to Ambassador Linowitz this citation and award.

Dated at Boston, Massachusetts, this sixteenth day of May, 1968.

The Massachusetts Committee of Catholics, Protestants, and Jews, at its Thirty-first Annual Dinner, presents this citation and testimonial to the Honorable Ramsey Clark, a native of Texas; a member, at the age of eighteen, of the United States Marine Corps; recipient of a Bachelor of Arts degree from the University of Texas and of M.A. and J.D. degrees from the University of Chicago; a lawyer whose ten years in private practice in his native State established his qualifications for public service; Assistant Attorney General who for four years served as the head of the Lands Division of the Department of Justice; Deputy Attorney General for two years; and since March 1967 the Attorney General of the United States.

In recognition of his wise and courageous public service in this difficult period of our nation's life, the Massachusetts Committee of Catholics, Protestants and Jews presents to him this citation and award.

Dated at Boston, Massachusetts, this sixteenth day of May, 1968.

Announcements and Expression of Thanks

The television part of our program will commence at 9:00 P.M. The audience is kindly requested to remain in their seats until the meeting has been adjourned following the Benediction. This part of the program will be televised on Sunday, May 19 from 10:00 A.M. to 11 A.M. on Channel 7.

We are very grateful to Mr. William M. McCormack, Vice President and General Manager of WNAC–Television for making all this possible over the years. I now would like to express the thanks of the Committee to the press, radio, WNAC–TV, the newspapers of Metropolitan Boston, the air lines who have provided their hostesses who serve as ushers here tonight, and the following individuals who assisted in the arrangement of the dinner:

Mr. Pat Ryan—who assisted in all the arrangements

Mr. Louis Miller—who assisted with reservations

Mr. Isadore Zack—publicity.

Mr. Benjamin Bartzoff—Television and General arrangements

Mr. Jerry Hayes—arrangements for airline hostesses

Mr. Wyman Holmes—who assisted in arrangements for students and colleges

The Boston Edison Company—lighting and decorations

John Donnelly Company—for making the poster which provides the background of our stage tonight

Commissioner McNamara and the Boston Police Department for courtesies extended to our guests of honor.

DEGENERACY OF THE CONGRESS

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. TEAGUE of Texas. Mr. Speaker, in a recent edition of the Alexandria Gazette, Mr. Thomas A. Lane wrote an editorial entitled the "Degeneracy of the Congress" which I believe comes to the crux of the problem which faces us in this country today that I think is the largest and most important of all: law and order.

The basis for a sane society is law and the strict obedience thereof. The courts have made a mockery of our laws based on recent rulings of the Supreme Court, and, I, for one, feel that the Congress should assert their position of leadership and rewrite laws to void recent Court decisions.

The editorial mentioned above follows:

Degeneracy of Congress

(By Thomas A. Lane)

Washington.—My topic for this essay is the degeneracy of Congress. I take my text from Sen. Robert P. Griffin of Michigan who said, "Much as I disagree with the Supreme Court's rulings, I really hesitate to tamper with the delicate balance of power between the legislature and the judiciary."

The senator had just joined a majority of his colleagues in rejecting a proposal to limit federal court jurisdiction over confessions which had been found to be voluntary by the highest court of a state. His statement illustrates the combination of ignorance and fear which has reduced a once-great deliberative body to a condition of obsequious servitude.

The ignorance is of law and of constitutional history. The founding fathers did write into the Constitution a prudent division of powers between the legislative, executive and judicial branches of government. And because they knew the propensity of kings and courts to usurp power, they put the ultimate power of decision in the legislature. They gave Congress the power which the Senate refused to exercise on May 21.

The ignorance lies in the senator's implication that the constitutional balance has been preserved. Actually, the balance of power established by the Constitution has been drastically changed by judicial decree, with devastating consequences for our country. It is readily demonstrable that Supreme Court encroachment on the legislative function is the chief cause of the present malaise of our society.

The Constitution created a decentralized organization of government with strictly limited powers confided to the federal level. Without any legislative foundation, the Supreme Court has arrogated to itself and to the Congress a jurisdiction over every phase of individual welfare. It has thus transformed our decentralized government into a highly centralized government. It has done this simply by ruling that the first ten amendments to the Constitution, which were enacted as specific limitations of federal power, are also limitations of state power. In one fell stroke, the Court assumed a control of state sovereignty from which its ken had previously been excluded.

This crass usurpation of legislative power by the Court has been condemned by our leading jurists for two decades and more. On May 21, the Senate was asked to make just a tiny correction of one of the most pernicious consequences of the Court's il-

legal rulings. It refused. Sen. Griffin spoke for the degree in which his colleagues had lost touch with reality. He was really disavowing his constitutional responsibility as a legislator to make obeissance to nine erring judges.

The senator was afraid. He was afraid of the political blocs which had sought and won and profited from federal usurpation of the powers reserved to the States and to the people. He was afraid of the propaganda with which Liberal advocates had sought to make their usurpations sacrosanct. He would rather endure a tide of lawlessness which flows from these errors than to join the small band of dedicated legislators who were trying to mitigate the damages.

In the guise of protecting individuals from the authority of state governments the Supreme Court has created in the federal apparatus the very jurisdiction over local affairs from which the Constitution deliberately excluded the central government. The Court's rulings on pornography make a mockery of law. They are simply incompetent. They have fostered the reign of criminals in our society.

The Constitution had wisely and prudently reserved these powers to the states. The state courts and legislatures deal daily in local affairs. They are better qualified to make and administer local law. Federal courts had all the work for which they are competent in the limited jurisdiction conferred on the federal government by the Constitution.

The Supreme Court has made a fateful error which weakens the very fabric of our government. Congress condones judicial encroachment which would have been intolerable a generation ago. This is the degeneracy of which I write.

NATIONAL HISPANIC HERITAGE WEEK

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. BUSH. Mr. Speaker, I wish to express my strong support for this resolution, which authorizes National Hispanic Heritage Week. For the millions of American citizens of Hispanic background, this is but a minor token of our admiration.

It is important that all the people of this country be aware of the culture and history of these fine people who have made such a contribution to our society. It is time that we encourage our Hispano citizens to give what they have by acknowledging their proud and rich culture. For the strength of America lies in its rich diversity, not in conformity. Hispanic culture, with its emphasis upon the sanctity and responsibility of the individual, should make a notable contribution.

It is quite appropriate that Hispanic Heritage Week include September 16 for it was on that day in 1810 that a Mexican parish priest, Father Dolores, led the first uprising against Spain in the New World. And it was on September 15 that five of our sister republics in Central America gained their freedom and independence.

It is the tradition of our country to recognize and conserve the many cultural contributions of the people who have helped this Nation achieve greatness. It is fitting that we recognize this unique and great heritage and, in doing so, pay tribute to the great contribution which our Spanish-surnamed citizens have made in the United States. For instance, they have not only been responsible for the development of many areas of our country but those bearing Spanish surnames have also the distinction of contributing the highest number of Medal of Honor winners to the defense of our Nation. Their total contribution is far reaching and certainly deserves to be both recognized and commended. For these people are a proud, firmly rooted, and law-abiding group who have done so much and still have so much to offer us all.

WHAT THE VOTERS WANT NOW

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. BOB WILSON. Mr. Speaker, we from California are very proud of the work our outstanding young colleague BOB MATHIAS is doing. The current issue of Nation's Business features a study entitled, "What the Voters Want Now," a major portion of which concern BOB'S efforts to serve his constituents and to know what they are thinking. Earlier this year I had the opportunity to speak in BOB'S district and I know the voters are pleased with his work. I am sure you will be interested in reading about the issues which concern Californians and about the fine job BOB MATHIAS is doing.

WHAT THE VOTERS WANT NOW—OUTSIDE THE CITIES

To businessmen, Rep. Robert B. (Bob) Mathias says candidly: "The United States has never been in worse fiscal shape."

To high school students, he urges: "You have to have a goal. Get involved. Don't be afraid to try something new."

To a constituent worried about hard-core unemployed, he agrees: It's a tough problem, and it will take government and business cooperation to solve it.

The best barometer of the mood of the nation for any Congressman is his Congressional district—what the people say to him on his trips back home from Washington and what they write.

"I think people express their concern about the things that cause concern," says Mathias, a freshman Republican from California's Eighteenth Congressional District, a lush agricultural region.

"I get 500 letters a week. And I get back to my district at least once a month.

"The war in Viet Nam causes concern. Inflation causes concern. Riots are a big concern today."

When a Congressman goes back home to his district, he has a special interest in reporting to his constituents on issues that are of vital importance to them, local or national. And to explain actions that have been taken or prospects for decisions.

"The fiscal shape of the United States has never been worse," Mathias tells a meeting of the Greater Tulare Chamber of Commerce.

"The economy is really in serious trouble and something has to be done. The President pleads to the public for austerity, but I haven't seen any federal belt-tightening. Just talk about it. There's got to be concrete proposals from him of where government spending will be cut.

"There's a crisis in law and order. It has many facets. One of these is Supreme Court decisions that just make it easier for criminals. I sponsored a bill to legalize supervised wire-tapping because that's the only way to get at organized crime."

But local problems, shaped by geography and resources, are often far closer to home and paramount to those who come to talk with their Congressman.

To Jim Burke, a Ford dealer in Bakersfield and president of the district's largest city Chamber of Commerce, there is a need to attract more industry, diversifying to avoid too much dependence on a single economic factor.

"We've got to let people know what's here, what we can offer," he says. "This is important."

The Eighteenth California Congressional district sprawls across 14,392 square miles of the fabulously productive San Joaquin Valley, blistering hot in the summer, but turned into an agricultural Garden of Eden by irrigation. Here grapes, citrus, melons, cantaloupes, cotton, potatoes, strawberries and a dozen other crops flourish. Eighty per cent of the three counties' economy is tied to agriculture, which produced a whopping $808,895,000 worth of crops in latest available statistics in 1966. Most of the other wealth stems from oil, though the big boom days in drilling have long faded.

Agriculture to California is a $4 billion industry, with production in vegetables, nuts and fruits running close to 40 million tons a year. Tulare and Kern counties rank second and third in production.

HOLD STRONG VIEWS

The Eighteenth District's 600,000 people are tied to the land by heritage, as well as economically, and the perennial battle to produce from the land gives them a strongly independent view.

It's an area embroiled in a highly publicized farm labor union organizing drive, centered at Delano, where Cesar Chavez for nearly four years has concentrated efforts of his National Farm Workers Association.

"I wish someone would tell the truth about Delano," says a housewife bitterly, at a reception for Mr. Mathias. "We've been pictured as a bunch of monsters using slave labor. It's not fair."

The farm labor issue is a vital one for the Eighteenth District and a perpetual worry to growers.

"In all the talk about this situation," says Arnold Kirschenmann, a farmer in the Edison-Arvin area, at a small meeting, "you've got to remember one thing: A grower has got to be protected against strikes in the middle of harvest. He can be wiped out if there's any stoppage."

Kern County is the second largest potato-growing area in the country. It's farmers worry because potato consumption is down.

"I'm sponsoring a potato promotion bill that will let our growers compete against rice," Mr. Mathias tells them. "It will be like the cotton promotion bill and the growers will tax themselves."

On any trip to the district, Rep. Mathias, like most Congressmen, divides his time between "office hours," where constituents come to talk with him, meetings and appearances, some two dozen conferences with individuals and three or four appearances on any typical day.

There's a banker, worried about pending legislation he feels will give favoritism to other financial institutions.

"Let's treat everybody the same way," he urges. "Everybody should have an equal break. That's all anybody wants."

An alfalfa farmer wants information about export-imports and shipping rates.

"It's a tough thing," says Mr. Mathias. "We don't want our exporters hurt, but we can't have a one-way street and close out imports."

A constituent worries about the problems of the cities:

"You can't say it (riots) won't ever happen here in Bakersfield. How can you talk to kids? Where do you find them to talk to them?

"We've got to have some meaningful programs for jobs for the minorities. People want to work. Make-work by the government isn't the answer. There's got to be more business help. Sure, they're just going to have to recognize an employer needs help in training people. A tax write-off might be the answer."

Mathias agrees, but candidly says, "We've got to recognize the fiscal crisis we're in. We just don't have the money to finance everything."

An insurance man wonders what the government is going to do about reinsuring insurance in riot prone areas.

"It hasn't happened here, but it could. And you can't say riots are a general business risk."

WHAT CONSTITUENTS SAY

"People say when you're back in the district, why aren't you in Washington legislating," he likes to explain to groups at which he appears. "When you stay there, they complain because you never come home. It's nice when Congress takes a recess, and you can be back here without worrying."

He likes to run down some of the problems pending in Congress, then adds quickly:

"This is an interesting job. I like it."

At 37, the six foot, four inch, 215 pound Mathias is more than halfway through his first term and running hard for a second. He is as well known outside the district as inside as a former two-time Olympic decathlon champion, Stanford football hero, star of a motion picture about his own life (plus three other movies) and a regular on an old Keenan Wynn television series.

Because of his background, Mathias had a ready-built identity when he took after Harlan Hagen, a veteran of 14 years in Congress who is seeking this year to regain the Eighteenth District seat.

But he tries hard to stand on his post-athletic accomplishments: the successful operator of a boy's camp; a director of a Tulare Savings and Loan Association, a consultant to Sears Roebuck on its sports advisory board.

No stem-winding orator, he talks sincerely about his beliefs, says everybody is entitled to his own view. He is a low-key operator in the mold of a champion athlete or a surgeon (he's the son of a doctor, the brother of another) who has disciplined himself against any wasted motion.

"I voted for the civil rights bill last year," he tells a teacher's meeting at Arvin. "But I voted against it this year for a simple reason. The House sent the Senate a five page bill. The Senate debated 40 days and sent back to the House a bill that ran 50 pages and included legislation on Indian affairs, some gun law and open housing.

"The House was given just one hour to debate this major legislation. I don't think you can legislate emotionally. You need time to debate an issue as strong as open housing, hear all views."

He voted against removing the gold cover backing on U.S. currency.

"I don't think that was a very good idea," he tells a businessman's group.

VIETNAM WAR

Mathias tells the people he meets and talks with that the two weeks before Easter saw sudden, dramatic and major policy change for the country.

"We all need to get in back of the President at this time and hope the negotiations for peace in Viet Nam will be successful.

"But I hope these won't be shooting negotiations like those in Korea, where two thirds of our casualties came in the time we were talking peace.

"One thing I do know, you need a stronger government in Saigon. There's too much corruption there."

At an assembly at Arvin High school, Mathias presents a flag that has flown over the Capitol.

He tells students they should be proud of this flag.

"I think my greatest thrill was when they raised the Stars and Stripes in London in 1948, and in Helsinki in 1952, after I won the decathlon, and I knew I had done something for my country."

He tells them he didn't even know what the decathlon was when his Tulare high school coach suggested he enter the event in a track meet in Los Angeles.

"So don't be afraid to try something new when your teacher or your parents suggest it. There's no telling where it will lead."

Mathias, because of his sports background, has an easy rapport with students.

He tells them it is a saddening thing to see young people looting and rioting, "just a block from the United States Capitol."

To honor students being feted at a public school recognition banquet in Taft, he urges them to "get involved." Be active in something.

"You must have a goal."

A strong believer in priorities in government spending, Mathias tells teachers he believes a top priority should go to education. But, he says, he is for bloc grants to states, letting them apportion the money.

"In my opinion, Washington control of education will lead to uniform mediocrity instead of education excellence."

To a question on open housing, he says the man who owns a house should have a right, too, to sell his property to whom he wishes.

"You can't legislate feelings. You can't legislate the heart," he says. "That's going to take time."

Because the Eighteenth is predominantly agricultural, Mathias emphasizes legislation in this area and the role of the House Agriculture Committee of which he is a member.

"But for you ladies," he tells audiences, "we passed a meat inspection bill, and we've got a poultry inspection bill I think will pass. California already has much stronger standards."

Another pet issue for Mathias is "self-help housing," extending the ceiling under which Farmers Home Administration loans are available at low interest.

"It has worked in Tulare and it's coming to Kern county," he vows.

"Giving people money and houses won't give them the good feeling to get out of poverty. But if you loan money, and expect it to be paid back, that gives self-respect."

PERSONAL PROBLEMS UPPERMOST

Most of those who visit their Congressman have a personal problem involving government.

"Will the Forest Service trade land?"

"Will you forward these papers to the counsel at Hong Kong? We want to bring my brother-in-law here."

"I need my boy to work the farm. Can he get a deferment?"

There's a natural reticence to talk much about big national problems.

"You know they're there," says a man a bit early for an appointment. "You hope somebody's working on them. You know how you feel. Why go around talking about it? That won't solve anything."

The people in the three counties of the Eighteenth—Kern, Tulare, Kings—are a microcosm of a nation that moves with opportunity, many tracing their early days back to Oklahoma and Texas, and other states that saw a great migratory wave to California in the depression days of the Thirties.

They have settled in Bakersfield, the biggest city, Tulare, Visalia, Taft, Porterville, Button Willow, Lemon Grove, Lemoore and dozens of other small towns.

"I figure we're like most folks," says one. "Not any different. We worry about the war—everybody knows some boy who's over there—taxes and the price of groceries going up. The riots are just hard to understand. People talk. I guess most people are upset about something. But I've been upset before. Things work out. You sure have to believe they'll work out."

THE ARNHEITER CASE

HON. JOSEPH Y. RESNICK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. RESNICK. Mr. Speaker, the American people have learned a great deal about the U.S. Navy and how it conducts itself and its affairs as a result of the case involving Lt. Comdr. Marcus A. Arnheiter. We have seen the Navy attempt to twist and squirm its way out of the public spotlight, in order to avoid having its conduct in the Arnheiter case questioned.

We have seen the Navy sacrifice the careers of two promising young officers rather than admit to the possibility of a wrong decision.

We have seen the Navy deliberately release false information to the press, while hiding behind "anonymous sources," in order to avoid answering embarrassing questions.

We have seen the Navy arrogantly flaunt its independence and demonstrate that it does not believe it has to answer to the American people—despite the fact that it is a tax-supported component of the U.S. Government.

Now, the June 12 edition of the Navy Times, a publication which claims that it "is not an official publication of the U.S. Navy," performs one of the most astonishing "Edgar Bergen-Charlie McCarthy" acts displayed in a long time. While parrotting a verbatim rendition of the Navy's view, the Navy Times presents a collection of biased, prejudicial, distorted, and, in many instances, blatantly false information under the veil of "objective journalism."

This publication features a serialized rendition of the Subic Bay transcript—which has repeatedly been called biased and prejudicial by some of the Navy's own officers—and promises more to come in future editions.

Furthermore, in a front-page column which it has the effrontery to label "Editorial Appraisal" this "independent" publication lauds the Navy for exemplary behavior and gives half a dozen reasons why the Navy's "broken record" repetition of "no further inquiry necessary," "no further inquiry necessary" is absolutely correct. It makes no attempt to "appraise" anything. It seeks only to make the facts appear to fit the Navy's previously reached decision.

However, the editorial does serve one useful purpose—it shows just exactly why a court of inquiry is necessary in the Arnheiter case. The editorial makes a point that no useful purpose would be served by a court of inquiry or court martial because the only thing that would come out of any future inquiry would be "the interminable playing of 12 tapes."

This is exactly how the Navy has conducted all "investigations" and "reviews"

of the Arnheiter affair—by reading and rereading and by playing and replaying old testimony. The Navy has never attempted to obtain fresh information or to examine and cross-examine witnesses and it has never given Lt. Cmdr. Arnheiter the opportunity to present his case before an open, impartial court of inquiry.

The only hearing that Arnheiter was given was the controversial "Subic Bay" proceeding which has variously been described as "biased," "prejudicial," and "a kangaroo court" by a number of the Navy's own men. At various intervals the Navy has called for a "review" of these proceedings, only to send the reviewer back for another try if he failed to come up with the desired conclusion: That "no further inquiry is necessary."

There are so many "ins and outs" to the Arnheiter case, so many instances where one person's version of an incident is diametrically opposed to another person's view of that same incident, that the only way to resolve the Arnheiter case is to bring everything out into the open. Before an impartial board of inquiry.

Eighty-five of my colleagues have joined me in sending a letter to the Secretary of the Navy requesting that such a board of inquiry be held as soon as possible. We are anxiously awaiting his affirmative reply.

WELFARE AND THE QUALITY OF LIFE

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mrs. GRIFFITHS. Mr. Speaker, recently I received a letter from a woman in my district who receives aid to dependent children. In very few words, her letter laid bare the fallacy of our traditional approach to welfare assistance: it cruelly restricts people's opportunity to improve the quality of their lives.

As you know, the Social Security Amendments of 1967 initiate a new approach, at least to ADC. The act establishes a system of financial incentives, work training, employment counseling and placement, and day-care services for children which I earnestly believe will prove more fruitful—both for individuals who receive ADC and for the country as a whole. I insert her letter in the RECORD at this point to share with you the reason for my hope:

DEAR MRS. GRIFFITHS: I am separated, with five children aged 5–14. I received $271 monthly from ADC. When I work, I get $20 more a month, making my check $291 monthly. Out of the $271 I get $270 on an annual basis. When you divide $271 by two, you get $135.50. I don't get the 50 cents; the state deals with dollars only. So, you see, in a twelve month period that adds up to $12. I love to work. I took a leave from my job, and I am to go back the middle of June when school is out. Money-wise it really doesn't pay an ADC mother to work. She can't better herself if the state budgets her income the way they do mine. It is not worth it to make $20 more a month. I believe that is the reason of ADC rolls are so full and will continue to be. The average mother feels, why work? Of course, I feel I have to work. I feel it helps me more ways than financially. It gives one that independent feeling, boosts one's ego, helps you morally also. These things I value very highly, notwithstanding I need the money to provide for my children.

I am attending Henry Ford College part-time. This is my third semester. I would like to go full time, but I can't afford the finance. Due to the circumstances, I am not doing as well as I believe I could do if I did not have the finance and working problems. Could you help me with a loan? Or is there any such thing for the not-so-smart student? In January of this year, new owners took over the company where I worked since February 1965. I was working part-time and going to school. When the new owners took over I was to work full-time and quit school or take a lay-off. I took a lay-off because I felt my education was most important. I could not get unemployment because my going to school was the reason I could not avail myself for work. Although I explained to them that I had been working like that since February 1967 when I started to school and this was agreed with my former boss and that since I had already paid my tuition I wanted to work on part-time until the end of the semester in June. Of course I was turned down. I feel that mothers that have the get-up about themselves to help themselves should be given better consideration. Personally, I don't intend to have to depend on ADC nor anyone else. I want to take care of my family myself.

CHAPTER XIX—UNITED STATES ZIGGED, MOSCOW ZAGGED ON SHEVCHENKO

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. DERWINSKI. Mr. Speaker, on June 1, the District of Columbia proclaimed Ukrainian Day in the Nation's Capital. The occasion was the 50th anniversary of Ukraine's independence. The day was marked by several unique activities, commencing with an assembly at the Shevchenko Monument, a trisectional demonstration, and a banquet at the Washington Hilton Hotel, honoring the Honorable GERALD R. FORD, our minority leader in the House.

The significance of this day cannot really be fully understood unless one reads "The Vulnerable Russians" authored by Dr. Lev. E. Dobriansky of Georgetown University. Background of experience and activity is what is needed to properly view this day in its complete historical perspective.

The work is now available at the Georgetown University Bookstore, White Gravenor, Georgetown University, Washington, D.C. Two chapters are particularly relevant to this commemorative occasion. Excerpts from them will give the reader an indication of the novel nature of the work, particularly from the angle of America's deficient attitude and policy toward Ukraine and the captive non-Russian nations in the U.S.S.R.

The excerpts follow:

CHAPTER XIX—UNITED STATES ZIGGED, MOSCOW ZAGGED ON SHEVCHENKO

"When will we receive our Washington
With a new and righteous law?
And receive him we will some day . . .!"
—SHEVCHENKO.

It is a fact that strong propaganda winds were taken out of Moscow's sails when the U.S. Congress passed in 1960 the Shevchenko resolution. But who's Shevchenko? Don't worry, you'll hear a great deal more about him in the years ahead. In the meantime you can get acquainted with him here and also thank God for congressional leadership in these vital matters. Like the Captive Nations Week Resolution, this, too, is a realistic story of what can be done to reduce Moscow and its puppets to proper size. On this, the record shows that we had certainly zigged, and they zagged, rocked and rolled. If anything, this legislation also demonstrated how weak and vulnerable the Russian totalitarians are when intelligent and intrepid action is directed at their timorous bowels. They can't capitalize on ignorance and blustering blackmail where the facts are known and acted upon, and this applies to the entire spectrum from athletics to space. Let's then, first see how we zigged and later how they zagged on Shevchenko who, as the quote indicates, revered our Washington.

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The law, as was passed and approved, reads as follows:

"[86th Congress, H.J. Res. 311, 74 Stat. 884, September 13, 1960]

"JOINT RESOLUTION

"*Whereas* throughout Eastern Europe, in the last century and this, the name and works of Taras Shevchenko brilliantly reflected the aspirations of man for personal liberty and national independence; and

"*Whereas* Shevchenko, the poet laureate of Ukraine, was openly inspired by our great American tradition to fight against the imperialist and colonial occupation of his native land; and

"*Whereas* in many parts of the free world observances of the Shevchenko centennial will be held during 1961 in honor of this immortal champion of liberty; and

"*Whereas* in our moral capacity as free men in an independent Nation it behooves us to symbolize tangibly the inseparable spiritual ties bound in the writings of Shevchenko between our country and the forty million Ukrainian nation; Now, therefore, be it

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) any association or committee organized for such purpose within two years from the date of the enactment of this joint resolution is hereby authorized to place on land owned by the United States in the District of Columbia a statue of the Ukrainian poet and national leader, Taras Shevchenko.

"(b) The authority granted by subsection (a) of this section shall cease to exist, unless within five years after the date of enactment of this joint resolution (1) the erection of the statue is begun, and (2) the association or committee certifies to the Secretary of the Interior the amount of funds available for the purpose of the completion of the statue and the Secretary determines that such funds are adequate for such purpose.

"SEC. 2. The Secretary of the Interior is authorized and directed to select an appropriate site upon which to erect the statue authorized in the first section. The choice of the site and the design and plans for such statue shall be subject to the approval of the Commission of Fine Arts and the National Capital Planning Commission. Such

statue shall be erected without expense to the United States."

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ASCENT TO PASSAGE

Actually, the background to the passage of H.J. Res. 311 discloses a number of important truths. First, it reveals the pointed meaning of the Shevchenko memorial to the United States and, by implication, to the non-totalitarian Free World in the present mortal conflict with totalitarian Russian imperialism. If Washington refuses to come to Shevchenko's homeland, Shevchenko came to his spiritual homeland. Second, it shows the foresight and clear vision of the many who quickly perceived this meaning and with cooperative dispatch took a hand in the passage of the resolution through many difficult stages. Third, the vigorous support of various groups and individuals throughout the country for the success of this undertaking forms an indispensable part of this background. And, lastly, the long ascent to the passage of H.J. Res. 311 is suggestive not only of the splendid opportunity that has been presented for demonstrating to the world the real colonialist nature of Moscow, but also of the heavy responsibility that has been placed on the shoulders of those who guided the memorial project.

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The substantive history of the Shevchenko bill actually did not commence until March, 1960. Soon after its introduction in March, 1959, Congressman Omar Burleson of Texas, the chairman of the House Administration Committee, indicated the desirability of holding a hearing on the measure and referred it to the Honorable Paul C. Jones, the chairman of the Subcommittee on Library and Memorials. However, the hearing, which had been planned for June of that year, was made contingent on the early receipt of recommendations and reports on the measure from the Commission of Fine Arts and the Department of the Interior. The bill had circulated among a number of executive agencies for almost a year and, as a result, the hearing did not take place until March, 1960.

