still cannot understand the character, the aspirations, and the needs of the simple peasants of Vietnam sufficiently to find a way to gain their enduring support against the Vietcong."

However, we should not be surprised that our scientific and military development has outstripped our knowledge of the humanities, for it is in the former areas where we have spent our money and exerted our national energy.

I have read figures that show in 1966 the federal government and private foundations spent 30 times as much on the sciences as on the humanities. The figures for funds for research were even more onesided, as the federal government spent 205 times as much on the sciences as on the humanities.

While man always neglects the humanities at the risk of losing his heart, the risk is probably greater today than at any time in our history. Congress can take a small but important step to redress this precarious imbalance by appropriating adequate funds for the National Foundation for the Arts and the Humanities.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 29 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, June 19, 1968, at 12 o'clock noon.

EXTENSIONS OF REMARKS

SENATOR KENNEDY SPEAKS TO A NATION IN MOURNING

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. EDMONDSON. Mr. Speaker, on June 8, 1968, Senator EDWARD M. KENNEDY paid tribute to his fallen brother, the late Senator Robert F. Kennedy, at St. Patrick's Cathedral, where the funeral was held.

I believe that these remarks by Senator EDWARD KENNEDY made to a nation stricken with grief will long stand and be cherished by America and the world. They are more than a beautiful eulogy. They are words that capture the spirit of idealism and courage, and I believe that they will remain a source of strength and inspiration for all who seek to reaffirm and rededicate themselves to those labors that must find strength in the qualities of idealism and courage.

The complete text of Senator EDWARD KENNEDY's remarks follow:

EDWARD SPEAKS FOR FAMILY, TELLS "WHAT WE FEEL"

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 son. From his parents, and from his older brothers and sisters—Joe, Kathleen and 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 was always 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 lived it intensely.

A few years back, Robert Kennedy wrote some words about his own father and they expressed 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 much 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, and because real love is something unselfish and involves sacrifices and giving, we could not help but profit from it."

"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."

This is what Robert Kennedy was given. What he leaves 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 a discrimination in this world and slavery and slaughter and starvation. Governments repress their people; and 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 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.

"Our 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 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 comes 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 32-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 the 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.

"Few are willing to brave the disapproval of their fellows, the censure of their colleagues, the wrath of their society. Moral courage is a rarer 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 there 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.

"The future does not belong to those who are content with today, apathetic toward common problems and their fellow man alike, timid and fearful in the face of new ideas and bold projects. Rather it will belong to those who can blend vision, reason and courage in a personal commitment to the ideals and great enterprises of American society.

"Our future may be beyond our vision, but is not completely beyond our control. It is the shaping impluse 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 where is also experience and truth. In any event, it is the only way we can live."

This is the way he lived. 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."

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RETIREMENT OF MAJ. GEN. ROBERT H. CURTIN

HON. JOHN STENNIS

OF MISSISSIPPI

IN THE SENATE OF THE UNITED STATES

Tuesday, June 18, 1968

Mr. STENNIS. Mr. President, last month, Maj. Gen. Robert H. Curtin retired from his position as Director of Civil Engineering, Office of the Deputy Chief of Staff, Programs and Resources, Headquarters, USAF.

For several of the past years it was my privilege to serve as chairman of the Military Construction Subcommittee of both the Armed Services and Appropriations Committees. Beginning in 1960 and continuing through this year, General Curtin was the principal Air Force witness for the military construction program. In this capacity, he has earned high admiration and respect. His representations to the committees before which he testified were marked with exceptional sincerity and admirable candor. He has truly served with distinction, and has been an effective, knowledgeable witness.

General Curtin is a native of Winchendon, Mass. His military career spanned a period of almost 30 years. After graduating from the U.S. Military Academy in 1939, he was commissioned a second lieutenant. He held a wide variety of civil engineering positions. During World War II he was assigned to the Engineering Division of Supreme Headquarters Allied Expeditionary Forces and later served as area engineer, U.S. Air Forces in Europe. He occupied several important positions in U.S. Air Force Headquarters culminated by his assignment as the Director of Civil Engineering for the Air Force in 1963. In addition to the degree he received at West Point, General Curtin obtained a master's degree in civil engineering at Harvard University and attended both the Air War College and the Industrial College of the Armed Forces. His decorations include the Distinguished Service Medal, the Legion of Merit, the Bronze Star Medal with Oak Leaf Cluster, the Air Force Commendation Medal, and numerous other awards including two foreign decorations.

In his position as Director of Civil Engineering for the Air Force, he concerned himself with considerably more than just the day-to-day operation and maintenance of the Air Force's base facilities and real property. Through his personal efforts several of the most important civil engineering programs in the Air Force were devised. One of his most outstanding innovations was the Prime Beef and Red Horse programs. Prime Beef consists of highly skilled engineering groups located strategically throughout the world and capable of being dispatched on extremely short notice to respond to short-term combat operations, emergencies, civil disasters, and other unusual contingencies. Their operations have extended from performing urgently required specialized engineering services in Vietnam to recovery operations during the 1967 floods in Alaska. Red Horse was also conceived and organized by General Curtin to respond to longer term civil engineering requirements for heavy repair and construction requirements beyond the capabilities of base civil engineers. The Red Horse accomplishments in Southeast Asia have received the highest praise.

General Curtin has now taken over as Director of Facilities, Office of Administration, NASA. The country is indebted to General Curtin for his service during a distinguished career.

I know that he will meet his new duties with the same devotion, energy, and ingenuity that have been his trademark.

Mr. President, it is not my practice to make remarks such as I have made about General Curtin. However, I have been so impressed with this gentleman over a period of years that I desired to express the sense of loss and sense of appreciation for his extraordinary, able, and effective service. I regret that the Air Force and the Government are losing the services of such an outstanding man at such an early age.

RESPECT FOR LAW AND INDIVIDUAL RIGHTS

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. HALL. Mr. Speaker, Bill D