* * * * *

As it turned out, this was not the only ground for careful consideration. Thanks to the insight and quick perception of the Honorable Roger Ernst, the Assistant Secretary of Interior, and his knowledgeable associates, the historic meaning of Shevchenko in the context of the psycho-political struggle was almost instinctively grasped. The Department finally withdrew any opposition to the measure. Its representatives were particularly impressed by the argument that in the forthcoming 1961 centennial we should not allow the Russians and their colonial puppets to exploit the name and honor of Shevchenko who has rightfully belonged to us. In that period a meeting of the rather awkwardly termed Government Republic Committee for Preparation and Carrying Out of the T. H. Shevchenko Jubilee was held in Kiev under the chairmanship of Academician M. P. Bazhan to hear progress reports on their observance.

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Following the hearing, some unfavorable reports appeared in the press. One paper ran a story under the caption "*'Graveyard' of Statuary Here Scored*" and stressed that "Interior Department officials fear that Washington is becoming an overcrowded graveyard of statuary." It quoted Assistant Secretary Ernst as saying, "We have nothing against Shevchenko, but we thought it good time to bring the subject of statues to the attention of Congress." In reality, as we noted above, Mr. Ernst was emphasizing what had already been generally known in Washington; he was recommending a more formal procedure of disposition for such bills. The Department had previously recognized the value of erecting a statue in honor of Shevchenko, and in this first lap in Congress a similar recognition was emerging.

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Because of certain unexpected developments concerning the House calendar, the memorial bill was not considered for a vote until later in the month. This seriously complicated the project in connection with the Senate. The complication led to an intensive effort to apprise by every conceivable means the members of the Senate Rules and Administration Committee as to the forthcoming passage of the bill in the House. The authorization for the biography was passed earlier.

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The next stage was, of course, the Senate. With talk of adjournment rife in the air, the mentioned complication can now well be appreciated. A further embarrassing difficulty arose in the fact that S.J. Res. 54, an imitative but bare and undescriptive measure failed to be reported out favorably by the Senate Rules Committee. When H.J. Res. 311 reached the committee on June 27, it was clearly evident that in this complicated situation only the most concentrated action could reap full success for the bill. Every means was seized to expedite the measure. There aren't words adequate enough to express public gratitude for the superb cooperation and deep understanding displayed by Mr. Gordon F. Harrison, chief clerk and counsel of the Rules Committee, Senator Kenneth B. Keating of New York, Senator Theodore Francis Green of Rhode Island, and their respective staffs. In this phase, and the subsequent one, their efforts were indispensable and most praiseworthy.

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Finally, on August 29 the Senate Rules Committee reported out favorably H.J. Res. 311 in its Report 1930. Two days later, on August 31, the then Senator Lyndon B. Johnson of Texas, who played an instrumental role in the expedition of the bill, moved that it be considered for a vote, and the resolution was passed. On that occasion Senator Javits addressed the Senate with a concise statement containing all the essentials about Shevchenko. In addition to the sustaining support given by the popular Senator of New York, the wholehearted efforts and aid of Senator Everett M. Dirksen of Illinois, Senator Thomas J. Dodd of Connecticut, and their staffs, as well as of Mr. Harry C. Burke, in the Office of Secretary of the Senate, will be long remembered and valued.

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EUROPE'S FREEDOM FIGHTER

One of the most significant developments in this story was the publication of the biography, *Europe's Freedom Fighter, Taras Shevchenko* 1814-1861. As indicated above, this was made possible through the efforts of Congressman Lesinski who introduced House Resolution 524 on May 11, 1960. The measure was agreed to on June 7. Congressman Lesinski made a solid contribution in this regard since many Americans are totally unfamiliar with the champion of liberty. In preparing the booklet this writer received the finest cooperation from Mr. John F. Haley, then a staff member of the House Administration Committee.

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Early public reactions to both the statute and the booklet were exceedingly favorable. Featured on the first page of *The Evening Star* in Washington was an article titled "Free Man Or Slave? Cold War Warming Up Over Obscure Poet," with a photo of Shevchenko. In it the writer accurately stressed that "As far as the West is concerned, Shevchenko's poetry reflects man's aspirations for liberty and national independence." Shortly, thereafter, another extensive account appeared on the editorial page of *The New York Herald Tribune*. The writer of this article also pointed out the cold war significance of the Shevchenko project. As he put it, "Next year will see a new twist in the East-West Cold War . . ."

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MOSCOW AND PUPPETS ZAG

While all this was going on here, Moscow and its Potemkin puppets in Ukraine and elsewhere within the empire were making plans to exploit Shevchenko during the 1961 centennial. Moscow knew all too well the historic symbol of the poet's works for Ukrainians and other subjugated non-Russian peoples in its empire. The legislation in Washington spurred Moscow to decide on a Shevchenko monument in the empire's capital. It was anticipated that the towering Ukrainian patriot would be painted as merely a "revolutionary democrat," an opponent of "Tsarism and serfdom," indeed, as a precursor of the "glorious October Revolution." And, naturally, it would be fitting for all the happy coexisting nations in the empire to honor this former serf, this fighter for the toiling classes. This crass distortion of Shevchenko was actually fed to American readers of the USSR magazine.

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Here are a few examples. In *Sovietskaya Kultura*, supposedly a top periodical on culture, an article on "Taras Shevchenko and Champions of the 'Cold War' " lambasts us for our "murky part" in honoring this great poet truthfully. Another in the *Kommunist* the theoretical and political journal of the Central Committee of the Communist Party of the Soviet Union, depicts Congress' work as one of "the most incredible and filthy distortions." The *Literaturna Hazeta* sees it as a "filthy whimsical invention."; Kiev's *Literaturna Hazeta* dubs the American zig as a pack of "lies about the great revolutionary-democratic poet" and in an earlier issue sees it as the work of "real American business syndicism"; *Robitnycha Hazeta* depicts Senator Javits as a "reactionary-minded uncle" for his part in this; *Perets'* honors the writer with some juicy, scurrilous epithets—"skunk" will do here; and, as to be expected, *Kommunist Ukrainy* retorts, "Shevchenko was an implacable enemy of Ukrainian bourgeois nationalism . . ."

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THE SHEVCHENKO MEMORIAL

The House document on Shevchenko's biography represents the first official Western publication in honor of any Ukranian national hero. For those familiar with this East European figure this is a new and encouraging development. For those who are not, the opportunity now exists to advance our common goal in achieving an understanding between peoples and nations. In fact, as this opportunity continues to unfold itself, there will be little excuse for any intelligent American not to know the history, the people, and the drives of the largest non-Russian captive nation in Eastern Europe. Through Shevchenko, this is easily attainable; through a knowledge of Ukraine, a vivid understanding of the plight in which all other captive non-Russian nations in the USSR have found themselves will come in due course.

* * * * *

It should be kept in mind that the man we Americans have honored by these various deeds was a contemporary of Lincoln. Shevchenko, too, sought emancipation—not only the emancipation of the serf, the oppressed Jews, and deprived women, but also the emancipation of his nation and other non-Russian nations from the scourge of traditional Russian imperio-colonialism. The honor we have paid him has penetrated the very souls of millions of patriots for freedom, not only in Ukraine, but also throughout the Red Empire. How this truth completely escaped the editorial purview of a powerful Washington newspaper

and led to a most revealing controversy, showing how a paper might misguide its readers, is the subject of the next chapter in this episode. The pen and ignorance can be as deadly as fire and oil.

WHY?—HOW LONG?

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. SCHWENGEL. Mr. Speaker, last week our Nation was stunned and shocked at the senseless slaying of Senator Robert Kennedy.

Representative of the feelings of the people in Iowa's First District is an editorial which appeared in the Iowa City Press-Citizen on June 5, 1968.

The editorial forthrightly sets forth the challenge facing us and correctly places the responsibility for action on all of us as individuals.

The editorial follows:

WHY?—HOW LONG?

The world stands in grieved incredulity again today, bewildered at a fresh outbreak of political violence in the United States. And Americans must ask themselves: Why? How often must those whose only offense, if it be one, is to offer themselves as a personification of the policies they espouse be subjected to indignity, insult and even murder?

The incredible events of Nov. 22, 1963, and of April 4 this year climaxed irrationally in the shooting of Sen. Robert F. Kennedy early today. The only redeeming aspect of this latest insanity is that Sen. Kennedy may live while President John F. Kennedy and the Rev. Martin Luther King died.

That, however, is but small consolation, for clearly the attempt at Los Angeles as at Dallas and at Memphis was to kill, to silence an American leader. To seek refuge in asserting that such actions are the results of deranged minds may be true, but the acknowledgment of this is but a lame confession of failure at some point in our society.

While we tell ourselves such violence is only isolated aberration, it breaks out so regularly as to remind us that it isn't. When, and more importantly why, did hate or madness or alienation reach such fantastic extremes that assassination and attempted assassination must be reckoned with as a factor in American life and American politics. Above all, we must seek to bring an end to this malevolence.

Unless this violence can be halted along with the unreasoning political invective which is an implicit invitation to such outbreaks, the free, democratic political process that has been our pride and our hope cannot endure. The point of crisis most assuredly has been reached now, if it had not been earlier.

It is manifested not only by assassination and attempted assassination but also by calumny which precludes and meaningful political discourse and by scurrilous attacks on those in public life which make any man hesitant to risk life or reputation or family. The ominous state of the American mood is evidence further by the contagion of raucous disturbances in the guise of establishing a new, more just society but which actually are aimed at preventing rational discussion. It is even demonstrated by the brainless cries to lynch the suspect at the hotel in Los Angeles.

It is wholly proper to be shocked and saddened by the shooting of Sen. Kennedy. It is wholly proper to weep for what this nation has become in a time of national trial.

But this is not enough. The responsibility of us all goes beyond this. Somehow, some way a new resolution must be found to end this frightening canker of violence or the American political system is doomed, and with it, this nation and its goal of freedom, justice, opportunity for all men.

A. BRUCE COBLE

HON. EDWIN D. ESHLEMAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. ESHLEMAN. Mr. Speaker, a young man from my district, A. Bruce Coble, is now a candidate for president of the U.S. Junior Chamber of Commerce. I am sure that our Nation recognizes the outstanding work this organization has done through the years, and I am certain that if the Jaycees elect Bruce to lead them, we can look forward to pointing with even greater pride to their accomplishments.

Although Bruce is only 33 years old, he has already compiled an impressive record of service to his community, to his profession, and to the Jaycees on their local, State, and National levels. By profession, he is a registered professional engineer with a degree from Pennsylvania State University. Bruce served in the U.S. Air Force and holds the rank of captain in the USAF Reserve. His service to the community includes work in a variety of important civic groups.

In the junior chamber of commerce, Bruce's leadership and dedication has brought numerous honors to himself and the people he has worked with. With Bruce at the helm, the Lancaster Jaycees were named the outstanding local chapter in Pennsylvania in 1964. By 1966, nearly 10,000 Jaycees selected him as their Pennsylvania president and were in turn led to a record-breaking year. One of the prime accomplishments during his tenure as president in Pennsylvania was the introduction of the Amblyopia project as a national concern of the Jaycees. Through this particular effort untold numbers of preschool age boys and girls are prevented from losing their sight to this dreaded eye disease. Last year, A. Bruce Coble was elected a national vice president of the organization in which capacity he has served more than 250,000 Jaycees in the country. His guidance has led to the compilation of a comprehensive administrative guide for State organizations. In addition, the International Metropolitan Chapters Conference he conducted last November won acclaim from all over the world.

I have been associated with Bruce in a number of important endeavors in Pennsylvania and have always felt his potential for leadership was remarkable. I am proud that his record of achievement is such that he can receive consideration for the Jaycee's highest office. A. Bruce Coble is an outstanding young man, and I am hopeful that the National Junior Chamber of Commerce will select him as their next president.

GUN CONTROL LEGISLATION

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. FEIGHAN. Mr. Speaker, the Cleveland Plain Dealer and the Cleveland Press today editorialized on the need for adequate gun control laws. Under leave granted, I include in the RECORD both editorials:

[From the Cleveland (Ohio) Plain Dealer, June 11, 1968]

DEMAND CONGRESS MOVE ON GUNS

Government leaders voice a sad truth when they say nothing but a tremendous outpouring of public demand will move Congress to pass stronger gun control legislation.

Such an outpouring must be directed by individual citizens to individual members of Congress if it is to be effective.

Unfortunately, the voice of a public aroused by the assassinations of three prominent Americans in less than five years is yet to be heard in the right places.

Members of the United States Senate and House of Representatives are influenced by people they hear from and, according to results of past attempts to pass stiff gun control legislation, it is obvious they have been hearing mostly from people opposed to such measures.

An anti-gun-law lobby, lead by the powerful National Rifle Association is well organized. When anti-gun legislation bobs up the lobby can muster thousands of gun owners and users to shoot it down with a heavy salvo of protest mail and telegrams.

When assassinations occur, a tide of mail and telephone calls register individuals' protests against weak gun laws with the Plain Dealer and other newspapers. Pollsters sample the national temper and discover that most Americans want tight federal controls. But from there the protest against inadequate controls goes nowhere. Apparently it does not reach the ears and minds of those who make the laws.

Horrible as it is, the statistic cited by President Johnson to the effect that guns are used in more than 6,500 murders each year in the United States will not make much impression on Congress.

Neither will the President's report of comparatively few murders by gun in countries with strong gun laws. And neither will a sociologist report, published in Sunday's Plain Dealer, that the United States homicide rate of 2.7 per 100,000 population stacks up badly against homicide rates in nations with severe restrictions on fire-arms

What would make an impression on Congress is a decision by the unorganized public to make itself heard. Only when those who want strong gun controls get their message across to their own and other senators and representatives in Washington will action result.

[From the Cleveland (Ohio) Press, June 11, 1968]

SOUND-OFF ON GUN LAWS

Congress has one overriding mandate from the American people in the wake of the assasination of Dr. Martin Luther King and Senator Robert F. Kennedy.

The message from the people is simply this: pass strict legislation to control the sale of guns in this country. Since the shooting of Senator Kennedy last week, this message about gun controls has come to the Press in scores of phone calls and letter upon letter.

This is no local phenomenon. A Gallup

Poll last week showed that Americans believe that the registration of all fire arms is the best way to curb violence in our country.

Other polls have repeatedly shown that four out of five Americans favor stringent controls on fire arms. Yet time after time, Congress has knuckled under to the National Rifle Association and other gun lobbists and kept the sale of guns relatively free.

Part of an Omnibus Crime Bill passed last week by Congress deals with gun controls, but the measure is relatively weak. The bill outlaws interstate mail order sales of hand guns and limits store sales to persons 21 or older who reside in the same state as the dealer. That's as far as it goes. And that is not far enough.

What is needed is what President Johnson called for last week, "a strong and effective gun control law governing the full range of lethal weapons." The President pointed out that each year in the United States guns are involved in 6,500 murders. A shocking statistic but little wonder when you consider that two million guns were sold in this country last year.

The watered-down measure passed by the Congress does nothing about mail order rifles and shotguns. That, of course, is how the gun was purchased that killed President John F. Kennedy.

The people of this country who want to see effective controls put on fire arms, should do no less than the President of the United States has done in appealing to Congress.

If the people inundate their congressmen with letters and telegrams telling them how they feel about our free and easy gun laws perhaps that will put some spine in Congress to pass effective legislation. You know what to tell your representative.

LEGISLATION AIMED AT ORGANIZED CRIME

HON. EDWARD J. GURNEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. GURNEY. Mr. Speaker, in recent years organized crime has prospered as never before and broadened its influence in Government and legitimate business and unions. Former Attorney General Katzenbach described organized crime as "nothing less than a guerrilla war against society."

The businessman pays higher insurance rates because of the arson committed under the instructions of organized crime; he loses millions in bad debts annually because of fraudulent bankruptcies. Union workers are cheated out of their just wages when the proxies of organized crime take over and corrupt their unions, arrange sweetheart contracts, exploit mammoth pension funds, and intimidate the membership. Organized crime cheats the consumer by its corruption of the free enterprise system. With its gigantic earning power it is able to take over individual businesses, influence prices, and act as unfair competition for honest business and honest labor.

In addition, organized crime is taking $3 in gambling revenues from the urban poor for every $2 that is put into the poverty program by the Nation's taxpayers. The narcotics traffic in this country netted an estimated $350 million for organized crime last year—the precise sum spent for the Headstart program.

Through its gigantic earning power organized crime has become a threat to the American free enterprise system. Receipts from illegal gambling alone have been estimated at up to $50 billion a year. This earning power has created a huge reservoir of wealth. As the President's Crime Commission elaborately documented, the leaders of organized crime have invested many of its funds in wholly legitimate business activity. With its unlimited resources, the crime syndicate has the power not only to acquire and control an individual business establishment, but by massive purchases and sales on the stock market, to manipulate capital values and influence price structures. By careful, methodical infiltration of several segments of a particular industry, organized crime can use its money to create monopolies, and, by coercive methods, to restrain commerce among the States and with foreign nations.

Today I am introducing three bills aimed at organized crime.

The first two bills are antitrust measures designed to prohibit the use of illegally acquired funds or those deliberately unreported for income tax purposes in legitimate concerns. Clearly, the investment of such funds constitutes an act of unfair competition and an unconscionable trade practice against others engaged in that business.

The first bill would outlaw the investment of income derived from specified criminal activities in legitimate business. The activities specified are those typical of syndicate conduct. They include gambling, bribery, extortion, counterfeiting, narcotics traffic, and white slavery. This bill would bring to bear upon organized crime the criminal penalties and civil sanctions currently defined in the Sherman Act. It would give Federal investigators broader and more certain jurisdiction to investigate the activities of syndicated crime and identify its illegal revenue sources.

The second bill would outlaw the investment in legitimate business concerns of income derived by organized crime from other legitimate enterprises if such income has not been reported for Federal income tax purposes. It would furnish the information for investigation of the numerous ramifications of organized crime's infiltration into the many compartments and echelons of American business. In addition, the crime syndicate would be subjected to payment of multiple damages authorized under the Sherman Act.

Jointly these bills would allow organized criminal activities to be attacked before their anticompetitive impact can destroy legitimate business. They would siphon off a large part of organized crime's dollar reservoir, and this could do as much to control this problem as sending a few crime chiefs to the penitentiary for a temporary season.

Mr. Speaker, the third bill that I introduce would establish a joint committee on organized crime. The President's Commission special report points out that little study and research have been done in the field of organized criminal activity. There are no firm figures on the funds available to organized crime—only educated guesses. Estimates by experts of the annual amount of illegal gambling, organized crime's greatest source of revenue, vary from $7 to $50 billion. The disparity between these figures is indicative of the lack of real knowledge about organized crime.

The creation of a joint committee would provide a permanent professional staff to concentrate on the organized crime. As the President's Commission makes clear, investigation and prosecution of organized criminal activity on all levels of Government has seldom proceeded on a continuous, institutionalized basis. A joint committee would remedy this deficiency and alert the American people to the dangers to which they expose our society. It would serve notice on the leaders of organized crime that the U.S. Government means business.

It is way past time for Congress to recognize that organized crime is a national problem of the highest priority and as such deserves the attention of a committee devoting full time to development of information and legislative proposals to control its effects and impact

REMEMBER THE "PUEBLO"

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. HUNT. Mr. Speaker, weeks and months have faded into the past since the capture of the U.S.S. *Pueblo* by North Korea, an incident now obscured by more recent events. Although little official news is in evidence, or even available, today, my good friend and colleague Congressman WILLIAM J. SCHERLE will remind America that this is the 141st day that the ship and her crew have been in North Korean hands.

It is significant, Mr. Speaker, that just yesterday I received a petition signed by more than 500 high school students, sponsored by the Students for a Free America. Mr. Edmond J. Bonnette, president of Students for a Free America, writes:

We are sending these signatures to show that not everybody has forgotten a ship called "Pueblo." I know it's not necessary to petition you like this to get your attention, but by doing so we have reminded the people that have signed our petitions. We urge you to speak out in our behalf and remind the forgetful American people that our men and ship are still prisoners of the North Korean pirates.

The petition reads:

We, the undersigned, "students of South Jersey", wish to show our concern over the Pueblo crisis and to emphatically state that even though the news media is no longer actively covering the incident, that we are still interested in what is happening to the American citizens, held prisoners by the Communist government of North Korea. We are asking that more information, if possible, be given about this outright "Act of Piracy".

Although we believe that our government is doing something to bring back, to their families, the crew of the Pueblo, we are asking that if there is anything more that can be done, that you, representatives of the American people, do it.

Mr. Speaker, these are the voices of the responsible youth of our Nation who are concerned for the freedom and future of America. "Remember the *Pueblo*" is a call for leadership, the lack of which is shamefully evident in the failure of prolonged "diplomatic negotiations."

IT IS NO SURPRISE POLICEMEN RESIGN

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. QUILLEN. Mr. Speaker, I have long been concerned about the flagrant violation of law and order running rampant through our streets.

I have also been concerned about the plight of our law-enforcement officers.

Trying to enforce a law within a growing number of often unrealistic ground-rules is a difficult thing to do.

An officer in New Jersey, who has resigned, asked this question, "Who ever heard of an army having to bow to the very people they are being paid to control?"

Although this policeman is not from my district or the State in which I live, one of the fine newspapers in my district, the Bristol Virginia-Tennesseean carried an editorial in its issue of Monday, May 27, 1968, which I make available to the readers of the RECORD:

IT'S NO SURPRISE POLICEMEN RESIGN

Lt. Raymond Schreiner was so unhappy with his lot that he resigned after 16 years on the Bayonne, N.J., police force. His reason for quitting: "Lack of respect for policemen," he said.

Trying to enforce the law within a growing number of often unrealistic ground rules also played a part in Schreiner's decision. "Who ever heard of an army having to bow to the very people they are being paid to control?" he wanted to know.

Police work is about the only occupation, aside from the military, that offers little prestige, lousy hours, low pay and an occasional chance to get one's head blown off.

Schreiner performed his job for 16 years under these conditions. To him, it was all part of being a cop. But 16 years of being considered by some a freeloader at the public trough, of being called "flatfoot" and "fuzz" by jeering young punks and of having his intelligence and legitimacy questioned by drunken drivers and wife beaters finally became too much.

Schreiner's resignation points up one often overlooked fact—cops are human, even as you and I. Most are good, some are bad. Most are honest, some are crooked. Some are brave, most overcome their fears in moments of peril and some are cowards.

A policeman sees a side of life that the public seldom, if ever, sees. He works in a world of child beaters, drunks, prostitutes, dope pushers and murderers. On any given day he may be called upon to take a report from a sobbing young rape victim, tell a recent bride that her young husband has been killed in an auto accident, drive the charred body of an infant taken from a burned-out home to the morgue or walk into a dark alley after an armed man who has just robbed the corner grocer of $3.

Occasionally someone—the pregnant woman he rushes to the hospital, the little old lady he helps across the street or the motorist whose disabled car he helps to start—says thanks. Most, however, take his services for granted.

No one can blame Schreiner for hanging up his badge. The job is demanding and sometimes risky, and the rewards are few. It is to be hoped, however, that his action will not trigger a trend. Cops, besides being human, are necessary—especially good ones.

AN ADDRESS IN TRIBUTE TO SENATOR ROBERT F. KENNEDY, COMMUNITY MEMORIAL SERVICE, SOUTH BEND, IND., JUNE 9, 1968

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. BRADEMAS. Mr. Speaker, last Sunday, June 9, 1968, I had the privilege of participating in a community memorial service in South Bend, Ind., in tribute to Senator Robert F. Kennedy.

With unanimous consent, I insert the text of my address at this point in the RECORD:

ADDRESS OF CONGRESSMAN JOHN BRADEMAS, COMMUNITY MEMORIAL SERVICE, IN TRIBUTE TO SENATOR ROBERT F. KENNEDY, JUNE 9, 1968, SOUTH BEND, IND.

The questions that the people gathering in St. Patrick's Cathedral in New York City yesterday morning were asking were not much different from the questions that you and others were asking in South Bend, Indiana and across the land:

Why should one family suffer so much as the Kennedy's?

What is our country coming to that there are so many assassinations of our public leaders?

Is there some dark strain of violence in the American character that explains this awful phenomenon?

I shall not here try to answer such questions if, indeed, they can be answered.

THE MEANING OF HIS LIFE AND DEATH

What I shall rather do is speak to you about Senator Robert F. Kennedy and about what his life and death should mean to us all.

You remember—as I do—when he came to South Bend only a few weeks ago with his warm-hearted, extraordinary wife . . . the day after Easter . . . and then came again last month on the eve of the Presidential primary election in Indiana.

You recall his quick grin and his wry, self-deprecating humor—and you remember, too, the intensity with which he spoke of America and the promise of our country.

We shall always remember Senator Kennedy's presence among us, but for longer still, I venture to say, we shall recall those qualities of mind and spirit that characterized his life.

One of these qualities, I think, that especially touched those who came to know him—and many who did not—was his profound compassion for the underdog.

Although born to wealth and power, Senator Kennedy spoke out again and again in our predominantly white, middle class society for the impoverished Negro, the migrant worker, the forgotten Indian, the child of the ghetto—for anybody in a jam.

For he believed that in a country of great affluence like ours, in a country with a heritage of freedom and opportunity like ours, poverty and discrimination and hatred were, to use his word, "unacceptable".

And is there any among us to say that he was wrong?

A VOICE FOR REASON AND RECONCILIATION

Once a supporter of a limited American role in Vietnam, he became more and more opposed to the war as America's involvement increased.

And at his death, Robert Kennedy had become an eloquent voice for reason and reconciliation—at home, between blacks and whites and rich and poor, and abroad, among the nations of the world.

Beyond his identification with the disinherited and his dedication to reconciliation, there was, I believe, another quality that distinguished the life of Robert Kennedy as it did the life of his brother, John F. Kennedy.

It is a quality with immense appeal to the young: It was his commitment to action, not just talk, about the problems that afflicted America and the world.

As his biographer, William Shannon, said in this morning's New York Times, Robert Kennedy believed that "The Worst Sin is to do Nothing," that "One Man Can Make a Difference and Every Man Should Try", that "Government is the Worthiest Career", and that "Moral Idealism is a More Powerful Force than Military Weapons".

THE QUESTION IS ALWAYS WHETHER WE WILL ACT

"The question is always", he told a convention of the International Ladies Garment Workers Union in 1965, "the question is always whether we will act—whether we will teach the children and heal the sick; help the weak and venerate the old".

And here I think of the words of the great French writer, Albert Camus, shortly before he died, asking what men should do, and answering: "My conclusion will be simple. It will consist of saying in the very midst of sound and fury of our history: 'Let us rejoice.' Let us rejoice at being faced with cruel truths . . . Let us seek the respite where it is, in the very thick of the battle."

This was the spirit of Robert F. Kennedy—to seek, with courage and compassion, "in the very thick of battle", to reconcile, in justice, man with man and nation with nation.

And this is perhaps why so distinguished a newspaper as *The Times* of London could say this week—I am sure to the surprise of many Americans—that "If American Presidents were elected by the suffrage of all countries, Robert Kennedy would have gone to the White House next January".

Now Robert Kennedy is dead.

You and I live—and we must ask ourselves what is the meaning of his life and death for us.

I will tell you what I think.

FOR ALL OUR PEOPLE

First, I believe that you and I must work to bring all Americans into the fullness of opportunity that, we like to tell ourselves, distinguishes our country from others.

This means that we must seek to make real for all our people—rich and poor, black and white, young and old—the promise of our Declaration of Independence and of our Constitution.

It means a commitment to the search for social justice and, in particular, to working out in some way the enormously difficult problem of the relations between the races.

"America has more money, more power, more skills, more weapons than any other country in the world", said the London *Times* this week.

But Americans have not yet learned to resolve their racial difficulties and to live together.

The playwright Arthur Miller, said in another way: "We are 200 millions now. Either we begin to construct a civilization, which means a common consciousness of social responsibility, or the predator within us will devour us all.

"Because America has been bigger on promises than any other country, she must be bigger by far on deliveries. Maybe we have only one big promise left in the bag, the promise of social justice for every man regardless of his color or condition. . . .

"Between the promise and its denial—there stands the man with the gun. Between the promise and its denial stands a man holding them apart—the American."

That certainly is the kind of profound and optimistic belief in America that Senator Kennedy had.

TO END HATRED AND INTOLERANCE

There is a second meaning to the life and death of Robert Kennedy. It is that you and I must work to end the hatred and intolerance that increasingly poison the air of American life.

Too many "respectable" citizens contribute to the debasement of the dialogue of democracy when they bring to the discussion of political issues on which honorable men can honorably disagree a personal hatred of their opponent, a rancor and a venom which are not the marks of restrained and civilized men.

And toleration of such personal hatreds of public figures is one of the forces that have helped shape a climate in which, in five short years, we have witnessed the death by the assassin's gun of John F. Kennedy, Medgar Evers, Malcolm X, George Lincoln Rockwell, Martin Luther King, Jr. and Robert F. Kennedy.

It is up to you and me to speak out the truth that the path of hatred and violence solves nothing, and that the path of tolerance and peaceful persuasion is the only path for a free people to follow.

TO STOP WAR

There is a third meaning to the life of Robert Kennedy of which I shall here speak. It is that war among the nations of this planet, like violence among citizens of the same country, must be stopped as an instrument of resolving conflict.

In his moving eulogy yesterday morning, his voice choking with emotion, Senator Edward M. Kennedy described his brother's life in simple words. He was, he said, "a good and decent man, who saw wrong and tried to right it, who saw suffering and tried to heal it, saw war and tried to stop it."

THE MESSAGE OF ROBERT F. KENNEDY

What then is the message of Robert F. Kennedy for you and me?

Why, I think it is very clear.

It is what he said in our own State, in Indianapolis, on the 4th of June of this year, in his extemporaneous remarks on the death of Martin Luther King:

"Aeschylus wrote: 'In our sleep, pain that cannot forget falls drop by drop upon the heart and in our own despair, against our will, comes wisdom through the awful grace of God.'

"What we need in the United States . . . is love and wisdom and compassion toward one another, and a feeling of justice toward those who still suffer within our own country, whether they be white or they be black.

"Let us dedicate ourselves to what the Greeks wrote so many years ago: to tame the savageness of man and make gentle the life of the world. Let us dedicate ourselves to that, and say a prayer for our country and for our people."

Let us dedicate ourselves to *that*, and say a prayer for our country and for Robert Francis Kennedy.

ANTICRIME LEGISLATION

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. McCLURE. Mr. Speaker, because of the interest aroused among my constituents concerning House passage of H.R. 5037 last week, I am taking this opportunity to explain my position on the bill.

In a much simpler world not too long ago it was assumed that when wrongdoing occurred, the criminal was pursued and captured, and justice was served.

Today, it is a little more complicated. Crime itself has become controversial. Society is frequently blamed for the acts of one man, while the victims and the innocent are told they must shoulder part of the blame. Violence is somehow equated with free speech.

Law-enforcement officers track down the guilty with all the gentility of an Army recruit running an obstacle course. This is because the highest Court in the land has found new meanings for the word "justice." That recent Supreme Court decisions have tied the hands of our police officers and hamstrung the courts is beyond question. Even those who applaud these decisions will admit it is so.

As the crime rate grew, as acts of violence became commonplace, the American people demanded that Congress act. The administration jumped on the anticrime bandwagon with a program that predictably moved the Federal Government closer to control over local law-enforcement agencies. The House responded by removing those controls but added very little else of significance. It remained for the Senate to put real teeth in this measure, and with one exception they did their work commendably well. One of the most significant aspects of the crime bill before us is that Members of the other body, though generally of much more liberal persuasion than the Representatives in the House, searched their consciences and came up with a measure that takes a significant step toward the restoration of law and order.

In many ways I feel a certain kinship to portions of this bill. Last year I introduced two bills dealing with situations resulting from certain Supreme Court decisions. One of them stated that confessions, voluntarily given, cannot be thrown out of a subsequent trial. It is most gratifying to find that this measure contains provisions similar to those found in my bill.

Then, the section disqualifying from Federal service any person convicted of a felony in connection with a civil disturbance was once before the Post Office and Civil Service Committee, of which I am a member. It had my wholehearted endorsement then, as it does now.

Furthermore, by channeling crime-fighting funds through the States, we have eliminated the possibility of Federal control of the Nation's police forces. And that is certainly in keeping with the philosophy I espoused when campaigning for my seat in Congress.

To my mind, there is so much that is laudable in this bill that I find it hard to believe that our collective efforts must necessarily come unstrung through the insertion of a section limiting the acquisition of handguns. There is no basis for the inclusion of such a provision in an otherwise responsible bill. It is a slur against sportsmen and abhorrent to me personally.

Does this mean we will now prevent traffic accidents by banning the automobile? Of course not. Do we aid the private citizen in the protection of his life and property by disarming him? Of course not.

In 1966, only 3 percent of all serious crimes involved the use of firearms. That hardly constitutes a mandate for gun controls. As a matter of fact, I am not certain at all where the mandate does come from. Certainly it is not from the people of Idaho. I have had only four letters supporting the regulation of firearms, but I have had thousands of letters from those who are opposed.

It seemed to me that enactment of this section would only whet the appetite of those who want to restrict the legitimate use of firearms. On the other hand, if the bill had failed to pass, I know only too well the course that the leadership and the chairman of the Judiciary Committee were prepared to follow as far as the President's gun control bill was concerned. At the same time, the gentleman from New York [Mr. CELLER] had also made it clear that should this bill fail, there wouldn't be another opportunity, at least this year, to deal with the Supreme Court.

It was a dilemma unlike any other I have faced since coming to Washington. My ultimate decision was to vote for the bill, though reluctantly. The wave of lawlessness sweeping our country borders on anarchy. It knows no boundaries. Whether in the ghetto—where education and income are limited—or on the college campus—where affluence and intellect abound—violence has become a way of life. I know that many of us now view it as a question of survival for our country and its traditions.

One thought emerges ever so clearly above all others: the rising tide of crime must be stopped now. Except for the restriction on handguns, the crime bill took the first big step toward reducing lawlessness and stabilizing community life.

The overriding issue is the spiraling crime rate, and it is here that Congress must leave no doubt as to where it stands.

AUTOMATED INFORMATION SYSTEMS AND COPYRIGHT LAW

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. KASTENMEIER. Mr. Speaker, this body considered and passed a major copyright revision bill—H.R. 2512—last year. Shortly after passage of that bill, the American University, Washington, D.C., held a symposium in April 1967 on automated information systems and copyright law. Its purpose was to de-

velop a dialog among many parties concerned with computers, other new communications media, and the copyright law.

Technical and position papers were presented. From these papers, free discussion of them by invited experts, and subsequent statements by interested parties, a report was prepared by Profs. Lowell H. Hattery and George P. Bush of the American University.

I was pleased to know of this effort, to encourage participation in it, and to now have available to me not only copies of the papers prepared for it, but also the summary and comments of Professors Hattery and Bush on the 2 days of discussion.

Copyright legislation is pending on both sides of the Capitol. The revision bill is now before the Senate, and the Senate-passed bill, S. 2216, to establish a National Commission on New Technological Uses of Copyrighted Works, is before the House. Regardless of the action taken on these bills in this Congress, the matters and issues discussed in this symposium will continue to be of interest and concern to Congress in legislating on copyright and information policies now and in the future.

Accordingly, I include the report on the symposium in the RECORD so as to be readily available to Members and others interested in this subject matter. It is my intention to submit portions of the report on subsequent days. Accordingly, the following material represents only the first installment. A table of contents is provided also to provide you with some indication of the material to be included in subsequent installments.

The material follows:

AUTOMATED INFORMATION SYSTEMS AND COPYRIGHT LAW

(Report of a symposium at the American University, prepared by Lowell H. Hattery and George P. Bush)

PREFACE

The newer methodologies in printing and the prospects of their effects inevitably conflict with a copyright law which was last revised in 1909. However, during consideration of proposed revision of the law during the past seven years, the computer-electronics-microfilm impact upon copyright concepts was minimal.

The Center for Technology and Administration of The American University sponsored a symposium in 1967 to explore objectively the nature and extent of the problem, varied interests and viewpoints, outlook and alternative courses and options.

Although the symposium and several papers are related specifically to topical issues of copyright revision, there is no doubt that developments in both technology and user methods alter the environment and need for copyright protection continuously. No legislation will "settle" the issues for an extended period. It is in the nature of current shifts in information technology that new opportunities, stresses and accommodations will require continuous review.

Therefore, we believe this collection of selected papers has significant resource value. Symposium papers published elsewhere are cited in the bibliography. Others are summarized but not reproduced in full.

Differences of opinion will be found among the papers. It is one of the values of the collection that different perspectives, arguments and judgments are arrayed.

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COPYRIGHT LAW REVISION: HISTORY AND PROSPECTS

(By Barbara A. Ringer, Assistant Register of Copyrights) *

This paper, which is an outgrowth of the Symposium on Intellectual Property in Automated Systems held under the auspices of the American University in late April 1967, is being written during one of the recurrent crises in the program for general revision of the copyright law. At the time of the Symposium the auguries were good: the bill for general revision [1] had passed the House of Representatives the week before with a majority of 379 votes to 29,[2] and hearings were nearing completion in the Senate.[3] Some problems that many had regarded as insuperable, notably those of jukebox performances and educational uses, appeared on the way to being surmounted at last, and people were beginning to talk of a new copyright statute in terms of when rather than whether.

Writing now, in July 1967, I view the enactment of a revised copyright law in the near future as a probability but by no means a certainty. As the Twentieth Century technological revolution continues relentlessly to reshape and expand the availability and efficiency of methods of communication, new groups arise to challenge the exclusive rights that authors have traditionally been given under the copyright law. Two years ago our most significant problems came from jukebox performances and educational copying, today they come from uses by computers and community antenna television systems, and two years from now there may well be whole new industries whose future will be directly affected by the copyright law. This accelerating process make the enactment of a revised copyright statute in the 90th Congress increasingly difficult, at a time when the 1909 Act is proving increasingly inadequate.

The Federal copyright law now in effect in the United States was adopted in 1909 [4] and has been amended in only a few relatively minor ways. [5] It is essentially a Nineteenth Century copyright law, based on assumptions concerning the creation and dissemination of author's works that have been completely overturned in the past fifty years.[6] A Twentieth-Century copyright statute is long overdue in the United States, and the present need for a revised law that will anticipate the Twenty-First Century is so obvious as to be undeniable.

Footnotes at end of article.

But we have found again and again that abstract agreement on this need for complete revision gives way to concrete disagreement on particular provisions to appear in the new statute. As time goes on the problems become increasingly complex, the economic and political power of the special interests becomes greater, and the conflicts on particular issues become more intense. Major groups can kill off the entire revision program if their opposition on a particular point is strong enough, and there are issues on which certain groups would prefer the 1909 statute to some of the changes that have been proposed. Copyright law revision demands of any proponent a calm head, a delicate sense of balance, and infinite patience.

It is more instructive than consoling to realize that our problems are not new.[7] The program for general revision of the copyright law actually got underway 43 years ago, in 1924, and produced four distinct legislative efforts before World War II: The Dallinger, Perkins, and Vestal Bills in 1924–1931,[8] the Sirovich Bill in 1932,[9] the Duffy Bill in 1934–1936,[10] and the "Shotwell" Bill in 1939.[11] One of these measures passed the House,[12] and a later one passed the Senate,[13] but in every case the revision program ultimately failed of enactment because of fierce opposition to particular provisions by certain groups. The history of U.S. copyright law revision in the 1920's and 1930's teaches a basic lesson: the need to work out accommodations on the critical issues in an atmosphere of good will and give and take. It is a great deal easier to recognize the validity of this proposition than to put it into practice.

The failure of the earlier efforts at general revision of the copyright law has been blamed on one group or another, and on the face of it there does appear to be quite a bit of blame to go around. At the same time it is important not to forget that the main purpose behind some of the revision bills was to permit U.S. adherence to the International Convention of Berne.[14] There can be little doubt that some of the Congressional opposition to copyright law revision stemmed from basic objections to U.S. acceptance of foreign principles of copyright jurisdiction and to U.S. assumption of the international obligations involved in becoming a member of the Berne Union.

After World War II the proponents of copyright law reform adopted a new approach. It was assumed, on the basis of past experience, that efforts to revise the copyright law in a way that would permit adherence to the Berne Convention would continue to be futile. It was also recognized that the emergence of the United States as a major exporter of cultural materials made our adherence to a multilateral convention essential. Thus, efforts to secure general revision of the copyright law were temporarily deferred in favor of a major program aimed at developing and implementing a new international copyright convention to which the United States could adhere without major changes in our law. These efforts, under the leadership of Register of Copyrights Arthur Fisher, achieved success in 1952 with the signing at Geneva of the Universal Copyright Convention,[15] followed in 1954 by the enactment of revisions to the 1909 statute permitting U.S. adherence to the U.C.C.,[16] and by the coming into force of the Convention in 1955.[17]

Noteworthy as it was, the achievement of bringing the United States into the international copyright community also served to dramatize once more how archaic and inadequate the U.S. copyright statute of 1909 had become. The autumn of 1955, which saw the coming into force of the Universal Copyright Convention and the inauguration of the current program for general revision of the copyright law, marked the end of one epoch and the beginning of another. In August

1955, Congress authorized the formation of a Panel of Consultants on General Revision of the Copyright Law [18] under the chairmanship of the Register of Copyrights, and the Copyright Office undertook a series of basic studies of the major substantive issues involved in revision. At the same time began what has become a seemingly endless series of meetings and discussions with representatives of virtually every interest group affected by the copyright law. By now these discussions, which have been as valuable as they have been time-consuming, must literally run into the thousands.

Like the ages of man, the present general revision program seems to fall roughly into seven periods:

(1) 1955–1961: study and analysis of issues; publication of studies and comments

(2) 1961–1962: publication of Register's Report and debate of its recommendations

(3) 1962–1964: preliminary drafting; review of draft language; redrafting

(4) 1964–1965: first introduction of bill; further review and redrafting

(5) 1965: publication of Register's Supplementary Report and introduction of redrafted bill; House hearings completed and Senate hearings started.

(6) 1966: Bill considered, redrafted, and reported by House Judiciary Committee; Senate hearings on CATV.

(7) 1967: Bill again considered and reported by House Judiciary Committee; debated and passed with amendments in House; Senate hearings completed.

This dull recital hardly suggests the ups and downs, the fits and starts, the joys and sorrows, and the scars and trophies that general revision encountered over the past twelve years. Arthur Fisher, whose untimely death in late 1960 robbed the revision program of its architect, would not be likely to recognize the edifice that has been built from his original plans, but knowing him I know he would approve of the accomplishment.

The initial study period, which was originally supposed to take three years, actually took about six. The product was worth the time: 34 published studies covering most of what we thought then were the important substantive issues in copyright law revision,[19] a body of comments from members of the Panel of Consultants published with each of the studies and the 1961 Report of the Register of Copyrights on General Revision of the Copyright law.[20] The Register's Report was the first of many major contributions to the general revision program by Abraham L. Kamenstein, Mr. Fisher's successor as Register of Copyrights. The purpose of the Report, as Mr. Kaminstein said in his 1962 Annual Report, "was to furnish a tangible core around which opinions and conclusions could crystallize—to achieve the widest possible agreement on basic principles before proceeding to draft a revised copyright law." [21] The Report attempted to pinpoint the major issues in revision, summarize the present law with respect to each of them, analyze alternative solutions, and present specific recommendations.

The Register's Report succeeded very well in clarifying the issues and in focusing the discussions on them, but some of its most fundamental recommendations proved more controversial than anyone in the Copyright Office had expected. In particular, the Register's proposal for copyright to begin with "public dissemination" and to last for a first term of 28 years, renewable for a second term of 48 years, provoked a flood of opposition; there was strong support for a single Federal copyright system with protection commencing upon the creation of a work and ending 50 years after the author's death.

A series of four meetings of the Panel of Consultants on General Revision was held between September 1961, and March 1962, at which all of the Report's recommendations were discussed in an increasingly tense atmosphere.[22] The heated arguments at these and other meetings actually stalled the revision program for several months and brought it to a genuine crisis in the late summer and fall of 1962. It became apparent that, if the entire project was not to founder, some method for advancing and considering alternative recommendations would have to be found.

In November 1962, the Register announced that the Copyright Office was prepared to change its position on some debatable questions and to draft alternative language on others.[23] He indicated that the Office was prepared to revise its recommendations concerning "public dissemination" and the retention of common law protections, and that "at least one alternative version of our draft bill will adopt the life-plus basis for computing the term—in conjunction with a system of notice, deposit, and registration that we consider essential." The Register also announced that he would send preliminary drafts of statutory language to the members of an expanded Panel of Consultants on General Revision for their comments, and that he would convene another series of meetings on the preliminary draft. The process of preparing draft language for circulation occupied practically all of 1963, and included a total of eight meetings of the Panel of Consultants.[24]

The development of this preliminary draft proved to be a difficult but enormously productive phase of the program. The procedure adopted provided a motive and a forum for detailed, critical scrutiny of the language and substance of a new copyright statute by representatives of nearly all of the groups affected. It also created an atmosphere of cooperative effort that has survived various stresses and strains and has continued to grow in breadth and depth.

The preliminary draft of the general revision bill that had reached completion at the beginning of 1964 was never intended to be a final product. The next six months were devoted to compiling, analyzing, and synthesizing all of the comments received on the draft, to making substantive decisions and changes on the basis of these comments, and to preparing a complete, section-by-section revision of the bill. The draft of the bill that emerged from this process was prepared entirely within the Copyright Office, without collaboration or consultation with any private groups or individuals. The introduction of the 1964 draft in July and August of 1964 [25] marked the end of the drafting phase of the revision program and the opening of the legislative phase.

Like the preliminary draft on which it was based, the 1964 bill was not intended as a finished product, but as a focal point for further comments and suggestions. In August 1964, a full week of detailed discussions of the bill showed that a great deal of progress had been made, but that still further revisions would be necessary before legislative hearings could profitably begin. During the fall and winter of 1964–1965 the Copyright Office reviewed and analyzed the many oral and written comments on the bill [26] and prepared another complete revision.

At the beginning of the 89th Congress, on February 4, 1965, Senator McClellan and Representative Celler introduced the 1965 general revision bill [27] and the Copyright Office spent the next three months preparing a supplement to the 1961 Register's Report. The Supplementary Report of the Register of Copyrights on the General Revision of the U.S. Copyright Law: 1965 Revision Bill [28] which was published in May 1965, set forth the reasons for changing a number of recommendations in the 1961 report and clarified the meaning of the provisions of the 1965 bill.

Publication of the Supplementary Report coincided with the opening of Congressional hearings on the bill. Between May 26, 1965 and September 2, 1965, 22 days of public hearings were held before Subcommittee No. 3 on Patents, Trademarks, and Copyrights of the House Committee on the Judiciary. A total of 163 witnesses, representing an extraordinarily wide range of public and private interests, appeared before the subcommittee chaired by Representative Robert W. Kastemeier of Wisconsin. The record of the 1965 House hearings [29] which comprises nearly 2,000 pages of printed text, includes not only the oral transcript but also more than 150 written statements. The Senate Judiciary Subcommittee, under the chairmanship of Senator John L. McClellan of Arkansas, held brief hearings on the revision bill in August 1965 [30] but delayed a full series pending the conclusion of the intense activity in the House subcommittee.

Several significant factors with respect to the general revision program emerged from the 1965 hearings. Most obvious were the sharp controversies remaining to be settled on some old issues (such as the jukebox exemption, the royalty rate to be paid under the compulsory license for recording music, and the manufacturing requirement with respect to English-language books and periodicals), and on some relatively new issues (such as fair use, and the reproduction of copyrighted works for educational and research purposes, the liability of educational broadcasters and similar transmitters, and the status of community antenna television systems under the copyright law). Less readily apparent, but equally real and significant, was the enormous progress toward general revision that had already been made before the hearings started, and that resulted in a body of testimony remarkably intelligent, constructive, and germane.

Aside from the need to work out further accommodations on several crucial issues, the most serious problem arising from the 1965 hearings was how to organize the massive contents of the record in a way that would overlook no significant comment or suggestion but that still would form a comprehensible basis for decision-making. Working in close collaboration, the Copyright Office and the House Judiciary Committee counsel prepared summaries of every statement that had been made, and then divided the entire corpus of the hearings into 10 general areas: subject matter of copyright, ownership, duration, notice and registration, manufacturing and importation requirements, community antenna systems and other secondary transmissions, jukebox performances, compulsory license for phonorecords, educational copying and fair use, and educational broadcasting and other performing rights. Each subject was then divided into subtopics, under which were listed every issue raised at the hearings.

This "experiment in legislative technique," as it has been called, proved effective. It enabled the House Judiciary Subcommittee, in its deliberations on the bill, to consider each issue in context, to weigh the arguments for and against it, and to arrive at reasoned decisions. Meeting regularly, usually twice a week, from February through September 1966, the subcommittee held 51 executive sessions, all of which were attended by representatives of the Copyright Office. Examining each issue in depth and then redrafting the pertinent section of the bill as they went along, the subcommittee produced an entirely revised bill in an atmosphere of informal, bipartisan discussions that could well serve as a model for similar legislative projects.

The bill, as revised by the subcommittee, was reported unanimously to the full House Judiciary Committee on September 21, 1966, and was reported without amendment by the full Judiciary Committee on October 12, 1966. The House Report,[31] which comprises a total of 279 pages, including 141 pages of explanatory text, is an unusually valuable addition to the legislative history of the general revision bill. It examines virtually every provision of the bill in detail, recording the

Footnotes at end of article.

Committee's reasoning behind its decisions on substantive issues and the intention behind its choice of statutory language.

The bill was reported too late in the 89th Congress for further legislative action, and indeed none had been expected in 1966. In the revised forum reported by the House, it was introduced by Senator McClellan and Representative Celler [32] in the 90th Congress, and was considered by the newly-constituted membership of Subcommittee 3, again chaired by Representative Kastenmeier on February 20, 24, and 27, 1967. It was reported to the full Committee on the last of these dates and, after rather heated debates in the full committee on February 28 and March 2, 1967, was again reported to the House.[33] [This time, however, the report included minority views by Representatives Byron G. Rogers of Colorado and Basil L. Whitener of North Carolina, devoted to the jukebox issue, and additional dissent by Mr. Whitener on the bill's treatment of CATV.]

It was becoming increasingly apparent, as the bill moved toward the House floor, that extremely sharp and unreconciled conflicts on the issues of jukebox performances and CATV transmissions remained, and that there was a serious danger that one or both of these issues could defeat the bill. The bill was considered by the House Rules Committee on March 8, 1967, and the rather acrimonious arguments in the Committee action authorizing full debate on the House floor were another danger signal.

Consideration by the House of Representatives of H.R. 2512 started at 10:00 a.m. on Thursday, April 6, 1967 [34] a day which, as Roland Young said in the old Katherine Hepburn version of *The Philadelphia Story*, the pages of history teach us is best spent in bed. The difficulties were subtle and interrelated, but underlying the painful charges and countercharges, the endless quorum calls, and the increasingly bitter exchanges was one fundamental lesson: it is a mistake to take a long, complex, technical, and specialized bill to the floor of Congress if the opposing sides on an important economic issue are in sharp and active conflict with each other. We had not one but two unresolved issues of that type: jukeboxes and community antenna systems. The combination was very nearly fatal to the revision program.

When the House finally recessed after 7:00 p.m. on April 6, it was apparent that a rescue operation was essential if an urgently needed legislative reform was not to be delayed for years or even decades to come. Over the next four days, in an atmosphere of intense crisis, several crucial compromises were achieved, and on Tuesday, April 11, an amended bill was passed by the House after mild debate with the extraordinary vote of 379 yeas to 29 nays.[35] Fairly radical changes were made in three areas: there were drastic revisions in the provisions establishing copyright liability for jukebox performances; the provisions dealing with community antenna transmission were dropped entirely (theoretically leaving CATV systems fully liable for copyright infringement); and the exemptions for instructional broadcasting were considerably broadened. On the other hand, the structure and content of the bill itself has remained substantially intact, and the successful achievement of compromise solutions in a febrile and politically-explosive atmosphere indicated to some of us that, despite all the problems, the bill would utimately be enacted.

The Senate Judiciary Subcommittee, which had opened hearings in 1965 and had had a short series of hearings on the CATV problem in 1966,[36] resumed full-scale consideration of the bill, under the joint chairmanship of Senators McClellan and Burdick, on March 15, 1967. Indeed, the Senate hearings were in full swing during the crisis in the House, and for a time the general revision program resembled a two-ring circus in more ways than one. To everyone's surprise the record of the Senate hearings, which lasted 10 days and ended on April 28, 1967, very nearly equals that of the House hearings in size and content. At present the transcript of the Senate hearings is still being printed, and it seems unlikely that the subcommittee will take action on the bill this year.

Of the several areas that emerged as full-blown issues at the Senate hearings, by far the most important is the problem of the use of copyrighted works in automatic information storage and retrieval systems. This issue could well turn out to be the most important issue in the history of the copyright law, but it seems clear that any attempt at a definitive solution as part of the present bill for general revision would not only fail to solve the computer issue but could kill off the revision program itself. Experimentation with the use of copyrighted material in data banks and information transfer devices had hardly begun, and what is needed now is the kind of meaningful study under objective auspices contemplated in S. 2216,[37] a bill introduced by Senator McClellan on August 2, 1967 "to establish a National Commission on New Technological Uses of Copyrighted Works."

It is no exaggeration to say that the chips are down on general revision. The inadequacies of the 1909 Act and the critical importance of a revised statute to all producers and users of intellectual property become more apparent with each new technological development in communications. It is urgent that a general revision statute be enacted without delay. Copyright legislation directed specifically to the problems of computers will be needed eventually, but should be deferred until the necessary studies have been made. The problems now dealt with in the general revision bill are immediate, and their solution cannot await discussion of the computer problems of the future.

FOOTNOTES

*The views expressed in this article are those of the author and do not necessarily reflect official positions of the Copyright Office or of the Library of Congress.

[1] H.R. 2512, 90th Cong., 1st Sess. (1967).

[2] 113 Cong. Rec. H3888 (daily ed., April 11, 1957).

[3] Hearings on S. 597 before the Senate Judiciary Committee Subcommittee on Patents, Trademarks and Copyrights, Mar. 15–17 and 20–21, Apr. 4, 6, 11–12, and 28, 1967.

[4] Act of March 4, 1909, 35 Stat. 1075, 17 U.S.C. (1964).

[5] In 1947, the Copyright Law was codified and enacted into positive law by the Act of July 30, 1947, 61 Stat. 652, as amended by the Act of April 27, 1948, 62 Stat. 202 [increase in registration fees]; the Act of June 25, 1948, 62 Stat. 869 [to conform to Title 28 U.S.C. on the judiciary which was codified and enacted]; the Act of June 3, 1949, 63 Stat. 153 [giving foreign authors the option of submitting an additional copy and catalog card in lieu of the registration fee; extending the period to register for ad interim copyright and the ad interim term and allowing importation of 1500 copies of editions manufactured abroad]; the Act of October 31, 1951, 65 Stat. 710 [technical changes]; the Act of July 17, 1952, 66 Stat. 752 [to recognize recording and performance rights in non-dramatic works]; the Act of April 13, 1954, 68 Stat. 52 [technical changes]; the Act of August 31, 1954, 68 Stat. 1030 [to implement ratification of the Universal Copyright Convention]; the Act of March 29, 1956, 70 Stat. 63 [amending 17 U.S.C. § 13 to authorize the Register to accept photographs in lieu of copies in some classes where deposit of copies is impractical]; the Act of September 7, 1957, 71 Stat. 633 [setting a statute of limitations for civil actions]; the Act of September 7, 1962, 76 Stat. 442 [technical amendment to 17 U.S.C. § 8 governing copyright in Government publications]; the Act of October 27, 1965, 79 Stat. 1072 [increase in registration fees]. Pending general revision, two acts have extended the duration of copyright protection for works in renewal copyright—the Act of September 19, 1962, 76 Stat. 555 and the Act of August 28, 1965, 79 Stat. 581.

[6] Knoll, *Our "Model T" Copyright Law*, The Reporter, vol. 34, no. 5 at 39 (Mar. 10, 1966); Finkelstein, *What's Wrong with Our Copyright Laws?*, Variety, vol. 234, no. 5 at 58 (Mar. 25, 1964). *See also* Finkelstein, *Copyright Law—A reappraisal*, 104 U. Pa. L. Rev. 1025 (1956); Colby, *Copyright Formalities and Copyright Revision*, 2 Publishing, Entertainment, Advertising and Allied Fields L. Q. 275 (1962); Goldberg, *Promoting the Progress of Science and the Useful Arts*, 47 Cornell L. Q. 549 (1962); Schulman, *Road to Progress in Revising the Copyright Law*, 9 Bull. Cr. Soc. 433 (1962); Tannenbaum, *The U.S. Copyright Statute: An Analysis of its Major Aspects and Shortcomings*, 10 N.Y.L. Forum 12 (1964); Kaplan, *Unhurried View of Copyright: Proposals and Prospects*, 66 Colum. L. Rev. 831 (1966).

[7] Goldman, *A History of U.S.A. Copyright Law Revision From 1901 to 1954*, Copyright Law Revision Study 1, prepared for the Senate Judiciary Committee Subcommittee on Patents, Trademarks, and Copyrights, 86th Cong., 1st Sess. (Comm. Print 1960). *See also* Studies 2–34.

[8] H.R. 9137, 68th Cong., 1st Sess. (1924); H.R. 11258, S. 4355, 68th Cong., 2d Sess. (1925); H.R. 5841, 69th Cong., 1st Sess. (1925); H.R. 10434, 69th Cong., 1st Sess. (1926); H.R. 1012, 70th Cong., 1st Sess. (1928); H.R. 6690, 71st Cong., 2d Sess. (1929); H.R. 12549, 71st Cong., 2d Sess. (1930); H.R. 139, S. 176, 72d Cong., 1st Sess. (1931). Brief hearings were held in the House on the Dallinger bill in 1924; House hearings in 1925 considered the Perkins bill; and extensive House hearings were held in 1926 on the Vestal bill. The Vestal bill was also the subject of hearings in both the House and Senate in 1930–31; it passed the House, Jan. 13, 1931 but died in the Senate.

[9] H.R. 10364, 72d Cong., 1st Sess. (1932). Throughout extensive hearings, Representative Sirovich introduced various revised versions of his bill: H.R. 10740, H.R. 10976 (reported by the Committee on Patents, Apr. 5, 1931), H.R. 11948, H.R. 12094 [reported by the committee, May 18, 1931], and H.R. 12425.

[10] S. 2465, 74th Cong., 1st Sess. (1935). A revised version, S. 3047, was reported by the Senate Committee on Patents and passed by the Senate, August 7, 1935.

[11] S. 3043, 76th Cong., 3d Sess. (1940).

[12] H.R. 12549, 71st Cong., 2d Sess. (1931).

[13] S. 2465, 74th Cong., 1st Sess. (1935).

[14] Berne Convention concerning the Creation of an International Union for the Protection of Literary and Artistic Works of 1886 and the revisions adopted at Paris in 1896, at Berlin in 1908, at Rome in 1928, at Brussels in 1948, and at Stockholm in 1967. The 1967 Intellectual Property Conference of Stockholm adopted administrative and structural changes that transformed the Union into an organization. For an article analyzing U.S. revision efforts in relation to ability to adhere to the Berne Convention, *see* Solberg, *The International Copyright Union*, 36 Yale L. J. 68 (1926).

[15] *See, e.g.*, Bogsch, The Law of Copyright under the Universal Copyright Convention (1964); Universal Copyright Convention Analyzed (Kupferman and Foner ed. 1955).

[16] Act of August 31, 1954, 68 Stat. 1030.

[17] The 55 nations that have ratified or acceded to the U.C.C. include all the major English-speaking states except Australia.

[18] Legislative Appropriation Act of 1956, 69 Stat. 499 (1955). In approving the annual appropriation for salaries and expenses, of the Copyright Office, Congress authorized

$20,000 to enable the Office to initiate studies. *See also Annual Report of the Librarian of Congress for the Fiscal Year Ending June 30, 1955* at 45 (1956).

[19] In addition to the historical survey of revision efforts, *supra* note 7, the subjects included: Size of the Copyright Industries, The Meaning of "Writings" in the Copyright Clause of the Constitution, The Moral Right of the Author, The Compulsory License Provisions of the U.S. Copyright Law, The Economic Aspects of the Compulsory License, Notice of Copyright, Commercial Use of the Copyright Notice, Use of the Copyright Notice by Libraries, False Use of Copyright Notice, Divisibility of Copyrights, Joint Ownership of Copyrights, Works Made for Hire and on Commission, Fair Use of Copyrighted Works, Photoduplication of Copyrighted Material by Libraries, Limitations on Performing Rights, The Registration of Copyright, the Authority of the Register of Copyrights to Reject Applications for Registration, The Recordation of Copyright Assignments and Licenses, Deposit of Copyrighted Works, The Catalog of Copyright Entries, The Damage Provisions of the Copyright Law, The Operation of the Damage Provisions of the Copyright Law, Remedies other than Damages for Copyright Infringement, Liability of Innocent Infringers of Copyright, The Unauthorized Duplication of Sound Recordings, Copyright in Architectural Works, Copyright in Choreographic Works, Protection of Unpublished Works, Duration of Copyright, Renewal of Copyright, Protection of Works of Foreign Origin, Copyright in Government Publications and Copyright in Territories and Possessions of the U.S.

No separate studies were prepared on several of the issues that subsequently proved to be most important in general revision; the jukebox exemption (which was then regarded as a problem outside the scope of general revision), community antenna television, educational photocopying and broadcasting, and computer uses (some of which had yet not emerged as major issues).

Thirty-three of the studies were grouped in 11 committee prints and published by the Senate Subcommittee on Patents, Trademarks, and Copyrights together with a subject index. They are available in this form from the Government Printing Office. These studies plus others on the Manufacturing Clause were also published in cumulative form in the Arthur Fisher Memorial edition, *Studies on Copyright*, published by Fred B. Rothman and Company and Bobbs-Merrill Company, Inc., in 1963.

[20] Report on Copyright Law Revision, House Committee on the Judiciary, 87th Cong., 1st Sess. (1961).

[21] In *Annual Report of the Librarian of Congress for the Fiscal Year Ending June 30, 1962* at 70.

[22] Copyright Law Revision, Part 2, Discussion and Comments on the Report of the Register of Copyrights on the General Revision of the U.S. Copyright Law, House Committee on the Judiciary, 88th Cong., 1st Sess. (1963).

[23] Kaminstein, The General Revision Program, 10 Bull. Cr. Soc. 81 (1962).

[24] Copyright Law Revision, Parts 3 and 4, House Committee on the Judiciary, 88th Cong., 2d Sess. (1964).

[25] S. 3008, H.R. 11947 and H.R. 12354, 88th Cong., 2d Sess. (1964).

[26] Copyright Law Revision, Part 5, House Committee on the Judiciary, 89th Cong., 1st Sess. (1965).

[27] S. 1006, H.R. 4347, 89th Cong., 1st Sess. (1965); *see also* H.R. 5680, H.R. 6831, H.R. 6835, 89th Cong., 1st Sess. (1965) in which the bill was introduced by Representatives St. Onge, Helstoski, and Monagan, respectively.

[28] Copyright Law Revision, Part 6, House Committee on the Judiciary, 89th Cong., 1st Sess. (1965).

[29] Hearings on H.R. 4347, H.R. 5680, H.R. 6831, and H.R. 6835, Parts 1–3, Before Subcommittee No. 3 of the House Committee on the Judiciary, 89th Cong., 1st Sess. (1965).

[30] Hearings on S. 1006 Before the Subcommittee on Patents, Trademarks, and Copyrights of the Senate Committee on the Judiciary, 89th Cong., 1st Sess. (1965).

[31] H. Rep. No. 2237, 89th Cong., 2d Sess. (1966).

[32] S. 597 and H.R. 2512, 90th Cong., 1st Sess. (1967).

[33] H. Rep. No. 83, 90th Cong., 1st Sess. (1967).

[34] 113 Cong. Rec. H3606–H3647 (daily ed., Apr. 6, 1957).

[35] 113 Cong. Rec. H3888 (daily ed. April 11, 1957).

[36] Hearings on S. 1006 Before the Subcommittee on Patents, Trademarks, and Copyrights of the Senate Judiciary Committee, 89th Cong., 2d Sess. (1966).

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Post-Gutenberg Copyright Concepts*

(By Paul G. Zurkowski, legislative assistant to Congressman R. W. Kastenmeier)

The demands of the information explosion and the capabilities of the proliferating new communications media have carried our civilization into a new publishing era, the Post Gutenberg Era. The vast increases in documented information we have experienced in this century require a more orderly, systematic means for organizing and keeping the information accessible than the Gutenberg technology offers. The new media promise to provide us that means. The full impact of the new era awaits a resolution of a copyright dilemma which marks its beginning.

Nothing in those statements is very startling, but the significant role required of copyright in the new era needs further exposition. The following discussion seeks to define what the Post Gutenberg Era is in terms of copyright, publishing and copying and to suggest some broad concepts where the answers to the copyright dilemma of the Era might reasonably be found.

Simply stated, the dilemma of the Era is in how to utilize the greater copying, storing, manipulating and retrieving capabilities we have today without eroding the incentives to authors and publishers to release their works of authorship to the public generally.

The dilemma is not easily resolved. In every walk of life document copying, regardless of and indifferent to copyright, has increased fantastically. Can we really expect to find a solution when almost every segment of our society, educators, legislators, bankers, and businessmen, industry, scientists, librarians and housewives, has nearly a vested right in copying what it pleases, when it pleases for the simple cost of a xerox copy?

When common practice ignores the law, a lag in social institutions is indicated. Thus, a social invention, of the magnitude of the electrical-mechanical inventions that opened the Era must be developed (1) to bring the law up even with practice and (2) to advance the law ahead of practice to encourage and stimulate the full development of the new media in meeting the increasing challenge of the information explosion.

The answer to the dilemma, the elements of the social invention needed, are to be found, if at all, in the complex of new communications media which have themselves created the lag and the dilemma.

As of this time, the new media seem preoccupied and largely unaware of the fact that Congress and the Copyright Office have been engaged in a massive revision effort that impinges directly on them and their usefulness now and in the future.

Few people seem perplexed by the reticence of the new media to participate actively and directly in the dialogue over the legal concepts needed to facilitate their full utilization in affording the public better selective access to documents.

Yet it is this reticence which goes far to explain why solutions to the dilemma have not been forthcoming.

The new media can no longer avoid participation in the dialogue. They must join in seeking solutions to the real problems they have contributed to making. Solutions to problems that inhibit their use in meeting the demands of the information explosion will vastly enlarge their market.

Gutenberg Copyright

Gutenberg's invention made possible the mass production and wide dissemination of ideas in printed form. Indeed, moveable type is the basis for our present copyright concept.

As long as creating a copy or duplicate was costly and essentially involved duplicating the costs of the initial publisher, the threat posed by a copyright infringement law suit, though cumbersome to employ, was sufficient to prevent wholesale copying. A potential infringer knew the copyright owner could afford a law suit that would stop the sale of the competing and infringing work before the infringer's costs could be recovered, much less a profit made.

Thus, in an age when publisher and infringer were tied to the Gutenberg technology the present copyright law served the purpose of protecting the copyright owner. He was quite ready to make the investment in mass production of works of authorship and in making them available and accessible to the public by sale of copies.

Post-Gutenberg Era

We obviously are no longer in an age where the Gutenberg technology controls both publisher and copier. Copying no longer involves a great initial investment comparable to that of the initial publisher. Coins in the slot of a machine present in most libraries enables anyone to copy page by page almost anything published today.

Infringement suits against individuals who copy and reduce the market for copyrighted works are much too costly to stem nickle and dime copying. In addition such suits would in many cases have to be directed against a publisher's primary market for hard copy sales.

Thus, our present transition phase is characterized by a predominance of the Gutenberg technology in publishing while copiers enjoy the advantages of xerography, and other new media forms ranging from photo-offset speed printing to microforms and computers. Initial publishing still is primarily in hardcopy, but public access is no longer restricted to sale or loan of hard copy originals.

While copying has proliferated greatly in the recent past, the publishing industry on the whole has not been losing ground because of the greatly increased flow of information in document form. Copying itself is fairly primitive and is used primarily to provide hard copy copies of selected material in more manipuable forms. Meanwhile works of authorship in hard copy originals and duplicates are inundating us. Efforts to use this material effectively are thwarted by considerations of quantity alone.

Various other copying technologies are appearing which not only greatly reduce the cost of copying, but also provide the promise of more rapid access to the original material, thus saving increasingly valuable research time.

At this stage of the Post Gutenberg Era we seem stymied by the proliferation of hard-copy documents and our inability, under existing law, to apply the capabilities of the emerging new media and their storage and retrieval capabilities.

Three changes in existing copyright law

*The views expressed in this article are those of the author only.

concepts could be made that would stimulate the application of the new media technologies, continue protection for rights of authors and copyright owners, and provide the means for accounting for copying.

I. Format copyright

Under existing law, whether the Gutenberg documents are copyrighted or in the public domain, there are no economic incentives to convert the contents of documents to forms for public access through the new technologies. What industry or enterprise can undertake the investment in re-editing, re-processing, re-setting and generally reformating and promoting new means for opening this vast hard-copy literature? None; for there is no protection for such efforts under present copyright concepts.

The first of three changes, thus, is a relatively simple one and it already exists in some other countries. Some rights, perhaps in the form of a limited monopoly over the use of materials converted to a particular new format, would be appropriate and could easily be established in law.

This new class of rights would parallel rights in the existing copyright obtained under present law. For example, if the text of the XYZ Journal articles were to be reformated from their original hardcopy format into microfiche, those creating the particular format would be provided the exclusive right for a limited period of time to duplicate the text in that exact format. If a later innovator, believing he had a better, more readable, more accessible and more manipuable format wished to invest in reducing the same documents to what he believed was a better format, he would have the right to do so and the right to the same kind of limited protection as the first to reformat the document, in the case of this example in mirofiche.

The intellectual property in the original text would continue to be in the public domain or protected by the original copyright, whichever is the case. The investment required to convert the text to a new format would be protected by this means. A tremendous incentive would be created to reformat the great body of knowledge contained in Gutenberg documents, some of which are out of print and many of which are in the public domain.

II. Statutory copyright licensing

Obviously, these two rights, present copyright which enables copyright owners to deny copying privileges at any price, reasonable or exorbitant, and the proposed new format copyright must be reconciled. There does not appear to be any constitutional way to compel owners of vested copyrights who are satisfied with Gutenberg technology to license their works for non-Gutenberg publication. There does, however, appear to be a way to encourage owners of vested copyrights to utilize the new media in disseminating their works of authorship and at the same time to provide them protection from the erosion of their rights current copying practices involve.

The problem is illustrated by the experience of a number of microform publishers when confronted by exclusive licensing arrangements with University Microfilms, Inc. A number of years ago, University Microfilms, Inc. began persuading periodical publishers that it was desirable for archival purposes to authorize the making of microfilms of their journals. University Microfilms, Inc., which has since been acquired by Xerox Corporation, has over the years been offering to pay journal publishers a royalty on sales of microfilm copies formated without cost to the journal publishers in return for an exclusive license to do so. Until recently the exclusivity of the University Microfilms arrangement has appeared to be benign and as one generally serving the public interest. This was so because the University Microfilms format (images of pages serially arranged on 35-mm film) was accepted as normal and as affording as convenient access as one could expect from micrographic storage. This is no longer the case.

Formats for micrographic storage, far more sophisticated than 35-mm film, are already in existence as are new non-photographic media. The exclusive licensing feature of the existing University Microfilms contracts has prevented other companies from applying these new technologies to the journal articles.

Obviously there are exclusive property rights that can and should accrue to University Microfilms as a result of their enterprise in reducing, with the permission of the copyright owner, hard copy publications to a particular non-Gutenberg format. Such a right could and would be protected with the suggested new format copyright.

Thus, without something more than a combination of existing copyright and a new format copyright, there remains the serious question whether the challenge of the information explosion can best be met by restricting the application of the new media simply to those with exclusive contracts or to those who can acquire publisher's copyrights by acquiring publishing houses.

Unless steps are taken ownership of copyrights as well as exclusive licensing arrangements may deny new media entry into the field through the denial of access to their stock in trade, intellectual property. A real danger lies in the fact that a finite number of new media companies are already in the process of gathering the exclusive rights to stocks of intellectual property. This, along with their existing property interests in new media, may result in a finite number of companies controlling, as a group, the means by which a democracy arrives at its understanding of truth, its current wisdom. Truth itself cannot be possessed, but the means by which it is reached, that sifting and winnowing of expressions of conflicting ideas, possible only through multiple media affording unrestricted access to a variety of differing views, may soon come into the possession of this finite number of companies.

In the new media and under the awful burden of the information explosion we may soon be limited to the brand of truth that is available to us in one of a limited number of particular media, with little or no chance to test it against other standards. I do not mean to suggest that any of the companies involved are purposefully seeking to establish such control, but there are forces at work, resulting in part from the inapplicability of Gutenberg Copyright concepts to these problems, which are carrying us in that direction.

Thus, in order to assure new media innovators access to the intellectual material to move through their new communications media or pipelines, a concomitant of a format copyright is some form of statutory licensing arrangement.

It is possible to conceive of such a statutory licensing system that would provide the original copyright owner with the same degree of exclusive rights in the intellectual property and the same choice and control of format in which the work is published that he now enjoys, and, at the same time, provide incentives for him to publish it in new formats that would be protected by the suggested new format copyright.

The exclusive rights in existing copyright and the new format copyright would not be co-terminus. The format copyright term would be for a shorter period of time, geared to assuring him adequate inducement to make his works of authorship available to the public and in formats most useful to the public.

Following that period the content of the copyrighted works could be published in new formats upon the payment of a licensing or royalty fee. A separate fee would be payable for the use of the basic copyright as well as for the use of a protected format in which either the original or subsequent copyright owner had an interest.

Licensing fees could be established by law as a fixed percentage of the market price of the copy for each copying privilege. Price would be affected by format and the format's content carrying capability among other things.

III. Unique identification numbering system

The key to copy making on demand is a method of identifying documents and authorized copies.

There is a need for a statutory provision that will be as effective for the Post-Gutenberg Era as the existing copyright concept was for the Gutenberg publishing era.

The creation of a system of unique identification numbers by which all the essential data regarding a copying transaction could be included and automated for accounting purposes offers a reasonable answer to the search for such a statutory system. Computers, instead of being a mortal threat to creators and disseminators of intellectual property, would work to their benefit by providing the means of handling copying accounts. Lower copying costs and quicker access make it possible today to include a royalty payment as well as accounting costs in some copying transactions without exceeding the costs of copying alone only a few months ago. A unique document identification system and time sharing concepts would facilitate centralized accounting procedures and enable information (document copying) centers to organize literature for quick access in the specific format desired.

It is further noted that British book publishers have created a system of unique numbering for all books published in Great Britain. This was found to be necessary because the computer had become engaged in the processing of accounts of ever-increasing numbers of books throughout the country. The numbering system was created to facilitate the marketing of books, down to individual book store sales. It takes no magnificent leap in logic to conclude that a similar system would be very feasible for accounting for the sale of copies, made to order at the point of sale, regardless of format.

It is possible to foresee, under appropriate copyright arrangements, a time when publishing will function on the economic theory of abundance rather than scarcity, and when the publisher will seek to make all materials available as widely as possible through a plurality of media formats. This will permit him to obtain numerous small royalties for use of parts of his works in addition to hardcopy sales of entire volumes.

The object of these three changes is to promote copying rather than to thwart it; to stimulate the application of new media technologies to the information explosion rather than merely tolerating and delaying it.

In seeking to assess the effectiveness of these proposals one needs only to assess their effect on individual copyright owners. Once the copyright owner has acquired some right in the new media, either through mixed-media publishing initially or through subsequent licensing revenues, he will have incentive to promote copying rather than oppose it. Thus, what appears to be repugnant to a copyright owner of Gutenberg copyrights is not only palatable, but desirable to the multi-media copyright owner.

MULTIMEDIA PUBLISHING ERA

The Post Gutenberg Era will itself be replaced by a Multi-Media Publishing Era in which both the publisher and the copier will enjoy and employ the freedom of multi-media formats in making documented information readily accessible to as many users as possible.

In the Multi-Media Era, presumably interest profiles for each of us could be maintained at our request at the future equivalent of

our public library. Such an institution could periodically direct to us on a subscription basis copies in our preferred format of those documents of direct interest to us. Illicit copying would be far more expensive in terms of the search time required to locate the document desired and in terms of conforming the pirated copy to our preferred format.

To what extent and when we reach the multi-media era will depend largely on our success in developing the system of incentives required to bridge . . . the present, largely transitional phase, and to develop experience in managing multi-media publishing formats and licensing arrangements. Our experience in this process will certainly better equip us to deal with the problems of this final stage than the Gutenberg Era has equipped us for today's problems. Without the changes in copyright concept suggested here, however, the Gutenberg Era and its copyright concepts will be able to provide little or no basis for evaluating the new Multi-Media Publishing Era toward which we are, nonetheless, rushing.

Society needs the new media technologies to cope with the vastly expanded information explosion, but it also badly needs the participation of these technologies in developing the rules for their use in the present Post Gutenberg Era and the future Multi-Media Era.

TAKING A SECOND LOOK AT VIOLENCE IN FILMS

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. MICHEL. Mr. Speaker, the repeated acts of violence such as rioting, looting, burning, and assassination together with the dramatic increase in the overall crime rate in recent years have become the Nation's No. 1 domestic problem. The President has appointed a special Commission on Violence made up of outstanding citizens and public servants; however, I am concerned that there are no representatives from the motion picture industry or the television industry on the panel.

It seems to me that the constant stream of violence pouring forth from the movie and television screens must be considered as one of the contributing factors to the violence which has become so much a part of our national life.

An article by the respected drama critic of the Washington Evening Star, Mr. Harry MacArthur, appeared in the Sunday, June 9, edition of the Star discussing the impact of violence in films. Mr. MacArthur makes some rather pointed comments and certainly provides some food for thought for members of the Commission, Members of Congress, and for all Americans, especially parents.

I place the article at this point in the RECORD:

TAKING A SECOND LOOK AT VIOLENCE IN FILMS

(By Harry MacArthur)

Now maybe Hollywood will reexamine its collective conscience about violence in the movies. The tragedy that shook the nation early Wednesday morning must have shaken every thinking movie-maker.

Los Angeles is an insular community. The elopement of a Mickey Rooney to Las Vegas with an unknown model will inspire larger type in a front page banner line out there than the assassination of Sen. Robert F. Kennedy merited here.

Let a cretinous white goon gun down an innocent black high school student on a Washington parking lot with no provocation at all and it passes unnoticed in the movie colony.

When two young Marine officers die because a trio of black transients resent their dress uniforms, the news may trickle through out there. The reaction on the way to the pool is likely to be mild, passing amazement that it isn't safe to walk the streets in the Nation's Capital.

The senseless killing of Sen. Kennedy took place right in the film-makers' front yard, though. It must have prodded many of them into thoughts about violence and their relation to it.

A POLITICAL ACT

The assassination, of course, seems to have been a political act performed on the anniversary of the Arab-Israel war, against a man who believed in our commitment to Israel. And political assassinations have been with us since a cave man used the first club to wrest leadership of the tribe from his nearest rival.

The tragedy in Los Angeles still was part of the climate of violence that seems to have enveloped the world. It is not too soon for those who make our films to pause and consider their possible contributions to the spread of the philosophy: If you want something, take a gun and go get it.

Certainly our screens have been drenched with violence in recent years. Sometimes producers seem to be trying to make, not the best movie or even the most profitable one, but the one that splatters more gore than any other.

The defense argument always is that violence is part of life. The movies merely reflect the times. They are effect, not cause.

It was easier to be lulled by this argument when the motion picture alone was not the culprit. The concern some 15 years ago was over the effect an overdose of television violence might have on the impressionable young.

All they were getting was the ordinary, garden variety of violence of old Western movies, but some parents showed concern. Noted psychologists stepped forward to reassure that this sort of thing merely gave children a vicarious outlet for the violence that has been inside each of us since Cain. Besides, good always triumphed over evil in those old Westerns, thereby providing a lesson in morality.

ANOTHER LESSON

Everybody seems to have forgotten that there was another lesson in those old Westerns that could leave an imprint on childish minds. Somebody was always taking the law into his own hands and forming a posses of vigilantes.

By the Code of the Old West murder was condoned under the proper circumstances. The hero could shoot almost anybody he wanted to shoot as long as he gave his victim a chance to draw and shoot back. Lesson: Take a gun and go get what you want.

Earlier generations seem to have survived this sort of thing just as they survived Grimm's fairy tales. Even when we grew up and inherited a world made a mess by our elders.

Anyhow, we may now be reaping what we sowed 15 years ago. We seem to have a new younger generation weaned on violence and inured to it through constant exposure. The majority of young people have sense enough not to imitate what they see in fiction. Enough of them do not, however, to make that excuse that movies merely mirror the times less than valid.

It was not so long ago that a young delinquent and his 14-year-old girl friend held up a gas station and shot and killed the attendant. They were under the influence, they said, of a movie called "Bonnie and Clyde," which made robbing and killing a carefree lark.

"Bonnie and Clyde" was a well-made movie and its anti-hero and anti-heroine were served retribution by a fusillade of police bullets in the end. This did not, however, make it a highly moral film; it was a picture demonstrating that it is fun to play cops-and-robbers with real bullets.

Movies now come with two distinct kinds of violence—comic and melodramatic. I confess that I have laughed as loudly as millions of others at the exaggerated brutality displayed in "Goldfinger," "Thunderball," "Our Man Flint" and others of their kind.

The Italian-made "Dollar" films—or James Bond out West—added sadism to the bloodletting for laughs. Approached in the right mood, these could be amusing.

A prime example of violence in melodrama was "The Dirty Dozen." The climax of this one had a special group of American GIs raiding a rest and recreation center for high-ranking Nazi officers. They incinerated the lot, along with their girl friends, by trapping them in a bomb shelter, pouring gasoline down the air vents and setting fire to it.

CUMULATIVE EFFECT

Taken singly, these and other films like them would not necessarily be something to deplore. But they can't be taken singly. Moviegoers—the impressionable as well as the stable—get a steady diet of brutality, violence and sadism in what must be eight out of every 10 new movies.

There has to be a cumulative effect that sooner or later makes cruelty and savagery seem as natural in real life as in reel life. Violence has a place in movies, of course. You couldn't make a picture titled "Custer's Last Stand," for instance, without it. But enough is more than enough.

Suppose only one moviegoer—in addition to the young idiots who try to emulate the 1930s goons, Bonnie Parker and Clyde Barrow—had been persuaded to abandon the laws of man for the law of the gun. All of the profits made by all of the producers who cynically employ mayhem and bloodshed for box office lure wouldn't make it a bargain—if his name happened to be Sirhan Bishara Sirhan.

MRS. DORIS LIPSON SASSOWER ELECTED PRESIDENT OF THE NEW YORK WOMEN'S BAR ASSOCIATION

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. REID of New York. Mr. Speaker, I have recently learned that one of my constituents, Mrs. Doris Lipson Sassower of New Rochelle, N.Y., has been elected president of the New York Women's Bar Association for 1968–69. Mrs. Sassower is the youngest woman ever to hold this position and she adds this honor to a long list of distinguished academic and professional achievements.

In her inaugural address, Mrs. Sassower discussed realistically and with vision the problems facing the woman attorney. In addition, Mrs. Sassower focused on the vital need to aid women of the minority groups to enter the legal profession. Both of these concepts extend

far beyond the particular problems of the lawyer and are of great relevance to all professions today.

I think Members will find Mrs. Sassower's address of interest, and I am inserting it in the RECORD at this point:

ADDRESS BY DORIS L. SASSOWER, PRESIDENT, 1968-69, NEW YORK WOMEN'S BAR ASSOCIATION

Madam Chairman, Esteemed Guests, Officers and Members of the New York Women's Bar Association and their Guests, Colleagues and Friends: I salute you all as the new President of the New York Women's Bar Association.

I am delighted to see so many women of high achievement in our profession here today. I am particularly pleased to see on the dais the Honorable Ruth Kessler Toch. One year ago, as many of you will recall, in this same magnificent setting, I had the privilege of presenting to Mrs. Toch, the first woman Solicitor General of the State of New York, the first Florence Allen Award of this Association. This exciting new Award, in memory of Florence Allen, first and only woman to serve as Chief Judge of a federal appellate court, was established in recognition of unique attainment by a woman lawyer. Not being an annual award in conception, the Award is not presented this year. But it is perhaps as much a tribute to her memory, that one who attended law school as I did, on a Florence Allen Scholarship should be installed today as President of this Association. Judge Allen's exemplary dedication to the law and perseverance in adversity have served to inspire and influence many here among us. One of the goals of this administration will be to transmit that wondrous spark which ignited her energies and motivated her in her lifetime to a new generation of women lawyers—a generation freed from the hurdles and handicaps which confronted her but faced with fresh challenges posed by the problems of our time.

Within our midst, as honored old-time members of our Association, are many distinguished women lawyers in the Florence Allen tradition—Retired Commissioner of Correction Hon. Anna Kross, former City Treasurer and now Civil Court Judge Hilda Schwartz, and others, on the dais and in the audience too numerous to name individually. All of them have scaled the heights of success, undeterred by the supposed handicap of sex. The anguished struggles, the personal sacrifices of the pioneer generation of women lawyers—many of whom are with us today—have taken us a long way from the days when women were not only ineligible for membership in bar associations but ineligible for admission to the bar! Call to mind, if you will, the frustration of Lavinia Goodell whose application for admission to the Wisconsin bar in 1875 was rejected out of hand by the learned court on the explicit ground that courtroom discussions are not fit for female ears, and remember too that there are women in this very room who though admitted to the bar were unable to gain admission to membership in our city bar association.

Today, although instances of prejudice and inequity are not uncommon, women are admitted to the bar in every state of the Union, elevated to judicial offices and high posts in government and leading law firms. It would seem that the old patterns of discrimination have yielded. At last, it is possible to say—in theory, if not everywhere in practice—there is no position in the legal profession that cannot be filled by a woman, and that the chief limitations to advancement today are those of self, not sex.

This past year alone saw the following noteworthy events in the news:

Item: A woman, #1 Senior, at Chicago Law School, appointed to clerk for Justice Fortas of the U.S. Supreme Court (who, long previously, had rendered perhaps his most compelling judgment of the "woman lawyer" by marrying one.)

Item: The first woman appointed as a teaching fellow at Harvard Law School.

Item: The first woman appointed to teach a substantive law course at N.Y.U. Law School, and to our own past president, Fannie J. Klein, belongs the happy distinction of having been the first to achieve professorial status at that law school and in the entire state.

Item: The first woman appointed to head the State Department Bureau of Security and Consular Affairs, a rank within the Department equivalent to an Assistant Secretary of State.

Outside the legal world, other ancient barriers were broken when the first woman became a member of the Stock Exchange, and another became the first to teach at West Point.

These notable precedent-shattering women do us all proud. Clearly we have achieved a qualitative victory, but token representation is not enough. One woman law professor in the Empire State, which has at least 10 law schools, is hardly a satisfying statistic. Our goal now must be to achieve a quantitative breakthrough which will give substance to our advances with meaningful numbers.

There is still another new development to be reckoned with among women in the law to which I should like to advert before considering directions for our Association in the coming year.

According to a lively article in the New York Times a few weeks back, entitled "The New Portia: Brainy, Idealistic, But Above All, Just A Girl"—

"There's a new Portia making her presence felt in gradually increasing numbers. Brainy (as women lawyers always had to be) but now fetching as well, she faces life with the definite expectation of reaping personal, as well as professional, rewards.

". . . it is estimated that 3½% of the nation's lawyers are women, but their ranks are multiplying.

". . . Girls are turning in the direction of the law because they are being welcomed . . . (and) it is precisely on the ground of compatibility with feminine goals that college girls are being urged to study law."

Even without the testimony of the New York Times, there is no doubt that more and more women are and will be turning to the law. A sampling I obtained from my own law school, N.Y.U., showed the graduating class of '68 with 50 women out of 360 students, or an approximate 14% female enrollment!

If the New York Times is also right as to Portia's changing face and motivations, and the recent crop of bright and attractive young members of our Association does not refute it, shouldn't our Women's Bar Association involve itself with the change, and rethink its outlook and objectives?

If the "new feminism" has engendered a confidence that marriage and a career and children are possible, not only for college-educated women, but also for women with advanced training in the law, then shouldn't enlightened self-interest, at least, cause our Association to deal directly with the special problems of the new generation of women in the profession? Since many of these problems are also those of other women professionals and working women generally, isn't an association of articulate women lawyers the natural and obvious spokesman to champion the cause of all professional and working women?

I shall refer briefly to the arena of action I envision for our Association—first, expansion of part-time opportunities for married women; second, revision of the tax laws to satisfy the needs of the working women by permitting deduction of home and child care; third, creation of government-aided childcare facilities; fourth, and more specifically for women lawyers, development of a functional framework for on- and off-campus counseling of the increasing numbers of prospective women lawyers; fifth, unification of legal womanpower throughout the city and state with a voice loud and clear enough to be heard in City Hall and Albany as to appointments to judicial and public office; and finally, special assistance to women entering the profession who suffer from the added handicap of being an underprivileged minority group. With nationwide concern over the problems of the disadvantaged, shouldn't an organization of women lawyers provide encouragement to capable women whose color or nationality keep them from entering the legal profession?

These objectives should fast become the rallying point of women's bar associations; many have already become the focus of activity for non-legal women's associations.

I believe the time has come for us to add our strength and talents to this general cause. Perhaps we should consider requesting the Governor, in the name of our organization, to call a special conference to hear and examine the problems of professional and working women, problems, which ignored, can only become more acute!

Many of you undoubtedly read the provocative article entitled "The Second Feminist Wave" in the New York Times Magazine of March 10th, which reveals a women's rights movement now afoot as militant perhaps as that of the most ardent suffragettes. Momentum for needed reforms is gaining. What I am suggesting is that our New York Women's Bar Association be in the vanguard of a similar movement on behalf of women lawyers, and all professional and working women.

Life as a woman lawyer, particularly if she is also a wife and mother, is not easy today, anymore that it was 34 years ago, when this organization was founded. Today women like Beatrice Burstein, here on the dais, member of the judiciary and mother of six children, are still the exception. How long it will be before women who successfully combine the best of both possible worlds, become typical rather than the exception, may well hinge on the extent to which a Women's Bar Association concerns itself with the question via meaningful and relevant action.

The need for an energetic and effective Women's Bar Association remains and will remain until to the words "all men are created equal" can be added "and women."

What I propose for our Association is not a task for one year or for one woman, but an invitation for involvement by all our members, old and young, to achieve our common goals. I have heard it said that "coming together is a beginning, keeping together is progress, working together is success." We have made our beginning. With the enthusiastic support and guidance I count on from all our members, I look forward to a year of increasing progress and success!

In conclusion, I thank you sincerely for the superlative honor you have done me today, and I thank you also for your patience and attention.

WHERE THE SICKNESS LIES

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. WYMAN. Mr. Speaker, Arthur Schlesinger's drooling dirge approaching a curse on Americana because of the tragic assassination of Senator Robert Kennedy by a Jordanian alien, is inex-

cusable even as a sentimental lamentation. It is, in part at least, outrageous demagogy. It is extremism of graphic precision and should be fair warning to all that even authors of the so-called intellectual left can go off the deep end.

We are all sorry about the tragic loss to the Kennedy family as well as to the Nation. But let us not write off a great Nation and a great people because of the awful acts of two assassins, one the clear product of Communist dialectical materialism, and the other a fanatic on the Middle East conflict. The overwhelming majority of Americans are conscientious, patriotic, loyal, and devoted citizens, who seek law and order and a government of law and not of men, perhaps even more than Arthur Schlesinger whose public pronouncements so often have been divisive in the extreme.

In this connection I am including in the RECORD at this point an interesting editorial from yesterday's Wall Street Journal descriptive of where the real sickness lies in America:

[From the Wall Street Journal, June 10, 1968]

WHERE THE SICKNESS LIES

"The world today is asking a terrible question—a question which every citizen of this Republic should be putting to himself: What sort of people are we, we Americans?

"And the answer which much of the world is bound to return is that we are today the most frightening people on this planet. . . .

"It is almost as if a primal curse had been fixed on our nation. . . ."

The words are those of Arthur M. Schlesinger Jr., but the nonsense they express is all too prevalent these days. It is particularly strange since, as it happens, Robert Kennedy was killed by an alien, an Arab fanatic living here. The assassination was a gruesome act of violence bred of violence—but it was the violence primarily of the Middle East, not the U.S.

That circumstance alone should quash the notion that there is something peculiarly American about the violence of the age. In fact, the fury of World War III could all too easily erupt from the hatreds and enmities of the Middle East. Or it could come from Communist ambitions far more probably than from anything the U.S. does. No nation has a monopoly on violence.

We readily grant—it is obvious—that sicknesses exist within our society. It is something else entirely, and something wildly irrational, to indict the whole people and their political, social and economic institutions.

To his credit, Professor Schlesinger perceives at least one important source of some of the sickness.

In his doctoral commencement address at the City University of New York last week, he vigorously attacked those elements of the intellectual community who have espoused violence and, in effect, totalitarianism. These represent the so-called New Left, which has figured prominently in the violence at various campuses and other disorders.

"Little is more dismaying," he said, "than the way in which some, a few, in the intellectual community have rejected the life of reason, have succumbed to the national susceptibility for hatred and violence, have, indeed, begun themselves to exalt hatred and violence as if primitivism in emotion constituted a higher morality."

In truth, what the people of the New Left preach makes depressing hearing. As Mr. Schlesinger says, they want to clear away what they regard as the "noxious rubbish" of the Bill of Rights. Tolerance they regard as evil because it blunts the force of protest; it is both necessary and right to forcibly suppress views with which they disagree. And violence is the way to strike at the established institutions.

It is difficult to think of anything more philosophically in tune with Hitler and Stalin. It is sad to find educated Americans in revolt against the very institutions that, more nearly than anywhere in the world or in history, have secured human freedom in a framework of order and material abundance.

Yet the New Left acknowledges no clear aims, totalitarian or otherwise. Its exponents profess to believe the experience of feeling and action will produce the insight and the policy; violence will mystically generate policy and program. Plainly, though, the direction can only be (probably through anarchy at first) toward severe regimentation by some kind of political authority.

Now all this could be dismissed as insignificant ranting—Schlesinger calls it full of fakery and fallacy, preposterous and depraved—except that these anti-liberty revolutionaries have already shown how much trouble they can cause. Moreover, their praise of violence in particular has unquestionably helped to poison the general atmosphere, encouraging the depredations of weak, deranged and fanatical minds.

Unfortunately it is not just the intellectuals of the New Left. Those others who denounce the whole American people, implying that somehow all of us collectively murdered Senator Kennedy, Rev. King and President Kennedy; these too make their contribution. For if the society is so bad, should it not be torn down? And what must be the effect of this incessant preachment of collective, even primal, evil? Keep telling a man he is sick for long enough, and he is likely to get sick.

No, it is not yet the vigorous institutions of liberty, the highest attainment of secular man, that have lost their health, nor is it the ordinary citizen. But it is not difficult to see where a good deal of the sickness does lie.

THE NEGRO HERITAGE

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. FRIEDEL. Mr. Speaker, it is a fact that in this historic Chamber of the Congress we hear speeches and addresses marking important dates or events in the histories of many different lands, nations, and peoples. The former national heroes of various countries are eulogized and their achievements are retold regularly each year.

However, we have been remiss in regard to the ancestry of approximately 18 million, or about 11 percent, of our fellow American citizens who are Negro. To remedy that situation it was my pleasure to have cosponsored H.R. 12962, a bill to provide for the establishment of a Commission on Negro History and Culture. The purpose of that bill is as follows:

The Commission shall conduct a study of all proposals to create a better understanding and knowledge of Negro history and culture and shall make a recommendation to the President and to the Congress with respect to the legislative enactments which would be necessary to carry out such proposals. Such study shall include consideration of the following:

First. The steps necessary to unearthing, preserving, and collecting historical materials dealing with Negro history and culture.

Second. What can be done to preserve and catalog existing materials.

Third. Examine the possibilities of the establishment of a museum of Negro history and culture or a center of Negro history and culture.

Fourth. Consider where such a museum or center should be located, whether it should be independent or a part of an existing establishment, and how it should be financed.

Fifth. Consider the methods of disseminating such materials so that the information can be best integrated into the mainstream of American education and life.

It may also be of interest to know that action has already been taken on this measure and that the House Committee on Education and Labor held hearings on March 18, 1968.

In connection with a better appreciation of the Negro heritage, I was pleased to read an excellent letter written to the editor of the Sun of Baltimore, Md., by E. F. Meyerson, which appeared in that well-known and influential newspaper on May 20, 1968.

Believing that this is a matter of considerable national interest in bridging a serious gap in our knowledge of the Negro, I insert this letter, entitled "The Negro Heritage," in the pages of the CONGRESSIONAL RECORD. It is as follows:

THE NEGRO HERITAGE

SIR: I would like to offer the thesis that it will not be the riots and burning which will effectively dispel the inertia so long extant in American black-white attitudes, but rather will it be the current demands of the young Negro men and women for a few historical verities concerning their ethnic and cultural background. These demands should be met. And not only in the colleges but in the high schools as well; for it is submitted that ideas are far more revolutionary than banknotes and that they have always been a far more effective means for bringing about a true revolution in mental attitudes and prejudices.

It is a signal fact of American history—and a sad one—that of the many cultural and ethnic minorities who love this land, who die for it and call it home, the Negro alone has been deprived of his natural heritage. Virtually every national hero or saint, feast or fast day, may be celebrated on these shores, from the Year of the Dragon to the Day of St. Patrick; and rare is the American, no matter how distantly removed from immigrant status or country of origin, who does not know something of his ancestry, the name of his "household gods."

But how many American Negroes ever heard the name of the Mani-Congo (Lord of the Congo) Nzingo Mbemba (baptized Dom Affonso), the great chieftain of 1487, or of his son, who was appointed in Rome itself as his country's first bishop. Yet these were men of great personal dignity and stature, rulers of states as large and larger than many of the European duchies and principalities of the same area—black men who were as well loved or who did as much for the people perhaps as a Medici, or a Bismarck.

Thanks to the research scholar, the historian, the archaeologist, we have at our fingertips a whole series of high civilizations. The ones about which we know most are those that lead in direct chronological sequence through the stages of Greek and

Roman culture, Byzantium and Islam, to our own Middle Ages, Renaissance, Industrial Revolution, Nationalist Movements, and present culture. Africa has been but little noted, yet for over 400 years the history and fortunes of Africans were woven into the very fabric of European and American life.

In the early years of contact (c. 1450) ideas about Africa varied remarkably with time and place and showed a wide range of contrast; but they were generally uniform in one important aspect: they supposed no natural inferiority in Africans, no inherent failure to develop and mature. This was to be the great myth of later years, the myth the white man used to justify his own cupidity, the myth which took shape on the decks of a slaving ship.

In the early days of discovery, men of Europe believed they had found partners and allies and equals in Africa. "Let them go and do business with the King of Timbuktu and Mali," Mr. Ramusio, secretary to the rules of Venice, was urging the merchants of Italy in 1563, ". . . and they will be well received with their ships and their goods, and granted the favours that they ask. . . ."

A few hundred years later, other men in Europe were certain that Africa had never so much as known even the rudiments of political organization, let alone the means of building powerful states and operating complex governments. This too was the myth of later years, a central myth of the white man, used to justify his draining off the wealth of Africa during the last century. This took shape as "colonization."

It is a significant fact of African history that it took over 400 years before Africa collapsed into subjection to Europe. Spanish, Portuguese, French, British flags flew over large areas of the globe from east to west; yet, except for small holdings here and there, Africa remained inviolate until the Nineteenth Century; moreover, foreign domination only endured a scant 100 years. The reasons for this are many and varied within the complex interplay of world history during the past century; but surely no small part of the answer must be found in the Africans themselves.

The history of the children of Africa in the New World can be found in a thousand places: it is one of hope and courage, suffering and survival. It is found in a thousand documents, it is the history of the building of great empires, the North and South Americas, and the smallest excursion into it will show that the Negro brought with him many of the technological elements without which the New World could never have been forged.

In early Brazilian society, Ewbank tells us, the Negroes worked as "carpenters, masons, pavers, printers, sign and ornamental painters, carriage and cabinet workers, fabricators of military ornaments, lampmakers, silversmiths, jewelers, and lithographers." Writing of the late Eighteenth Century, von Eschwege, a Swedish engineer in Brazil, wrote that there "the usability of iron ore and the extraction of iron was learnt from the African Negroes." The equipment used by them included the small furnace and hand-blown bellows that were the traditional equipment of Africa.

Examples could be multiplied infinitely; it should suffice the thinking person to know that no large body of people could merge with another without adding their own culture. Along with their songs and superstitions and gods, Africans brought to these lands their strength and experience, their ancient arts and crafts. They were an active, creative, and noble element in the forging of the New World, as the historian Freyre points out, and their true history offers an outstanding contrast to their history of the last hundred years in the United States, dominated as that has been by myths and attitudes that grew out of the slave era.

Let a history of the African peoples be taught in the schools—equally as we teach the history of France or England or Italy. Let there be modern research into the very early African cities, or the history of the African in South America, which is interesting by contrast; let there be a clear distinction between illusion and reality, between myth and fact.

In time, this knowledge should come to exert a considerable influence over the minds and mental attitudes of the men and women of America, white and black. Indeed, it appears to be the only means by which to bridge the gap between the reputation of a people and their true abilities.

E. F. MEYERSON.

BALTIMORE.

VOLUNTEER FIREMEN

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. MARSH. Mr. Speaker, throughout my service in the Congress, I have had an active interest in the recognition of the community service provided, usually at minimal public cost, by the volunteer fire companies and rescue squads of the United States.

As a measure of this recognition, I have sponsored legislation to include these organizations among the groups given priority in the donation or purchase of surplus items under Federal ownership which might be of value to them. It remains my hope that such legislation might be given action.

In the meantime, as a matter of interest to the House, I include an article appearing in the current issue of the Reader's Digest, as follows:

HOW GOOD ARE OUR VOLUNTEER FIREMEN?

(By James Daniel)

(NOTE.—A firsthand report on an amateur elite, the men who sacrifice their time—and sometimes their lives—in the unending battle against fire.)

In my home town of Weston, Conn. (pop. 6700), the fire siren behind Town Hall went off at 2 a.m. recently, and all over town salesmen, lawyers, carpenters, dentists, plumbers, office workers, writers, shopkeepers, construction men and engineers rolled out of bed and into their boots. Within three minutes, some of us were barreling down the road on the big red and gold firetrucks, bells clanging. Others learned of the location of the fire by phone or shortwave radio and converged on the house in cars.

Five minutes after the fire was reported to the dispatcher, by a neighbor who saw flames licking through the roof, our first truck was playing water on the blaze. Others of us were laying additional hose and setting up a portable generator to floodlight the scene. Nine minutes after the first truck arrived, our chief signaled that the fire was out. A $30,000 house had been saved.

At a time when volunteering has about gone out of style, many people are mystified that volunteer fire departments like ours should even exist. To them, the local VFD consists of men whose chief function is to play pool at the firehouse and parade on Memorial Day. Perhaps, too, many remember that fire insurance companies used to complain about volunteer firemen who were sometimes so inept that they did more damage than fire itself.

Today that image is radically changing. According to Percy Bugbee, general manager of the National Fire Protection Association: "The training and equipping of volunteer departments has improved so rapidly that today many compare favorably with the paid departments of larger cities. Without volunteer firemen, it is inconceivable that we could have cut the nation's fire loss per $100 of combustible property from $2.10 at the beginning of the century to 59 cents last year."

In 1966, the United States had 2,396,550 reported fires, totaling a loss of $1.86 billion.* Of the 24,000 fire departments which combated these fires, 22,000 depended on volunteers. Indeed, half of this nation's people now live in areas—suburban, small-town and rural—served by volunteer departments, and such departments are increasing at the rate of about a thousand each year. In all, the United States has more than one million volunteer firemen, as opposed to approximately 200,000 who are paid.

The reason for the boom is simple: many communities simply cannot afford paid fire departments. According to *Firemen* magazine, it takes a department of 50 men working three shifts to provide the desired "initial response" of 13 men on any residential call. At the going rate for firemen, this means a salary bill of $300,000 a year before a piece of equipment is bought (a pumper costs $28,000, a tanker $17,000) or a firehouse is built.

Can VFDs do the job? Yes, say the fire-insurance companies who are certainly in the best position to know. According to Kenneth O. Smith, general manager of the New York Fire Insurance Rating Organization, property owners protected by volunteers do *not* automatically pay high fire-insurance rates: "A fire department may be all volunteers, part paid, or fully paid; if it meets our standards of organization, membership, motorized apparatus and equipment, it is approved."

Though insurance costs may vary from state to state according to fire-loss experience, homeowners in a community with no fire department (Class D) generally pay about double the fire-insurance rates of those in a community with ideal fire defenses (Class A). In New York State a frame house in a Class D community pays 49 cents per $100 for fire insurance annually. This drops to 38 cents if an approved fire department is organized, to 36 cents when fire hydrants are introduced, to 27½ cents when other improvements are made, and finally, when everything is done that the insurance companies say should be done, to 24 cents. Thus, aside from the provision of a standard water supply and other features of the fire defenses of the community, the big difference is in the existence of an "approved" fire department—not in whether the firemen are on salary.

How good are amateurs when faced with an emergency? Let me give you a couple of examples:

In February 1967, a truck loaded with 6000 gallons of fuel oil rammed into the once-a-day slow freight chugging through The Plains, Va. Instantly, the crossing area was awash in burning oil. When the first volunteer firemen arrived, the fire was already sweeping up a two-story office building and was going for a lumberyard and church. Additional volunteers from 30 communities were summoned. In half an hour they had sealed the area off with foam, saving the town.

One March night in 1963, a basement bowling alley in Terre Haute, Ind., caught fire. Ordinarily, putting the fire out would have been easy for Terre Haute's crack, paid fire department. But a gale-force wind turned the blaze into a blowtorch so hot that it

*National Fire Protection Association figures.

melted the doors off refrigerators in a display window a block away. By 3 a.m. every Terre Haute fire company was downtown, leaving the flanks of the city dangerously exposed.

By radio, Fire Chief Norman Fesler called on volunteer companies in surrounding communities. A dozen responded from as far as 80 miles away. While some volunteers moved into outlying firehouses (and put out one sizable fire of independent origin), others were stationed on downtown rooftops to put out fires started by flying firebrands. Said Chief Fesler next day, "Without the help of the volunteers we probably would have lost our entire downtown."

Like many American males, I used to wonder just what went on behind those big overhead firehouse doors when the volunteers were not fighting fires. I knew only that in Weston, some of my respected friends and neighbors had regular "meeting nights" or "drill nights." Then two years ago a friend told me that Weston needed volunteers for the daytime hours, when the commuters were at work in New York. As a writer I often worked at home in the daytime. So I signed up as a probationer fireman, ambulance driver and first-aid attendant. (More than 4000 U.S. fire departments also run emergency ambulance services.) For six months—the standard trial period—I attended demonstrations and practice sessions given by our drillmaster or visiting instructors.

I learned such things as how to use oxygen breathing apparatus to enter a burning building, how to lay and repack fire hose, how to position a ladder and raise it effortlessly, how to set up a deluge gun (a giant, swivel-mounted nozzle that can take the full force of two giant pumpers at one time), how to treat the injured. At the end of the training, I was given my badge, boots, slicker and helmet.

I was now entitled to attend not only fires but the annual meeting at which the department selected its officers. Until or unless they come under local government control through public financing, most companies, I subsequently learned, run their own affairs without political interference.

Looking back on my experiences as a fireman and first-aid man, I cannot point to an endless succession of thrills. Any firehouse logbook will show a great many more calls reporting "smoke odors" or "child locked in bathroom" than actual fires. But I think I've learned the answer to a question I am frequently asked: "What makes volunteers volunteer?"

Ever since Benjamin Franklin founded the first volunteer fire company in Philadelphia in 1736, undoubtedly part of the motivation has been men's desire to get together and share each other's company. But there is more to it than that—something in each man that pushes him on to give more than is required of him. Since volunteer firemen are inclined to be action types rather than verbalizers, perhaps they can't even explain it themselves. When I asked a young volunteer driver—who had just sacrificed two hours of paid working time to handle two brush-fire calls in one day—why he did it, he just looked at me amazed and said, "Because somebody has to."

Doing what somebody has to—that's about as close as a volunteer fireman will come to baring his soul. But recently, after five volunteer firemen from Ridgefield, N.J., had died helping to put out a fire in nearby Cliffside Park, I visited the Ridgefield firehouse and came across a letter of condolence that put volunteer service in a broader perspective. Wrote the Rev. William Henzlik, once chaplain of the Oak Forest, Ill., volunteer company: "When men give themselves, even to their lifeblood, to protect others, they are in the deepest sense acting out, rather than talking about, the Christian command to be their brother's keeper."

UNTIMELY PASSING OF AN OUTSTANDING NEWSPAPER EDITOR

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. WATSON. Mr. Speaker, one of the most courageous and brilliant newspaper editors in this country, Mr. Robert M. Hitt, Jr., passed away recently in Charleston, S.C.

Mr. Hitt, familiarly known as "Red" to all of us who were priviledged to know him, served as editor of the Charleston Evening Post for a period of 15 years before his untimely death at the age of 53 on June 3.

Mr. Hitt was one of the most versatile men I have ever known. His fame as a journalist spread far beyond his native South Carolina, but I shall always remember him as a public speaker without parallel. He possessed a quality which is rare nowadays—a boundless wit that was always present in even routine conversations. Low Country South Carolina is known for its superb storytellers. But "Red" Hitt just seemed to be able to tell them better than anyone else. As editor of a newspaper in one of the most colorful cities in America, Charleston, "Red" Hitt understood the local color so prevalent in his stories.

He was born in Bamberg, S.C., which is located in my congressional district. As one of Bamberg's most illustrious sons, he was destined to become a newspaperman since his father was the editor of an outstanding weekly newspaper, the Bamberg Herald. In fact, his mother and a sister still reside in Bamberg.

To his dear wife, mother, five children, and two sisters who survive I would like to extend my deepest sympathy.

Mr. Speaker, newspaper editors who were contemporaries of "Red" Hitt have eulogized him more eloquently than I ever could, and as a part of my remarks I include a sample of their editorials, as follows:

[From the Charleston (S.C.) News and Courier, June 5, 1968]

R. M. HITT, JR.

A journalist of nationwide renown, Robert Melvin Hitt Jr. was a justly admired citizen of South Carolina and one of the most popular men of his time in Charleston. Through public speeches and a wide personal acquaintance he had projected a warm personality far beyond the circulation territory of the Charleston Evening Post, which he had served as editor for 15 years.

We first became acquainted with Red Hitt when he was a lanky freshman at The Citadel. At age 16, he already showed promise In applying for appointment as campus correspondent for The News and Courier, he listed among his qualifications an ability to set type, tend a press and write any kind of copy from advertisements to editorials.

These were no idle boasts. He had grown up around a newspaper shop. His father was the late R. M. Hitt, editor of The Bamberg Herald, whom we revered among the solid and able weekly journalists of our state. Although in those days only senior cadets served as campus correspondents, we watched the progress of the boy from Bamberg. Not long after his graduation we offered him a job as a reporter for The News and Courier. Though it paid less than he earned from a government job, he readily accepted because his first interest was newspapering. Mr. Hitt's progress in the craft was rapid. First as sports editor for The News and Courier, then as city editor and managing editor for The Evening Post, he climbed the ladder of desks and in 1953 was appointed editor.

As a member of the American Society of Newspaper Editors, he was respected and liked by colleagues all over the country. Behind the rugged countenance and booming voice that were his trademarks was a gentle and sensitive nature. He was perceptive and sympathetic in dealing with both people and issues. These qualities, with a vivid gift for words. superbly equipped him for the duties of a newspaper editor. He discharged them with admirable style and skill.

Perhaps his most engaging quality was a keen sense of humor, quick but kindly. It spiced his writing and brought welcome wit to social conversations. Who will forget his bass voice and hearty laugh?

Brought up in a Christian home, in which family loyalty and civic obligation were regarded as matters of course, he grew in character and stature with the years. His unexpected death at age 53 has cut short a career that should have had many fruitful years to run. The newspaper profession has suffered a grievous loss. The sorrow of his family, his associates and a vast collection of friends is beyond measure.

[From the Columbia (S.C.) Record, June 5, 1968]

PASSING OF A JOURNALIST STAR

The Fourth Estate lost one of its brightest stars in the death of Robert M. Hitt Jr., editor of The Charleston Evening Post.

"Red," as he was affectionately known to newspapermen throughout the nation, delighted audiences from coast to coast with his wit, wisdom and philosophy. He was twice a featured speaker at conventions of the American Society of Newspaper Editors.

Hitt was a newspaperman's newspaperman. He started his journalistic career in the shop of The Bamberg Herald, where his father was one of South Carolina's outstanding editors. After graduation from The Citadel he went to work with the Charleston newspapers, where he was successively reporter, sports editor, news editor, managing editor and, since 1953, editor of the Evening Post.

Under his editorship the Evening Post doubled its circulation and became South Carolina's largest afternoon daily. He served his area with distinction, and his promotion of his profession ranged far and wide.

He was active in every organization to raise standards and call attention to opportunities of journalism, starting with the South Carolina Scholastic Press Association. He served as president of the South Carolina Press Association, was first president of the South Carolina Associated Press News Council, and conducted seminars and conferences for the newspapermen of this and other states.

He was such a favorite with his fellow journalists in South Carolina that none of their meetings was held without "Red" Hitt as one of the principals.

Faithful to his task until the very end, he was representing his newspaper at a Charleston Safety Council meeting when he collapsed, suffering from a brain hemorrhage. He did not recover consciousness.

His death brings shock and sadness to everyone who knew him. He will always be revered as one of the strongest pillars of South Carolina journalism.

[From the Orangeburg (S.C.) Times and Democrat, June 5, 1968]

ROBERT M. HITT, Jr.

In the untimely death of Robert Melvin Hitt, Jr., 53, editor of The Charleston Evening

Post, South Carolina and the newspapers of the state have lost a man who exemplified all that journalism is or should be.

Mr. Hitt, a native of Bamberg and son of a veteran newspaper man, died early Tuesday morning after suffering a cerebral hemorrhage several days ago.

He was a graduate of the Bamberg High School and earned an A.B. degree from the The Citadel in 1935, the military college later granting him an honorary Lld. degree in 1962.

He began his career as a newspaperman with The News and Courier in 1936, becoming sports editor in 1938. In 1943, he was moved over to The Evening Post as news editor, promoted to managing editor in 1945, and held the post of editor from 1953 until his death.

Known to his countless friends as "Red" Hitt, his editorials were sincere, hard-hitting and just. His was a quick and agile mind, one able to see to the root of a matter through the glitter in which it might be presented.

For that reason, "Red" Hitt was in great demand as an after-dinner speaker. He had a slow delivery, almost a drawl, and he had a dry, sometimes cutting but never vicious wit, one that soon had his listeners convulsed with laughter. But he was far from a comedian. He never spoke without delivering a worthwhile message. Those who heard him were both entertained and informed, perhaps enthused, by his words.

He held the high esteem and respect of everyone in the newspaper world as an excellent writer and representative of the "working press" as well as in his editorial achievements.

Married, he was an understanding and devoted father and husband, a worker and vestryman in his church, and endowed in the social graces which made him president of the Country Club of Charleston in 1947, and commodore of the Carolina Yacht Club in 1948.

The Times and Democrat joins the other newspapers in and out of South Carolina in extending sympathy to Mrs. Hitt and their five children and the staff of The Evening Post and The News and Courier, where also he will be sorely missed.

MILITANCY IN POOR PEOPLE'S CAMPAIGN LEADERSHIP

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. BUCHANAN. Mr. Speaker, the increased militancy of participants in the Poor People's Campaign seems to reflect the pattern of the times. Apparently, anarchy, lawlessness, and violence are becoming the mode of expressing grievances, rather than peaceful assembly, petitioning, and casting a ballot in an election.

As many Members of Congress, myself included, stated, the Poor People's Campaign created a climate for possible violence. It is my profound hope that degeneration into a new wave of rioting and civil disturbances in Washington can yet be avoided.

The campaign is beset with dissension over goals and strategy. Indications are that the militants are gaining control. For example, windows in the Supreme Court Building were smashed by rocks during a demonstration; traffic on a major thoroughfare alongside Resurrection City has been redirected because residents were hurling rocks and cans at passing autos, and leaders of various factions are discounting goals outlined by other factions.

Efforts to force mass arrests are now an announced strategy. Hosea Williams, in charge of demonstrations, said:

> The picnic is over, if the police want to use those clubs we're going to give them a chance.

Washington police have been deliberately taunted and chided by demonstrators since that announcement.

Other statements by campaign leaders and participants as well as increasingly militant demonstrations indicate that the situation is extremely volatile and could explode when hundreds of thousands are expected to pour into Washington for a massive demonstration on June 19.

In a meeting with Attorney General Ramsey Clark, campaign spokesmen made the following statements:

Said James E. Groppi of Milwaukee:

> We didn't come here to play games and if we have to turn this capital upside down, brother, I'm all for it. We won't be placated any more.

Mrs. Lila Mae Brooks of Mississippi waved her finger in Mr. Clark's face and said:

> If we don't get no justice, man, you better be gone from here.

Congress is rightfully concerned about such statements being blatantly shouted before radio and television facilities. But, many Members of Congress are equally concerned by less public statements of campaign leaders.

For instance, the Rev. James Bevel, a leader of the Southern Christian Leadership Conference, made the following statements before congressional staff representatives on Capitol Hill on May 21:

> The wealth must be redistributed and the means of production turned over to the people . . . The police must be re-oriented. The God versus devil philosophy of Judeo-Christian tradition must be eliminated.
>
> Personally, capitalism is intellectually incompatible with me. Why should I compete for things that are mine?

Men like Bevel are not "lobbying" or "petitioning" for the poor—he is calling for the turnabout of the American Government, and judging from his statements a restructuring along Marxist lines.

To petition and lobby are two privileges all Americans enjoy—but militant demonstrations and statements calling for the total restructuring of the American Government is a far cry from lobbying.

I am, therefore, hopeful that current legislation which would provide guidelines for exercising the rights to petition and lobby will gain congressional approval. Specifically, the legislation:

First. Forbids any Federal agency or employee from granting the use of Federal land for any kind of camp-in or sleep-in—along the lines of Resurrection City.

Second. Forbids the renewal of any current authorization for such land usages—meaning that when the Federal permit for Resurrection City expires on the 16th, it cannot be renewed.

Third. Provides for the creation of a 20-member congressional grievance committee to receive grievances and protests from any American or group of Americans, such as the poor people. The committee would be composed of 10 Congressmen and 10 Senators, equally divided between Republicans and Democrats.

It is regrettable that the rights to petition and lobby have been so flagrantly abused that it was necessary for this legislation to be introduced, but the interests of all Americans must be preserved in these trying times. There must be no tyranny of the minority in America.

SUPREME COURT OPINION

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. CAREY. Mr. Speaker, yesterday, the U.S. Supreme Court handed down a momentous decision. On a 6-to-3 ruling the Court upheld the constitutionality of the New York State law which requires public school systems to lend textbooks to students in private and parochial schools.

Under the provisions of the New York law the school districts are directed to lend $15 worth of textbooks each year to each pupil in grades seven through 12 in private schools. The State is currently expending about $25 million a year under the law which became effective September 1, 1966, for the benefit of about 300,000 pupils.

This decision by the Court substantiates the constitutionality of the provisions for the loan of textbooks contained in the Elementary and Secondary Education Act of 1965. As one of the authors of that act, and particularly the textbook provisions, I welcome this clarifying decision by the Court.

Justice White in stating the opinion of the Court addressed the basic issues of the question in stating that the Supreme Court "has long recognized that religious schools pursue two goals—religious instruction and secular education," adding that underlying the Court's decisions and the judgments of State legislatures "has been a recognition that private education has played and is playing a significant and valuable role in raising national levels of knowledge, competence and experience."

Mr. Speaker, I request that the opinion of the Court as delivered by Justice White, and the concurring opinion by Justice Harlan be printed at this point in the RECORD.

[Supreme Court of the United States, No. 660.—October term, 1967]

BOARD OF EDUCATION OF CENTRAL SCHOOL DISTRICT NO. 1, ETC., ET AL., APPELLANTS, *v.* JAMES E. ALLEN, JR., AS COMMISSIONER OF EDUCATION OF NEW YORK, ET AL.

On Appeal From the Court of Appeals of New York.

[June 10, 1968.]

MR. JUSTICE WHITE delivered the opinion of the Court.

A law of the State of New York requires local public school authorities to lend text-

books free of charge to all students in grades seven through 12; students attending private schools are included. This case presents the question whether this statute is a "law respecting the establishment of religion or prohibiting the free exercise thereof," and so in conflict with the First and Fourteenth Amendments to the Constitution, because it authorizes the loan of textbooks to students attending parochial schools. We hold that the law is not in violation of the Constitution.

Until 1965, § 701 of the Educational Law of the State of New York authorized public school boards to designate textbooks for use in the public schools, to purchase such books with public funds, and to rent or sell the books to public school students.[1] In 1965 the Legislature amended § 701, basing the amendments on findings that the "public welfare and safety require that the state and local communities give assistance to educational programs which are important to our national defense and the general welfare of the State."[2] Beginning with the 1966–67 school year, local school boards were required to purchase textbooks and lend them without charge "to all children residing in such district who are enrolled in grades seven to twelve of a public or private school which complies with the compulsory education law." The books now loaned are "text-books which are designated for use in any public, elementary or secondary schools of the state or are approved by any boards of education," and which—according to a 1966 amendment—"a pupil is required to use as a text for a semester or more in a particular class in the school he legally attends."[3]

Appellants, the members of the Board of Education of Central School District No. 1 in Rensselaer and Columbia Counties, brought suit in the New York courts against appellee James Allen.[4] The complaint alleged that § 701 violated both the State and Federal Constitutions; that if appellants, in reliance on their interpretation of the Constitution, failed to lend books to parochial school students within their counties appellee Allen would remove appellants from office; and that to prevent this, appellants were complying with the law and submitting to their constituents a school budget including funds for books to be lent to parochial schools pupils. Appellants therefore sought a declaration that § 701 was invalid, an order barring appellee Allen from removing appellants from office for failing to comply with it, and another order restraining him from apportioning state funds to school districts for the purchase of textbooks to be lent to parochial students. After answer, and upon cross-motions for summary judgment, the trial court held the law unconstitutional under the First and Fourteenth Amendments and entered judgment for appellants, 51 Misc. 2d 297, 273 N.Y.S. 2d 239 (1966). The Appellate Division reversed, ordering the complaint dismissed on the ground that appellant school boards had no standing to attack the validity of a state statute, 27 A.D. 2d 69, 276 N.Y.S. 2d 234 (1966). On appeal, the New York Court of Appeals concluded by a 4–3 vote that appellants did have standing[5] but by a different 4–3 vote held that § 701 was not in violation of either the State or the Federal Constitution, 20 N.Y. 2d 109, 228, N.E. 2d 791, 281 N.Y.S. 2d 799 (1967). The Court of Appeals said that the law's purpose was to benefit all school children, regardless of the type of school they attended, and that only textbooks approved by public school authorities could be loaned. It therefore considered § 701 "completely neutral with respect to religion, merely making available secular textbooks at the request of the individual student and asking no question about what school he attends." Section 701, the Court of Appeals concluded, is not a law which "establishes a religion or constitutes the use of public funds to aid religious schools," 20 N.Y. 2d, at 117; 228 N.E. 2d, at 794, 795; 281 N. Y. S. 2d, at 805. We noted probable jurisdiction. 389 U.S. 1031 (1968).

Everson v. *Board of Education*, 330 U.S. 1 (1947), is the case decided by this Court that is most nearly in point for today's problem. New Jersey reimbursed parents for expenses incurred in busing their children to parochial schools. The Court stated that the Establishment Clause bars a State from passing "laws which aid one religion, aid all religions, or prefer one religion over another," and bars too any "tax in any amount large or small . . . levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion." 330 U.S. at 15–16. Nevertheless, said the Court, the Establishment Clause does not prevent a State from extending the benefits of state laws to all citizens without regard to their religious affiliation and does not prohibit "New Jersey from spending tax-raised funds to pay the bus fares of parochial school pupils as part of a general program under which it pays the fares of pupils attending public and other schools." The statute was held to be valid even though one of its results was that "children are helped to get to church schools" and "some of the children might not be sent to the church schools if the parents were compelled to pay their children's bus fares out of their own pockets." 330 U.S., at 17. As with public provision of police and fire protection, sewage facilities, and streets and sidewalks, payment of bus fares was of some value to the religious school, but was nevertheless not such support of a religious institution as to be a prohibited establishment of religion within the meaning of the First Amendment.

Everson and later cases have shown that the line between state neutrality to religion and state support of religion is not easy to locate. "The constitutional standard is the separation of Church and State. The problem, like many problems in constitutional law, is one of degree." *Zorach* v. *Clauson*, 343 U.S. 306, 314 (1952). See *McGowan* v. *Maryland*, 366 U.S. 420 (1961). Based on *Everson*, *Zorach*, *McGowan*, and other cases, *Abington School District* v. *Schempp*, 374 U.S. 203 (1963), fashioned a test ascribed to by eight Justices for distinguishing between forbidden involvements of the State with religion and those contacts which the Establishment Clause permits:

"The test may be stated as follows: what are the purpose and the primary effect of the enactment? If either is the advancement or inhibition of religion then the enactment exceeds the scope of legislative power as circumscribed by the Constitution. That is to say that to withstand the strictures of the Establishment Clause there must be a secular legislative purpose and a primary effect that neither advances nor inhibits religion. *Everson* v. *Board of Education*." 374 U.S., at 222.

This test is not easy to apply, but the citation of *Everson* by the *Schempp* Court to support its general standard made clear how the *Schempp* rule would be applied to the facts of *Everson*. The statute upheld in *Everson* would be considered a law having "a secular legislative purpose and a primary effect that neither advances nor inhibits religion." We reach the same result with respect to the New York law requiring school books to be loaned free of charge to all students in specified grades. The express purpose of § 701 was stated by the New York Legislature to be furtherance of the educational opportunities available to the young. Appellants have shown us nothing about the necessary effects of the statute that is contrary to its stated purpose. The law merely makes available to all children the benefits of a general program to lend school books free of charge. Books are furnished at the request of the pupil and ownership remains, at least technically, in the State. Thus no funds or books are furnished to parochial schools, and the financial benefit is to parents and children, not to schools.[6] Perhaps free books make it more likely that some children choose to attend a sectarian school, but that was true of the state-paid bus fares in *Everson* and does not alone demonstrate an unconstitutional degree of support for a religious institution.

Of course books are different from buses. Most bus rides have no inherent religious significance, while religious books are common. However, the language of § 701 does not authorize the loan of religious books, and the State claims no right to distribute religious literature. Although the books loaned are those required by the parochial school for use in specific courses, each book loaned must be approved by the public school authorities; only secular books may receive approval. The law was construed by the Court of Appeals of New York as "merely making available secular textbooks at the request of the individual student," *supra*, and the record contains no suggestion that religious books have been loaned. Absent evidence we cannot assume that school authorities, who constantly face the same problem in selecting textbooks for use in the public schools, are unable to distinguish between secular and religious books or that they will not honestly discharge their duties under the law. In judging the validity of the statute on this record we must proceed on the assumption that books loaned to students are books that are not unsuitable for use in the public schools because of religious content.

The major reason offered by appellants for distinguishing free textbooks from free bus fares is that books, but not buses, are critical to the teaching process, and in a sectarian school that process is employed to teach religion. However this Court has long recognized that religious schools pursue two goals, religious instruction and secular education. In the leading case of *Pierce* v. *Society of Sisters*, 268 U.S. 510 (1925), the Court held that although it would not question Oregon's power to compel school attendance or require that the attendance be at an institution meeting State-imposed requirements as to quality and nature of curriculum, Oregon had not shown that its interest in secular education required that all children attend publicly operated schools. A premise of this holding was the view that the State's interest in education would be served sufficiently by reliance on the secular teaching that accompanied religious training in the schools maintained by the Society of Sisters. Since *Pierce*, a substantial body of case law has confirmed the power of the States to insist that attendance at private schools, if it is to satisfy state compulsory-attendance laws, be at institutions which provide minimum hours of instruction, employ teachers of specified training, and cover prescribed subjects of instruction.[7] Indeed, the State's interest in assuring that these standards are being met has been considered a sufficient reason for refusing to accept instruction at home as compliance with compulsory education statutes.[8] These cases were a sensible corollary of *Pierce* v. *Society of Sisters:* if the State must satisfy its interest in secular education through the instrument of private schools, it has a proper interest in the manner in which those schools perform their secular educational function. Another corollary was *Cochran* v. *Louisiana State Board of Education*, 281 U.S. 370 (1930), where appellants said that a statute requiring school books to be furnished without charge to all students, whether they attended public or private schools, did not serve as a "public purpose," and so offended the Fourteenth Amendment. Speaking through Chief Justice Hughes, the Court summarized as follows its conclusion that Louisiana's interest in the secular education being provided by private schools made provision of textbooks to students in those

Footnotes at end of article.

schools a properly public concern: "[The State's] interest is education, broadly; its method, comprehensive. Individual interests are aided only as the common interest is safeguarded." 281 U.S., at 375.

Underlying these cases, and underlying also the legislative judgments that have preceded the court decisions, has been a recognition that private education has played and is playing a significant and valuable role in raising national levels of knowledge, competence, and experience. Americans care about the quality of the secular education available to their children. They have considered high quality education to be an indispensable ingredient for achieving the kind of nation, and the kind of citizenry, that they have desired to create. Considering this attitude, the continued willingness to rely on private school systems, including parochial systems, strongly suggests that a wide segment of informed opinion, legislative and otherwise, has found that those schools do an acceptable job of providing secular education to their students.[9] This judgment is further evidence that parochial schools are performing, in addition to their sectarian function, the task of secular education.

Against this background of judgment and experience, unchallenged in the meager record before us in this case, we cannot agree with appellants either that all teaching in a sectarian school is religious or that the processes of secular and religious training are so intertwined that secular textbooks furnished to students by the public are in fact instrumental in the teaching of religion. This case comes to us after summary judgment entered on the pleadings. Nothing in this record supports the proposition that all textbooks, whether they deal with mathematics, physics, foreign languages, history or literature, are used by the parochial schools to teach religion. No evidence has been offered about particular schools, particular courses, particular teachers, or particular books. We are unable to hold, based solely on judicial notice, that this statute results in unconstitutional involvement of the State with religious instruction or that § 701, for this or the other reasons urged, is a law respecting the establishment of religion within the meaning of the First Amendment.

Appellants also contend that § 701 offends the Free Exercise Clause of the First Amendment. However, "it is necessary in a free exercise case for one to show the coercive effect of the enactment as it operates against him in the practice of his religion," *Abington School District* v. *Schempp*, 374 U.S. 203, 223 (1963), and appellants have not contended that the New York law in any way coerces them as individuals in the practice of their religion.

The judgment is affirmed.

FOOTNOTES

[1] New York Sess. Laws 1950, c. 239, § 1. New York Education Law § 703, New York Sess. Laws 1950, c. 239, § 3, permitted the qualified voters of any school district to authorize a special tax for the purpose of making available free textbooks. The 1965 amendments that required free textbooks to be provided for grades seven through 12 amended § 703 so that it now permits local voters to approve free books for grades one through six.

[2] New York Sess. Laws 1965, c. 320, § 1.

[3] New York Education Law § 701 (1967 Supp.):

"1. In the several cities and school districts of the state, boards of education, trustees or such body or officer as perform the functions of such boards, shall designate text-books to be used in the schools under their charge.

"2. A textbook, for the purposes of this section shall mean a book which a pupil is required to use as a text for a semester or more in a particular class in the school he legally attends.

"3. In the several cities and school districts of the state, board of education, trustees or such body or officers as perform the function of such boards shall have the power and duty to purchase and to loan upon individual request, to all children residing in such district who are enrolled in grades seven to twelve of a public or private school which complies with the compulsory education law, text-books. Text-books loaned to children enrolled in grades seven to twelve and said private schools shall be text-books which are designated for use in any public, elementary or secondary schools of the state or are approved by any boards of education, trustees or other school authorities. Such text-books are to be loaned free to such children subject to such rules and regulations as are or may be prescribed by the board of regents and such boards of education, trustees or other school authorities."

The present subdivision (2) was added by amendment in 1966, New York Sess. Laws 1966, c. 795. This suit was filed, and the trial court opinion was rendered, prior to the 1966 amendment.

[4] Intervention was permitted on plaintiffs' side by the Board of Education of Union Free School District No. 3 in Nassau County, which appears here as co-appellant, and on defendants' side by parents of certain students attending private schools, who appear here as co-appellees.

[5] Appellees do not challenge the standing of appellants to press their claim in this Court. Appellants have taken an oath to support the United States Constitution. Believing § 701 to be unconstitutional, they are in the position of having to choose between violating their oath and taking a step—refusal to comply with § 701—that would be likely to bring their expulsion from office and also a reduction in state funds for their school districts. There can be no doubt that appellants thus have a "personal stake in the outcome" of this litigation. *Baker* v. *Carr*, 369 U.S. 186, 204 (1962).

[6] While the record and the state court opinions in this case contained no information about how the books are in fact transferred from the Boards of Education to individual students, both parties suggested in their briefs and on oral argument before this Court that New York permits private schools to submit to boards of education summaries of the requests for textbooks filed by individual students, and also permits private schools to store on their premises the textbooks being loaned by the Board of Education to the students. This interpretation of the State's administrative procedure is supported by an "Opinion of Counsel" made available by the Board of Regents and the State Department of Education to local school superintendents. For purposes of this case we consider the New York statute to permit these procedures. So construing the statute, we find it in conformity with the Constitution, for the books are furnished for the use of individual students and at their request.

It should be noted that the record contains no evidence that any of the private schools in appellants' districts previously provided textbooks for their students. There is some evidence that at least some of the schools did not: intervenor defendants asserted that they had previously purchased all their children's textbooks. And see statement of then Commissioner of Education Keppel: "Nonpublic schools rarely provide free textbooks." 1 Hearings on Elementary and Secondary Education Act of 1965 before General Subcommittee on Education of House Committee on Education and Labor 93 (1965).

[7] This Court has twice suggested the constitutionality of these state regulations. "[T]he State may 'require teaching by instruction and study of all in our history and in the structure and organization of our government, including the guaranties of civil liberty, which tend to inspire patriotism and love of country.'" *West Virginia State Board of Education* v. *Barnett*, 319 U. S. 624, 631 (1943), quoting *Minersville School District* v. *Gobitis*, 310 U. S. 586, 604 (1940) (Stone, J., dissenting). "This Court has said that parents may, in this discharge of their duty under state compulsory education laws, send their children to a religious rather than a public school if the school meets the secular educational requirements which the state has the power to impose." *Everson* v. *Board of Education*, 330 U. S. 1, 18 (1947) (citing *Pierce* v. *Society of Sisters*). A great many state cases have upheld a wide range of private school regulation. *E. g., Meyerkorth* v. *State*, 173 Neb. 889, 115 N. W. 2d 585 (1962), appeal dismissed for want of a substantial federal question, 372 U. S. 705 (1963); *State* v. *Hoyt*, 84 N. H. 38, 146 A. 170 (1929); *People* v. *Donner*, 199, Misc., 643, 99 N. Y. S. 2d 830 (Dom. Rel. Ct. 1950), aff'd mem., 278 App. Div. 705,103 N. Y. S. 2d 757, aff'd mem., 302 N. Y. 857, 100 N. E. 2d 48, appeal dismissed for want of a substantial federal question, 342 U. S. 884 (1951).

New York State regulates private schools extensively, especially as to attendance and curriculum. New York Education Law §§ 3201–3229 (1953). Regents examinations are given to private school students. *Id.*, § 209. The basic requirement is that the instruction given in private schools satisfying the compulsory attendance law be "at least substantially equivalent to the instruction given to minors of like age and attainments at the public schools of the city or district where the minor resides." *Id.*, § 3204(2).

New York requires school attendance of "each minor from seven to sixteen years of age" unless he has completed high school. *Id.*, § 3205.

[8] *E. g., People* v. *Turner*, 121 Cal. App. 2d 861, 263 P. 2d 685 (1953), appeal dismissed for want of a substantial federal question, 347 U.S. 972 (1954).

[9] In 1966 in New York State, almost 900,000 students, or 21.5% of total state enrollment, attended nonpublic schools University of State of New York, Education Statistics New York State, Table I (1968). The comparable statistic for the Nation was at least 10%. United States Bureau of the Census, Statistical Abstract of the United States: 1967, at 111 (1967).

[Supreme Court of the United States,
No. 660.—October Term, 1967]

BOARD OF EDUCATION OF CENTRAL SCHOOL DISTRICT NO. 1, ETC., ET AL., APPELLANTS, *v.* JAMES E. ALLEN, JR., AS COMMISSIONER OF EDUCATION OF NEW YORK, ET AL.

On Appeal From the Court of Appeals of New York.

[June 10, 1968]

MR. JUSTICE HARLAN, concurring.

Although I join the opinion and judgment of the Court, I wish to emphasize certain of the principles which I believe to be central to the determination of this case, and which I think are implicit in the Court's decision.

The attitude of government toward religion must, as this Court has frequently observed, be one of neutrality. Neutrality is, however, a coat of many colors. It requires that "government neither engage in nor compel religious practices, that it effect no favoritism among sects or between religion and nonreligion, and that it work deterrence of no religious belief." *Abington School Dist.* v. *Schempp*, 374 U.S. 203, 305 (concurring opinion of Goldberg, J.). Realization of these objectives entails "no simple and clear measure," *id.*, at 306, by which this or any case may readily be decided, but these objectives do suggest the principles which I believe to be applicable in the present circumstances. I would hold that where the contested governmental activity is calculated to achieve nonreligious purposes otherwise within the competence of the State, and where the activity does not involve the State "so signifi-

cantly and directly in the realm of the sectarian as to give rise to . . . divisive influences and inhibitions of freedom," *id.*, at 307, it is not forbidden by the religious clauses of the First Amendment.

In my opinion, § 701 of the Education Law of New York does not employ religion as its standard for action or inaction, and is not otherwise inconsistent with these principles.

[Supreme Court of the United States, No. 660.—October Term, 1967]

BOARD OF EDUCATION OF CENTRAL SCHOOL DISTRICT NO. 1, ETC., ET AL., APPELLANTS, *v.* JAMES E. ALLEN, JR., AS COMMISSIONER OF EDUCATION OF NEW YORK, ET AL.

On Appeal From the Court of Appeals of New York.

[June 10, 1968]

MR. JUSTICE FORTAS, dissenting.

The majority opinion of the Court upholds the New York statute by ignoring a vital aspect of it. Public funds are used to buy, for students in sectarian schools, textbooks which are selected and prescribed by the sectarian schools themselves. As my Brother DOUGLAS points out, despite the transparent camouflage that the books are furnished to students, the reality is that they are selected and their use is prescribed by the sectarian authorities. The child must use the prescribed book. He cannot use a different book prescribed for use in the public schools. The State cannot choose the book to be used. It is true that the public school boards must "approve" the book selected by the sectarian authorities; but this has no real significance. The purpose of these provisions is to hold out promise that the books will be "secular" (but cf. DOUGLAS, J., dissenting, *ante*, n. 6); but the fact remains that the books are chosen by and for the sectarian schools.

It is misleading to say, as the majority opinion does, that the New York "law merely makes available to all children the benefits of a general program to lend school books free of charge." (*Ante*, p. 6.) This is not a "general" program. It is a specific program to use state funds to buy books prescribed by sectarian schools which, in New York, are primarily Catholic, Jewish, and Lutheran sponsored schools. It could be called a "general" program only if the school books made available to all children were precisely the same—the books selected for and used in the public school. But this program is not one in which all children are treated alike, regardless of where they go to school. This program, in its unconstitutional features, is hand-tailored to satisfy the specific needs of sectarian schools. Children attending such schools are given *special* books—books selected by the sectarian authorities. How can this be other than the use of public money to aid those sectarian establishments?

It is also beside the point, in my opinion, to "assume," as the majority opinion does, that "books loaned to students are books that are not unsuitable for use in the public schools because of religious content." (*Ante*, p. 8.) The point is that the books furnished to students of sectarian schools are selected by the religious authorities and are prescribed by them.

This case is not within the principle of *Everson* v. *Board of Education*, 330 U.S. 1 (1947). Apart from the differences between textbooks and bus rides, the present statute does not call for extending to children attending sectarian schools the same service or facility extended to children in public schools. This statute calls for furnishing special, separate, and particular books, specially, separately, and particularly chosen by religious sects or their representatives for use in their sectarian schools. This is the infirmity, in my opinion. This is the feature that makes it impossible, in my view, to reach any conclusion other than that this statute is an unconstitutional use of public funds to support an establishment of religion.

This is the feature of the present statute that makes it totally inaccurate to suggest, as the majority does here, that furnishing these specially selected books for use in sectarian schools is like "public provision of police and fire protection, sewage facilities, and streets and sidewalks." (*Ante*, p. 5.) These are furnished to all alike. They are not selected on the basis of specification by a religious sect. And patrons of any one sect do not receive services or facilities different from those accorded members of other religions or agnostics or even atheists.

I would reverse the judgment below.

THE REAL BATTLE AGAINST MALNUTRITION IS NOW CENTERED IN THE HEARINGS OF THE HOUSE COMMITTEE ON AGRICULTURE ON BILLS TO EXTEND THE FOOD STAMP PROGRAM

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mrs. SULLIVAN. Mr. Speaker, the airwaves and newspaper columns are full of the subject of malnutrition in the United States, and numerous hearings by congressional committees and ad hoc committees, confrontations with the Secretary of Agriculture, and bitter debates before other forums and discussion groups have featured this important issue.

However, when the House Committee on Agriculture opened 2 days of hearings this morning on the only legislation now pending to meet and solve this problem right now—on bills introduced by nearly one-third of the Members of the House to expand the food stamp program—less than a dozen people were on hand, aside from the working press and Members of Congress. Yet this is where the real battle against malnutrition is now centered. I hope there will be a better turnout tomorrow when Secretary of Agriculture Orville L. Freeman is scheduled to testify.

It was my privilege—or ordeal, depending upon how one looks at it—to testify this morning on behalf of the 121 Members of the House from both parties who have joined me so far in cosponsoring a series of identical bills to remove the $225,000,000 ceiling in existing law for food stamp appropriations for the coming fiscal year, so that the program can expand into the hundreds of counties throughout the country which want this program for their needy but cannot come into it until more funds can be made available.

Many of the members of the Committee on Agriculture felt that I was presenting the committee with some sort of threat or ultimatum to have all of the cosponsors of my bill join in a move to defeat all farm legislation unless new food stamp legislation is approved. I tried to make it clear that the cosponsors of my bill were not subject to any such control by me. They include the chairmen of nine standing committees of the House, the ranking minority members of four standing committees, and numerous other outstanding Members of the House.

The only thing we have in common in sponsoring the bill on food stamps is a belief that the food stamp program should be permitted to expand to many additional localities.

THE 1964 FOOD STAMP—WHEAT-COTTON UNDERSTANDING

But I did say that many of us among the cosponsors come from urban areas where our voters have generally opposed farm subsidies, and yet we have voted for them. And I suggested that it would be very good strategy for the Committee on Agriculture to consider the needs of our people if they want us to vote for farm bills.

If this is a "threat" or "ultimatum"—and it was not—it goes back to the situation in 1964 when a wheat-cotton subsidy bill was passed only after its advocates had stopped blocking or trying to kill the 1964 food stamp bill. So there was some very pertinent legislative history behind my statement on this point.

However, the main point I tried to make is that we have a food stamp program operating now in 1,027 counties throughout the country, and desired by nearly 400 more counties which have formally applied for it, many of which cannot obtain the program until the ceiling on authorized appropriations is eliminated for the coming fiscal year or, at least, very substantially raised above the present limitation in the law of $225,000,000. The Senate-passed bill to raise this figure by only $20,000,000 is completely inadequate.

NEARLY ONE-THIRD OF HOUSE SPONSORING FOOD STAMP BILL

Even if the figure was raised sufficiently to permit all of the counties to come into the program which have already requested it, we would still have about one-half of the counties in the country not included. Yet this is the only program among all of our food programs which can assure adequate, nutritious diets for every family whose income is insufficient to permit it to buy a proper diet. Under the program, the participating families must spend, out of their own money, the amounts they would normally be expected to spend for food for a family of that size and income, and then they receive in return a quantity of food coupons sufficient to enable them to purchase an adequate diet in the regular grocery stores. It is a self-help program and, despite some much-publicized criticisms of it, it works. Certainly, it cannot possibly work better than it does now in meeting the needs of the low-income families, and particularly of the lowest income families, without sufficient funds to assure adequate food purchasing power to those families which do participate.

Following, Mr. Speaker, are the 121 cosponsors of my bills, by States:

Alaska: Mr. POLLOCK.

Arizona: Mr. UDALL.

California: Mr. JOHNSON, Mr. MOSS, Mr. LEGGETT, Mr. BURTON, Mr. COHELAN, Mr. MILLER, Mr. EDWARDS, Mr. SISK, Mr. HOLIFIELD, Mr. CORMAN, Mr. REES, Mr. BROWN, Mr. ROYBAL, Mr. CHARLES H. WILSON, Mr. VAN DEERLIN, Mr. TUNNEY, Mr. WALDIE, Mr. HAWKINS, and Mr. MCFALL.

Colorado: Mr. ROGERS, Mr. EVANS, and Mr. ASPINALL.

Connecticut: Mr. DADDARIO, Mr. ST. ONGE, and Mr. IRWIN.

Florida: Mr. PEPPER.

Hawaii: Mr. MATSUNAGA and Mrs. MINK.

Illinois: Mr. DAWSON, Mr. O'HARA, Mr. KLUCZYNSKI, Mr. RONAN, Mr. ANNUNZIO, Mr. YATES, Mr. PUCINSKI, Mr. GRAY, Mr. SHIPLEY, and Mr. PRICE.

Indiana: Mr. BRADEMAS and Mr. JACOBS.

Iowa: Mr. SMITH and Mr. CULVER.

Kentucky: Mr. PERKINS.

Maine: Mr. KYROS and Mr. HATHAWAY.

Maryland: Mr. GARMATZ.

Massachusetts: Mr. BOLAND, Mr. PHILBIN, Mr. DONOHUE, Mr. O'NEILL and Mrs. HECKLER.

Michigan: Mr. RUPPE, Mr. O'HARA, Mr. DIGGS, Mr. WILLIAM D. FORD, Mr. DINGELL, Mrs. GRIFFITHS, and Mr. CONYERS.

Minnesota: Mr. KARTH, Mr. FRASER and Mr. BLATNIK.

Montana: Mr. OLSEN.

New Jersey: Mr. HELSTOSKI, Mr. RODINO, Mr. MINISH, Mrs. DWYER, Mr. GALLAGHER, Mr. DANIELS, and Mr. WIDNALL

New Mexico: Mr. WALKER.

New York: Mr. WOLFF, Mr. TENZER, Mr. HALPERN, Mr. ADDABBO, Mr. ROSENTHAL, Mr. CAREY, Mr. MURPHY, Mr. RYAN, Mr. SCHEUER, Mr. BINGHAM, Mr. REID, Mr. RESNICK, Mr. BUTTON, Mr. HANLEY, Mr. MCCARTHY, Mr. DULSKI, and Mr. HORTON.

Ohio: Mr. FEIGHAN and Mr. VANIK.

Pennsylvania: Mr. BARRETT, Mr. NIX, Mr. BYRNE, Mr. RHODES, Mr. FLOOD, Mr. MOORHEAD, Mr. ROONEY, Mr. SAYLOR, Mr. MORGAN, Mr. FULTON, Mr. MCDADE, and Mr. SCHWEIKER.

Rhode Island: Mr. ST GERMAIN and Mr. TIERNAN.

South Carolina: Mr. MCMILLAN.

South Dakota: Mr. REIFEL.

Tennessee: Mr. FULTON and Mr. ANDERSON.

Texas: Mr. PATMAN. Mr. ECKHARDT, Mr. WRIGHT, and Mr. GONZALEZ.

Washington: Mr. ADAMS, Mrs. HANSEN, and Mr. HICKS.

West Virginia: Mr. SLACK, Mr. HECHLER, and Mr. KEE.

Wisconsin: Mr. KASTENMEIER and Mr. REUSS.

Five identical bills, containing the names of 108 of us from 29 States, were introduced last Thursday. I have today introduced another identical bill with 14 additional sponsors, making a total of 122 of us so far from 31 States. I am still receiving calls in my office from other Members who wish to join as cosponsors, so the number will increase. Mr. PODELL, of New York, and Mr. NEDZI, of Michigan, so far are scheduled to be on the seventh bill when it is ready to introduce.

TEXT OF STATEMENT BEFORE COMMITTEE ON AGRICULTURE

Mr. Speaker, following is the text of the statement I presented this morning before the Committee on Agriculture on this matter:

STATEMENT BY CONGRESSWOMAN LEONOR K. SULLIVAN OF MISSOURI, BEFORE HOUSE COMMITTEE ON AGRICULTURE ON VARIOUS BILLS TO INCREASE THE APPROPRIATION AUTHORIZATION FOR THE FOOD STAMP PROGRAM, JUNE 11, 1968

From my name, most people assume I am Irish, but in St. Louis, where I grew up as Leonor Kretzer, they refer to my ethnic origin as Southside Stubborn Dutch—and I guess I must be pretty stubborn to keep coming before this Committee on the food stamp issue. As I recall, we had *battles* here over the issue in 1954, 1955, 1956, 1957, 1958, 1959, 1964 and 1967. Since 1964, however, we have been talking about a *going program*—and, generally, a very successful—if not by any means perfect—program—rather than about theoretical concepts of feeding the hungry. We are *doing* it in more than 1,000 counties; we *can* do it in all of the rest, if you will only unbend and help us.

When I say "you" I refer, of course, to the attitude which has prevailed among more than half of the Members of this Committee for many years. The Food Stamp program originated in legislation handled by this Committee, but you have always treated it like a stepchild, or worse.

I am here today not to plead, but to state very simply that a vast number of the Members of the House of Representatives believe, with me, that this program *must* be allowed to expand—and not just a little bit, but a lot. The $20,000,000 authorization increase, voted by the Senate, is not enough to make a dent on the need. You placed a ceiling on this program for the 1968 and 1969 fiscal years which is much too low, and while it is too late now to do anything about what *could* have been done during the fiscal year ending this month, it is *not* too late to do something about the authorization for the new fiscal year, and for subsequent ones.

I asked last year for an open-end authorization, as I did also in 1964. Both times, you tried instead to kill the program, then reluctantly let it continue on a short string, after the House overruled your efforts to kill it.

ONE HUNDRED AND TWENTY-TWO MEMBERS FROM 31 STATES SPONSORING THIS LEGISLATION

If we have to have another fight, let's have it! But let's make it clear what the issue is going to be: if you won't let us use this method to assure adequate diets for all needy Americans, wherever they live, then many of us from urban areas are simply going to withhold our votes on farm legislation until we *again* make another "deal", as we did in 1964.

There are 107 co-sponsors of the five bills I introduced last Thursday, in anticipation of these hearings, to open up the Food Stamp appropriation authorization to whatever amounts Congress sees fit to appropriate in the four coming fiscal years. Not all of the co-sponsors are from urban areas; not all of them would oppose farm legislation in order to force this legislation through. I do not profess to speak for all of them on that point.

But I do speak for all 108 of us—and for 14 other prominent Members of the House from both parties who will be on the sixth bill I plan to introduce today—in saying we want Congress to be able to appropriate sufficient funds for 1969 and subsequent years to expand the Food Stamp program to all of the areas which want it.

I listed in last Thursday's *Record* the 107 co-sponsors of the five bills introduced that day, including eight chairmen of standing committees and three ranking minority members of standing committees. In the sixth bill, there will be an additional chairman, Mr. Garmatz of Merchant Marine and Fisheries, and an additional ranking minority member, Mr. Widnall of Banking and Currency. In addition, there are Mr. Neal Smith of Iowa, Mrs. Hansen of Washington, Mr. Hicks of Washington, Mr. McDade of Pennsylvania, Mr. Waldie of California, Mr. Hawkins of California, Mr. Culver of Iowa, Mr. Conyers of Michigan, Mr. Schweiker of Pennsylvania, Mrs. Heckler of Massachusetts, Mr. McFall of California, and Mr. Horton of New York.

So we now have 122 members from 31 states who, so far, have introduced this legislation to take off the arbitrary ceiling you have imposed on this effective program to combat malnutrition. If it takes more members to sway you, I will see what I can do about getting more. Most of us, as a general rule, are reluctant to become co-sponsors of bills which do not come before our own Committees and which we are not thus in a position personally to influence, except through our votes on the Floor, but in this instance, the co-sponsorship list is an amazing one. And it is bi-partisan, urban and rural, liberal and conservative, and includes many who have the Food Stamp plan now operating in their Districts—and many others who do not have it but who want it for their Districts.

SECRETARY FREEMAN IS THE WRONG TARGET

We are tired of having the United States pictured as a nation which worries about hunger in India but closes its eyes to malnutrition at home. In kicking at Secretary Freeman, the critics of our food programs have picked on the wrong person. He has done more than any Secretary of Agriculture in our history to combat malnutrition. He believes in this program and he has had the *courage* seven years ago to start it and the strength ever since, to make it work. I resent attacks upon him which rightfully should be directed to *this Committee*.

I know all of the things said to be *wrong* with the Food Stamp program. But I also know that none of its shortcomings or deficiencies can be corrected as long as this Committee continues to write, or continues to accept in Conference the amendments of the Senate Committee to write, crippling amendments to the Act, and unrealistic ceilings on appropriations.

The irony of the whole thing is that most of us who have been trying so hard to expand this program into additional areas already have it in our own Districts while most of you who opposed it in the past did not have it—and apparently didn't want it for your own areas. Now a majority of you do have it—although in many instances, just recently. In other instances, your Districts are having to wait in line for funds to start scheduled projects. So we are trying to get you to agree to let us help you to help your own needy through this excellent program. I believe, however, that there are still 15 of the members of this Committee without a single Food Stamp project in their Districts—almost half of the Committee.

It is never useful for any Member to try to lecture a Committee of the House on its duty, and if I have sounded as if I am attempting to do so, I apologize. I do not mean to lecture you on your duty; instead, I just mean to *point out* that it would be good *strategy* for you to see *our* side of this issue if you want us to see *your side* of agricultural issues.

Thank you.

THE METROPOLITAN WASHINGTON BOARD OF TRADE HOLDS HIGHLY SUCCESSFUL JOB OPPORTUNITY WEEK

HON. HERVEY G. MACHEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. MACHEN. Mr. Speaker, it was my privilege on May 24 to present greetings to the Job Opportunity Week held annually by the Metropolitan Washington

Board of Trade with participation by businessmen and leaders from Prince Georges County and other adjoining jurisdictions.

I was deeply impressed by this program, held this year from May 20–24, to offer permanent employment to job-seeking seniors of area high schools. There is no question in my mind that this year's program was a great success. It demonstrates an approach to job opportunities by major employers that should be a model for the Nation. This approach by private industry will, in the long run, achieve greater gains and success in job opportunity than programs that offer no incentive but plenty of dole.

Mr. Speaker, in this year's Job Opportunity Week the board of trade with the cooperation of major Washington area employers conducted a highly successful week for June graduates of 98 public and parochial high schools of the District of Columbia and the neighboring jurisdictions in Maryland and Virginia. The program brought together 36 major area employers and 2,051 graduating high school seniors.

The employers conducted 6,605 interviews and of these, 4,049 were invited back to the companies for further interviews. At the conclusion of the program, 279 job offers had already been made.

It is anticipated that many of these remaining students will find jobs in the months to come through their participation in this program. A research committee has been formed to determine the actual hires and results should be known by the end of this summer.

The students invited to participate in Job Opportunity Week were those senior students, male and female, who were in good standing academically, expected to graduate at the conclusion of the academic year and interested in obtaining full-time permanent employment upon graduation within private industry in the Metropolitan Washington area.

The potential participants were screened by the guidance and supervisory personnel in the school systems to exclude those who did not conform to these standards.

In assisting the counselors to work with interested students, the board of trade provided appropriate posters and flyers for distribution at the participating high schools. Promotional material listed the employers as well as some of the job openings available.

In addition, a large supply of employment opportunity manuals was given to each high school. Students had an opportunity to study the manual to determine which companies they were interested in and also the specific types of jobs for which they could qualify and would like to apply.

Students then completed a brief application form indicating first-, second-, and third-choice employers.

An interview was scheduled with the first-choice employer. When this was completed, the student checked with an interview control desk at the armory for scheduling with second-, and third-choice employers.

During the time he or she was at the armory, an ambitious student could complete interviews with as many as four or five employers.

All interviews were held at the District of Columbia National Guard Armory where 80,000 square feet of floor space was converted into a "Job Opportunity Interview Center" for the occasion.

Twenty-seven of the 36 participating employers made provisions for displays depicting the positions available at their respective places of business. These provided applicants with a better idea of the positions for which they were applying.

The students were brought to the interview center in buses after having had interviews scheduled for them in advance with specific employers following consultation with their guidance personnel.

Those firms participating in the program were: American Airlines, Inc.; American Security & Trust Co.; American Telephone & Telegraph Co.; Capitol Cadillac-Oldsmobile Co.; Chesapeake & Potomac Telephone Co.; Drug Fair, Inc.; Evening Star; Fairchild Hiller Corp.; Giant Food, Inc.; Government Employees Insurance Co.; Government Services, Inc.; Grand Union; Hechinger Co.; Hecht Co.; Hospital Council of the National Capital Area, Inc.; International Business Machines; Lansburgh's; Macke Co.; Marriott Corp.; Montgomery Ward & Co.; National Geographic Society; National Savings & Trust Co.; Page Communications-Engineers, Inc.; Peoples Drug Stores, Inc.; Potomac Electric Power Co.; Riggs National Bank; S. Kann Sons Co.; Safeway Stores, Inc.; Savings & Loan Industry of Metropolitan Washington; Sears, Roebuck & Co.; Washington Daily News; Washington Gas Light Co.; Washington Post; Western Electric Co.—Distribution; Western Electric Co.—Installations; Woodward & Lothrop.

This year, 122 different types of beginning positions were offered. Jobseekers had an opportunity to explore employment possibilities with industries such as banking, retail business, food sales and service, drugstores, utilities, and newspapers. Also available were positions with hospitals, the insurance industry, publishing, technological research, and the hotel and catering business.

Many of these positions were available as the result of the severe labor shortage in both skilled and semiskilled areas faced by Washington area employers.

For example, interviews were conducted for the following specific jobs: clerks, craftsmen, food service, retail management, automotive personnel, draftsmen, truck delivery, mechanics, telephone operators, sales personnel, typists, meatcutters, bookkeepers, adjusters, bakers, cashiers, cosmeticians, display personnel, electricians, medical clerks, secretaries, stenographers, account analysts, tellers, installers, medical technicians, keypunch operators, and many more entry level positions.

One of the most vital messages carried to the high school senior applicants was the fact that employment was indeed available to young people with no previous experience who had satisfactorily completed their preparatory academic training in high school.

Then, too, it was very easy for the high school applicant to determine his or her own potential income level in private industry without previous working experience and with only a high school education.

An analysis by the board of trade showed that Job Opportunity Week served several very important purposes:

First. It acquainted students, vocational guidance counselors, and school administrators with the classifications of employment available in private industry in our Capital City area.

Second. It created an understanding of the qualifications needed to enter the private sector of our economy in entry level positions.

Third. It provided students with the actual experience of applying for a job, completing an application, and participating in an actual job interview.

Fourth. It taught the student-applicant self-reliance and created an understanding of the employment process.

Fifth. It motivated and encouraged undergraduates to remain in school and obtain their high school diplomas.

Employer representatives, students, school administrators, and guidance counselors alike regarded Job Opportunity Week as the most practical means yet devised to bring employers with substantial job openings together with the noncollege-bound graduating high school students interested in full-time employment.

Students engaged in Job Opportunity Week were able to take that step up to another level in their development—a responsible and important place in the world of work.

Calling the affair a "huge success," general chairman Edward N. Duplinsky said the employers were "very much impressed" with the quality and appearance of the students. Students, too, expressed their appreciation. Many said "Job Opportunity Week removes the apprehension of applying for a job the first time" and "gives one confidence."

Mr. Speaker, Job Opportunity Week is providing an effective link between our youthful jobseeker and the employer facing critical employment problems in filling entry level positions. The great expansion of the program in the past 4 years and the enthusiastic endorsement of businessmen and educators has led the Metropolitan Washington Board of Trade to call Job Opportunity Week its most productive employment activity. Plans are already in progress for developing the 1969 program.

THE JOB OPPORTUNITY WEEK—1968 PLANNING COMMITTEE

Chairman, Executive Committee, J. Hillman Zahn, V.P. Public Relations, C & P Telephone Companies.

General Chairman, Edward N. Duplinsky, Personnel Director, The Evening Star.

Assistant General Chairman, Miss Elizabeth A. Plack, Employment Supervisor, Bellcomm Inc.

Coordinator, Henry P. Loss, Staff Director-Community Affairs, Metropolitan Wash. Board of Trade.

Employer Relations Chairman, Leonard M. Leache, General Supervisor-Employment and Placement, Potomac Electric Power Company.

Exhibits Chairman, Fred Thompson, Personnel Director-Washington Store, Woodward & Lothrop.

Public Relations Chairman, Fred W. Langbein, News Service Manager, C & P Telephone Company.

Research Chairman, Lewis B. Rock, Jr., Personnel Director, The Washington Post.

School Relations Chairman, Miss B. Jane Baldwin, Personnel Supervisor, C & P Telephone Company.

Ex-Officio, Dr. Carl McDaniels, Associate Professor School of Education, The George Washington University.

GERMAN-AMERICAN DAY, 1968

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. RARICK. Mr. Speaker, Sunday, June 9, 1968, was proclaimed German-American Day in New Jersey.

The festivities held at Schuetzen Park, North Bergen, N.J., were numerous, varied, and deeply patriotic.

Also attending were representatives of many captive nations—those nations overrun and now occupied by Communist quisling governments.

So that our colleagues might be informed on the sincere struggle undertaken by our fellow Americans of German descent in the cause of peace and toward responsible leadership, I place the resolutions adopted at their national convention in the RECORD followed by "The Policy and Aims of the Federation," "DANK," a proclamation by Governor Hughes of New Jersey, and an article from the New Approach, March 1968:

RESOLUTIONS

(Adopted by the National Convention of the Federation of American Citizens of German Descent, Inc., and the president and vice president of the Deutsch Amerikanischer National Kongress (DANK), March 9 and 10, 1968, North Bergen, N.J.)

Whereas, we officers and members of the Federation are an organization of American Citizens of German Descent, joined in policies, aims and ideals with the Deutsch-Amerikanischer National Kongress (DANK), and

Whereas, we wish to promote domestic and foreign policies most conducive to the good and welfare, the security and honor of these United States, and

Whereas, we see anxiously how the victors of World War II, after dismembering Germany and shortsightedly eliminating that country and Japan as factors in world politics, are degenerating into two hostile blocs already partly at war and threatening to blunder into a third world war, and

Whereas, we regard a partnership between the American and the German people as the best guarantee of peace, security, and prosperity for all concerned, and

Whereas, while we are concerned for truth and justice in all foreign and domestic relations, we are especially prepared by background and interest to recognize and promote just and wise policies in the area of Central and Eastern Europe,

We therefore submit the following resolutions:

That, in both foreign and domestic matters communism should be recognized as the greatest threat to America and the free world and so combatted; and

That, the U.S. should declare that, though it will not prescribe to its form of government, not even a democratic one, for any people, including the Russians, it does consider itself bound by the Atlantic Charter to oppose the extension of Soviet Russian rule to non-Russian peoples, such as the Baltic, Balkan, and East European, and will use all its diplomatic and economic resources to hasten their independence; and

That, the Administration should more explicitly and effectively implement the Congressional Resolution of 1959 which demands "freedom and independence for all the captive nations of the world," among which it enumerates twenty-two, including "Eastern Germany" and North Vietnam; and

That, the Administration, instead of favoring Soviet Russia with treaties like the Consular and the nuclear non-proliferation, which make the U.S. look like a partner of Soviet Russian imperialism, should rather strengthen NATO and give preferences to those nations and organizations which know justice and support the liberation of the captive nations from Soviet Russian imperialism; and

That, the Administration should urgently be cautioned against betraying West European, especially West German and West Berlin interests in the fatuous hope of bribing Moscow into using its good offices to de-escalate the war in Vietnam; and

That, because through the Morgenthau Plan the U.S. became co-responsible for the dismemberment of Germany, it has the moral responsibility of securing the reunification of Germany in its proper boundaries by all diplomatic, economic, and even military means practicable; and

That, in all international disputes and specific matters of foreign policy, the U.S. should side with justice rather than alliance or ideology, with right rather than expediency, and, as Woodrow Wilson proclaimed (Sept. 27, 1918) must know "no standards but the equal rights of the several peoples concerned", to wit:

(1) in the confrontation between Red Russia and Red China, it should diplomatically recognize that China is justified by self-determination in claiming some 500,000 square miles of territory now held by Russia; and

(2) in the Arab-Israeli hostility it should insist that territories and cities like Old Jerusalem may not have their sovereignty settled by conquest, but only by the wishes of the rightful inhabitants; and

(3) in the British-Rhodesian conflict, it should support the Rhodesian right to independence and instead of boycotting Rhodesia should rather boycott the nations that trade with North Vietnam; and

(4) in the Austrian-Italian dispute over South Tyrol, it should ask Italy to grant the South Tyrolese the right of self-determination, either to be autonomous or to rejoin Austria to which they belonged for a thousand years before Versailles and St. Germain severed them; and

(5) in the Czech-Sudeten dispute, it should declare that the Munich Pact realized the demands of self-determination, that the Sudentenland belongs to the three million Sudeten Germans criminally expelled therefrom in 1945 who must have their homes and homelands and the right to determine their sovereignty restored to them; and

(6) regarding the Oder-Neisse territories, it must insist that all of East Prussia, Pomerania, West Prussia, Silesia belong to the nine million East Germans expelled from them in 1945 in one of the greatest mass crimes in history, and must have their homes and homelands restored to them and their right to belong to Germany of which they were a part for many generations; and

That, in the Vietnam war, the U.S. should improve its psychological warfare and elevate its aims by declaring that it hopes not only to prevent the communist takeover of South Vietnam but also wants to liberate the North Vietnamese people from the tyranny of the communists and Ho Chi Minh and to reunite North and South Vietnam in freedom; and

That, in prosecuting the war, the Joint Chiefs of Staff should be entrusted with military strategy rather than politicians in Washington and civilians in the Pentagon; and

That, whatsoever modern weapons were thought right against Nazi Germany should also be thought right against communistic North Vietnam, including certainly those needed to dismantle the Harbor of Haiphong and to destroy all military and governmental installations in Hanoi; and

That, the persistent slandering and defamation of things German on radio, television and other communications media is offensive to Americans of German descent, tends to destroy the friendly relations between the American and the German people, allies in the Cold War, and is also a disgrace for a country which likes to pride itself on brotherhood and fair play, and absence of racial prejudice; and

That, that a German-American Anti-Defamation Council, not to repress just criticism of things German, but to protest slander and libel against things German and a distorted presentation of German faults or wartime crimes without a proper perspective in relation to Allied crimes, is urgently needed and deserves our encouragement and support; and

That, no publication or party in Germany or Austria should be slandered as Neo-Nazi merely because it is patriotically German and insists on an Atlantic Charter peace for Germany with all its implications, such as, reunification, return of all German territory, rejection of collective guilt charges, discontinuance of unilateral war crimes trials, termination of indemnities to victims of Nazism unless the German victims of Morganthauism and Bolshevism are similarly indemnified, and the release of men like Rudolf Hess and Major Walter Reder; and

That, the U.S. Constitution must be so interpreted or if necessary so amended that public prayer will not be forbidden but subversion, pornography, rioting and crime will not only be forbidden but will also be punished so quickly and severely that order and decency will again prevail; and be it further

Resolved, That these resolutions, as adopted by the delegates to the National Convention of the Federation of Americans of German Descent, jointly with D.A.N.K., at North Bergen, New Jersey, March 9–10, 1968, be transmitted to the President of the United States, the Secretary of State, the Chairman of the Committee on Foreign Relations of the United States Senate, and to whom ever else in public life and the press it may and should concern.

Gertrude J. B. Barron, Editor, Voice of the Federation; Chas. F. Gerhard, Legal Council, Federation; Edmund F. Eckhardt, Business Manager of Federation; Prof. Austin J. App, Ph.D., Chairman, Resolutions Committee; Robert Brueckner, President of the Federation; Frederick J. Adam, First Vice-President of the Federation; Walther A. Kallacks, President of DANK; John Hebeling, First Vice-President of DANK.

THE POLICY AND AIMS OF THE FEDERATION TO ALL AMERICAN CITIZENS OF GERMAN DESCENT

The Federation of American Citizens of German Descent, Inc., a nationwide organization, founded in 1945, aims to secure proper recognition and effective representation for the large and loyal American citizen group of German descent.

The Federation is a civic and educational organization. Its many branches hold monthly meetings and sponsor programs to foster good citizenship and to provide our children with an opportunity to learn about

the beauty and dignity of their German heritage.

The Federation invites our young people to participate in the affairs of our group. Our varied activities provide ample opportunities for organizational work, writing for our monthly publication, and engaging in our social programs.

The Federation feels that in order to preserve the principles of our Republic, it is absolutely essential that all American citizens, regardless of national origin, participate fully in the public life of their communities.

The Federation functions to cement the existing bonds of friendship between the American and the German people. Because, living in a time when the very survival of the world is endangered, it is imperative that all ethnic groups use their ties to their former homelands to bring about a true brotherhood of man through a better understanding between nations.

The Federation encourages the teaching of the German language in our schools. Also it hopes to achieve a wider appreciation of the extensive contributions that Americans of German ancestry have made to the American Way of Life, both past and present.

The Federation is doing everything in its power to halt the malicious and ill-considered defamation of the character of the German people.

The Federation calls for the return to the German people of all territories taken from them in violation of the basic principles of self-determination that were formulated by President Wilson in his Fourteen Points, and by President Roosevelt and Prime Minister Churchill in the Atlantic Charter. The last was signed by twenty-seven nations, including the Soviet Union. It is a historical fact that with the stroke of a pen 15 million Germans were made homeless and penniless. These people have the right to return to their ancestral homelands.

The Federation calls for free elections in all nations presently behind the Iron Curtain, so that they may return to the community of free nations with a truly representative government of their own.

The Federation prints its monthly paper "The Voice of the Federation" which is designed to analyze current events and give voice to German-American opinion.

The Federation will cooperate sympathetically and wholeheartedly with all civic, social and cultural organizations that obey the laws of God and Country, and respect the Constitution of the United States of America.

The Federation stands for a way of life that is fundamental to all free peoples.

Your help is needed! Join now!

Mail your Application to: 59-17 Palmetto Street, Brooklyn, N.Y. 11227.

DANK—DEUTSCH-AMERIKANISCHER NATIONAL KONGRESS (GERMAN-AMERICAN NATIONAL CONGRESS)

Our foremost aim is to make all German-Americans aware of their civic duties, responsibilities, and privilege. To give the proper representation due to our large and fine citizen group we need the endorsement and the support of all German American societies, organizations, and clubs. D.A.N.K. is a nation-wide organization with 31 branches and members in 47 States.

We wish the Federation and all friends good luck for the German American Day 1968.

DANK Headquarters: 4718 N. Lincoln Ave., Chicago, Ill. 60625.

PROCLAMATION

"Whereas the sixteenth annual German-American Day Festival will be held in North Bergen, New Jersey on June 9, 1968; and

"Whereas, this year's festival honors the Honorable John R. Rarick, Congressman of Louisiana and an outstanding American of German Descent; and

"Whereas, New Jersey has been fortunate to have so many German-American citizens;

"Now, therefore, I, Richard J. Hughes, Governor of the State of New Jersey, do hereby proclaim Sunday, June 9, 1968 as German-American Day in New Jersey, requesting appropriate observance of this anniversary by our schools, churches, civic and patriotic organizations and by the public generally and urging all citizens to become better acquainted with the contributions, past and present, of American citizens of German descent."

Given, under my hand and the Great Seal of the State of New Jersey, this twenty-first day of May in the year of Our Lord one thousand nine hundred and sixty-eight and in the Independence of the United States the one hundred and ninety-first.

RICHARD J. HUGHES,
Governor.

By the Governor:

ROBERT J. BURKHARDT,
Secretary of State.

[From the New Approach, March 1968]

THE TIME: 5 MINUTES TO 12—EUROPE AT THE CROSSROADS

It seems that the West German interpretation of the policy of "relaxation of tensions" became a dialogue between Bonn and Moscow, with the unmistakable direction to end in a new kind of a Rapallo.

On April 16, 1922, a German delegation under the leadership of Walter Rathenau met secretly with a Soviet delegation to prepare an arrangement which later became known as the famous Rapallo agreement. In January, 1968, West German Foreign Minister Brandt participated in a commemoration for Walter Rathenau, held at the strong point of the new left movement—the "free University in West Berlin". Foreign Minister Brandt appealed to the Soviet Union to understand the German plea to better German-Soviet relations. He appealed to the Soviet leaders to recognize the vital national interests of the Germans. He offered a declaration "never to use force in the pursuit of settlement of disputed border questions". Simultaneously, he directed some marginal remarks to the political leaders of the West, trying to assure them that he has not another Rapallo in mind.

Let us now examine the voices of the new German "left" as well as the voices of the "right" radical movement now gaining strength all over Germany. Unmistakably, both are trying to convince the Soviet Union of their genuine intentions not to interfere with Soviet interests throughout East Central Europe. Their publications are full of repetitious statements, assuring the Soviet Union of the willingness to cooperate in any field. Their leaders quite often declare that it is time to end the war of ideas.

A knowledgable observer will note that the S.P.D. partners of the great coalition government in West Germany are spearheading the so-called policy of "relaxation of tensions", which deserves a critical scrutiny if we do not want to agree with the statement of frustrated anti-Communist leaders who call this policy the "new left deal" to sell out Europe.

The arguments of the freedom conscious leaders of Europe are as follows:

(a) The extremists of the "right", supposedly also financed by East European circles, do favor a direct cooperation with the Soviet Union, furthering chauvenistic nationalistic goals remarkably similar to those of the Nazi era.

(b) The "new left" in West Germany, organized in many Communist front organizations, endorses the policy of Soviet domination of Europe, promoting and enforcing a dialogue between Marxist and Western ideas. West German democratic circles not only engage in such a dialogue, giving the "left" extremists recognition and credibility, but also promote the leftist view, extensively offering time on West German radio and television stations. The democratic press seems to go along with this policy, calling for German-Soviet friendship and within it, for a solution to German reunification.

(c) A number of West German government-sponsored institutions and foundations seem to employ specialists and political analysts who all in chorus demand the solution to the German problem in cooperation with Moscow itself.

(d) Polish-German, Czech-German, Hungarian-German, Rumanian-German . . . reconciliation movements are directed in such a way as not to disturb a possible Soviet-West German direct arrangement. East European political analysts are of the opinion that the present course of the German interpretation of the "relaxation of tensions" policy is using the leverage of economic and political European cooperation for the benefit of a future Soviet-German-European deal.

(e) the division of Europe, the result of the three unfortunate agreements of Yalta, Teheran and Potsdam, finds its continuation in its presently attempted Soviet-German detente and is paving the road for a permanent subjugation by the Soviet Union of all East Central European people.

(f) The recent disclosures by Arthur Schlesinger, Jr. (see February, 1968 issue of "The New Approach") confirm that some American political circles endorse the political direction taken up by the S.P.D. coalition partners in West Germany. They prove without any doubt, that this school of thought, responsible for the Three Monstrous Tombstones of Freedom (Yalta-Teheran-Potsdam) do continue their influence in European affairs, endangering fundamental and basic interests of the United States and freedom.

(g) Arthur Schlesinger, Jr., stated in his article ("Foreign Affairs—1966") that East Central Europe should belong to the complete influence sphere of the Soviet Union without any interference on the part of U.S. policy towards Europe. It seems to be a natural consequence that now the policy of "relaxation of tensions", according to the interpretation of those political centers, opens all of Western Europe for Soviet control and domination.

(h) The recent "Berlin dialogue" concerning a possible change of status of West Berlin should be ascertained as the first test project to implement Soviet control and pave the way for other Soviet concepts within the so-called European security arrangement involving all of Europe.

(i) West Germany's coalition partner, S.P.D. Minister Karl Schiller, calls for the building of bridges to close ideological gaps in Europe. The Minister of Economics emphasizes that human problems, insufficient housing, hunger . . . take precedence over ideological differences. He calls for dismantling East-West tensions in divided Berlin, divided Germany and divided Europe. His statements, publicized by West German official press releases, ascertain "a full backing by Washington and Paris".

Let us quote some of his interesting statements: "The American government has constantly encouraged the German Federal Government to continue its policy of detente and improvement of relations with the East European states, including the Soviet Union"—"The Federal Republic of Germany has a mixed—private and public economy. It shows that German businessmen have no reluctance to invest capital and know-how in other lands that also have mixed (or in some cases state run) economies—assuming only that the investment enjoys the universally customary protections of law. German enterprises are open-minded about serving mixed economies abroad.

Professor Schiller expressed the hope that developing nations would "try more and

more to accept mixed systems of public and private financing". For knowledgeable observers with experience, such a way is the beginning step to a complete socialized economy. It opens and creates attractive possibilities for Soviet-German economic cooperation. Since the Soviet interests in East Central Europe are secure, confronted with the appeasement policy of the West and now the German policy of detente, the freedom-loving people of the enslaved nations have no other choice but to join the Soviet-European concept. This confirms the statements of Arthur Schlesinger who brutally put aside any freedom aspirations of the now enslaved people and countries behind the iron curtain.

(j) In addition to these facts, a growing number of German-Rapallo-oriented political "wheeler-dealers" are busy preparing the psychological approach to accept a state control over business, industry and politics.

All the above mentioned arguments and points of view of our European friends can be concluded with the following statement: Are you as Americans willing to tolerate that freedom and self-determination of all European people are being sold out before your eyes? Are you not aware that every genuine attempt to reconcile European peoples in peace and freedom is being hampered?

From our own research since 1966, we experienced a tremendous pressure to abandon any genuine Polish-German reconciliation work. We were told that a Polish-German reconciliation hampers arrangements with the Communist government. We were made to understand that the fight for freedom and conciliation of people in Europe, in partnership with the U.S.A., does create political misunderstandings and that we should stop our work, accepting the "inevitable" as Soviet control of East Central Europe and a future Soviet concept of European unification.

It is five minutes to twelve! We know that the overwhelming majority of Europeans continuously wish for a European solution in freedom and in partnership with the United States of America. We know that millions of refugees and expellees do hope for a rebirth of the "old" European idea which had its beginning with the U.S. Marshall Plan and did not have a chance to devlop in full capacity, moving towards economical and political integration, based on the principles of Western civilization. The people of Europe and their freedom aspirations are again neglected, deceived and are dangerously being led on the path to disaster.

THE RIGHT TO REPRESENT

A furious controversy has erupted between Polish language newspapers in Chicago and Polish regime-oriented publications in Detroit, Michigan. The reason for the controversy is a recent announcement by a group of Polish exiled politicians in Chicago to call for a Polish-German dialogue to iron out Polish-German differences, striving for an understanding based on a recognition of the Oder-Neisse Line.

The regime-sponsored publications opened a campaign against the Chicago exiled politicians, accusing them of being "stooges" of Bonn.

The so-called dialogue involves the disputed question of the Oder-Neisse territory. Since the U.S. Government does not recognize the Oder-Neisse demarkation line as a permanent border line between Germany and Poland, it is obvious that both groups at odds are not in line with the U.S. foreign policy assessment.

For us directly involved, it is a "dialogue" between the thief and the fence. As loyal American citizens who own individual property in the disputed areas, and in organized groups do own the villages, towns and cities, it is time to make American public opinion aware that both groups have no right to discuss those issues against the will of the people involved. As bonafide representatives of Polish-German-Jewish natives of these disputed territories, we as American citizens claim the legal and moral right to be the only representatives who could and would bring about a genuine solution to this problem.

WHAT OTHERS SAY—SIXTH SWITCH FOR GERMANY

(By Henry J. Taylor)

New Foreign Minister Willy Brandt, a man of tantalizingly tentative convictions, ticked off five recollections among European liberals and historians when he paid West Germany's first official call on the Communist government in East Berlin.

When you see and talk with him, Brandt's bland personality reminds you of a magician who comes on the stage without tables or props. Just a handkerchief hidden in his hand. Then for 20 minutes he keeps pulling unexpected things out of it.

Brandt left Germany during the war and, under an alias, fought in Norway against his fellow-countrymen. And now he seems to be spearhead of a pro-Eastern group in Bonn's new coalition government.

There has always been in German history a visible tendency to seesaw between West and East. Looking down the road, the worrisome question is: Are we in for the Sixth Switch?

The five recollections begin with Frederick the Great, whose ally was Great Britain.

1762. The Prussian ruler served up Princess Sophia (later Catherine the Great) in marriage to Russian Grand Duke Peter. Frederick's diplomatic intrigue failed, and his own aggression led to the Seven Years' War (1756–63).

Frederick was facing certain defeat by the Russian, French, Austrian, Swedish and Saxon coalition. Peter succeeded to the Kremlin throne, however, in 1762. Russia's armies already occupied Berlin, but Frederick made a secret pact with him. Peter commanded Russia's forces to quit the coalition and fight on the side of Prussia. Prussia switched the solidarity with Britain into a long-term Prussian-Russian alliance that excluded England and bore German fruit in the first partition of Poland.

1887. Chancellor Otto von Bismarck always saw Germany's security requirement as being in the East. He made allegiance with Russia his guiding principle. And he regarded his secret "reinsurance treaty" with Moscow, which made Germany secure in the East, his greatest coup.

Building on this base and on the creation of German military power, his program of "Weltpolitik" intimidated France and Italy, threatened the British-American Atlantic interests and set the stage for World War I.

1922. At the Rapallo Conference a war-weary continent was more truly ready, and justifiably hopeful, for a solid peace than ever in our century. After the Bolshevik revolution Allied troops stayed in Russia until September, 1920. Until Rapallo the Allies, their enemies and Bolshevik Russia had never convened. But Reichswehr Minister-General Hans von Seeckt had made a secret deal.

The German delegation at Rapallo literally vanished one evening for a mere three hours. At a nearby hotel, and in a complete somersault, Germany signed a separate and conference-demolishing treaty with Russia that rocked the Western world on Easter Sunday, 1922.

1926. Chancellor Gustav Stresemann confirmed for Germany a British statesman's classic remark that England has no permanent alliances, only permanent interests.

Although famous as a friend of the West, Stresemann suddenly signed a pact with the U. S. S. R. which, in effect, reinstated the Bismarckian conviction.

1939. Hitler shook hands with Stalin. The Nuremberg trials reveal that Hitler's August 14 telegram to Stalin (No. 175) read: "Ideological contradictions have been the sole reason we stood opposed . . . There exist no real conflicts of interest." The evidence is indisputable that throughout the two years until the very hour on Sunday, September 22, 1941, that Germany invaded Russia, Stalin was insisting within the Kremlin that Hitler's intentions toward Russia could be trusted.

Hitler played it very cozy. In fact, a trainload of rubber Stalin bought in Malaya for Germany passed into Germany through Russia only a few hours before Hitler struck.

Willy Brandt? These five recollections certainly do not constitute a forecast of a Sixth Switch. Situations tend to master men rather than men master situations. The future will depend on situations that are utterly indiscernible now.

It is not even true that like calls to like. Our two largest allies in World War II are today our two largest enemies: Russia and China. And we are depending on our three erstwhile enemies to be our military friends: Germany, Italy and Japan.

But seen in this perspective, history does appear as a cemetery of opportunistic ideas —as a storehouse of deceits whose appeal has never been stripped away.

BIGOTRY IN PERSPECTIVE

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. BUCHANAN. Mr. Speaker, in recent years we have heard the term "bigot" to a greater degree than ever before. That there are bigots cannot be denied. But bigotry, like a two-edged sword, can cut in either direction.

I was impressed by a column written by Morrie Ryskind, Pulitzer Prize-winning playwright, which appeared in the Birmingham News on June 6, 1968.

The column follows and I commend it to my colleagues:

BLACK POWER AND BIGOTRY

(By Morrie Ryskind)

In a number of letters from blacks—Negroes is an offensive term to them—I'm accused of racism. Here is a composite: "You didn't like Dr. King, and you disapprove of Dr. Abernathy, Rap Brown, Stokely Carmichael and anyone else who advocates black power. Though you are a member of a minority group yourself, you show no sympathy for other minorities seeking their place in the sun. You want only Uncle Toms."

Well, though I'm Jewish, I do not hold that every Jew is, ipso facto, a noble human being. There are Jewish hoodlums, thieves and chiselers, as in every other group. And I don't think that being a member of a "minority" entitles them to any special privileges.

The black power I admire is that shown by Willie Mays, my favorite ballplayer, who earned his place by his ability, and not because someone came around with a quota list and demanded he play center field because he was colored and his race had suffered indignities. You'd have to root for Willie even if he were white.

Similarly, I go for Hank Aaron of the Atlanta Braves, whom it's always a pleasure to watch. But I still retain my fondness for Babe Ruth, who was white. And I didn't root for Sandy Koufax just because he was a fellow-religionist.

ONE WHO HELPED

Archie Moore stands high as a boxer in my book—but even higher as a man. He was chosen as "Mr. San Diego" last year by a community grateful to him for taking colored youngsters off the streets and teaching them that earning your way is a far more satisfactory life than looting. Don't call him Uncle Tom, incidentally, to his face. He still has a punch.

I also admire George Schuyler, the famous colored writer it has been my privilege to know for over 30 years. No man has more consistently preached the now-derided "American Way." And if you think I've been rough on the blackmail of "black power," you ought to read Mr. Schuyler on it.

I didn't like the methods of Bugsy Siegel—who was Jewish—anymore than those of Dutch Schultz and the Capones—who weren't. Nor do those tactics appeal to me more when they are employed by blacks.

In Washington, for example, colored gangs have suggested to white storekeepers that they might protect themselves against possible non-violent arson and looting by displaying a lithograph of Dr. King in their windows. The cost is only $50; and for an additional $30 a month, they will provide all-year protection . . . The late Mr. Schultz made a pretty penny by offering similar insurance against "accident" to New York merchants.

I didn't like the Rosenbergs—who were Jewish—spying on us for Russia. Nor did I like the clandestine activities of Alger Hiss—who is gentile.

GREGORY'S LINE

By the same token, I think little of Dick Gregory's talk to the graduating class of Yale early this year: "Henry Ford hired 6000 niggers (sic) in two days. Why do you think he hired them? The fire got too close to the Ford plant. Don't scorch the Mustangs, baby! Do you realize how long it would have taken through peaceful channels to get 6000 black folk hired and through those tests?"

Obviously, those 6000 must have included many totally unversed in the know-how required to work even on an Edsel. But that doesn't matter, apparently.

And more from that same speech: "We just got an insane law to say you can't burn an American flag. I say, what in the . . . is an American flag but a . . . rag like all the other flags all over the world? I'm not interested in rags."

Dr. Abernathy talks with God—he says—but when he speaks with us mortals, he sounds just like Gregory. "We will raise hell!" he declares, unless Congress gives him what he demands.

I think sadly of Oscar Joel Bryant, the young Negro policeman recently slain here in Los Angeles, shot down by black gunmen while he was trying to prevent a Negro shop from being looted. And it is my belief that the young hero died for America, and that he did more for his country and his race than all the Abernathys, Carmichaels and Gregorys put together.

And if that's bigotry, make the most of it.

SENATE—*Wednesday, June 12, 1968*

The Senate met at 12 noon, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God of all grace, among Thy manifold gifts to us we rejoice in the sacrament of human friendship and in those who love us and trust us.

Open our eyes, we pray, to simple beauty all around us lest we miss the splendor that is in the commonplace. Open our hearts to the virtues and nobility that even comrades by our side often hide from us, because, alas, we do not try enough to understand them.

Strengthen and refresh us that we may seek Thee eagerly, find Thee surely, and serve Thee faithfully. Keep us at tasks too hard for us that constantly we may be driven to Thee for strength. Set our eyes on far-off goals many of which cannot be reached in our day. Even amid the contentions and confusions of these days keep steady our feet by the assurance that Thou, our God, hast the whole world in Thy hands and that even the gates of hell cannot revoke Thy decree, "Behold I make all things new."

We ask it in the Name that is above every name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, June 11, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 17734) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution and they were signed by the President pro tempore:

S. 974. An act to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz.;

H.R. 17325. An act to amend the Internal Revenue Code of 1954 with respect to advertising in a convention program of a national political convention; and

H.J. Res. 1298. Joint resolution authorizing the National Commission on the Causes and Prevention of Violence to compel the attendance and testimony of witnesses and the production of evidence.

HOUSE BILL REFERRED

The bill (H.R. 17734) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the order of yesterday, the Chair recognizes the Senator from Maryland [Mr. TYDINGS].

Mr. MANSFIELD. Mr. President, will the Senator from Maryland yield to me briefly?

Mr. TYDINGS. I am happy to yield to the distinguished majority leader.

ORDER FOR RECOGNITION OF SENATOR THURMOND

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from South Carolina [Mr. THURMOND] be allowed to proceed for 20 minutes after the conclusion of the remarks by the distinguished Senator from Maryland [Mr. TYDINGS], in lieu of the time previously allocated to the distinguished Senator from Pennsylvania [Mr. SCOTT].

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR FANNIN TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that immediately after the disposition of the Journal tomorrow, the distinguished Senator from Arizona [Mr. FANNIN] be allowed to proceed for 30 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SENATOR AIKEN SPEAKS ON LAWLESSNESS

Mr. MANSFIELD. Mr. President, a most interesting and worthwhile article appeared in the U.S. News & World Report of June 17, 1968, headed "A Leading Senator Says Law and Order Must Be Restored." The questions were asked of the dean of the Republicans, the sage of the Senate, the senior Senator from Vermont [Mr. AIKEN]. The questions were pertinent; the answers were straightforward and to the point.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A LEADING SENATOR SAYS LAW AND ORDER MUST BE RESTORED

(Why is there now more lawlessness in the U.S., a growing disrespect for law and order? Is there any cure?

(A New England Senator—Republican George Aiken of Vermont—long a respected voice in Congress in debates on legal and moral issues, has some answers. Senator Aiken spells them out in this interview with "U.S. News & World Report.")

Question. Senator Aiken, is the No. 1 problem before this country the enforcement of law and order?

Answer. I feel that it is, because foreign affairs cannot be handled properly unless law and order are restored in the United States itself.

Question. And what will this call for?

Answer. It calls primarily for enforcement of existing laws on the federal, State and local levels. We have laws enough to control those activities that ought not to be allowed to exist.

Question. Has any one branch of Government been more lax in enforcing laws than another?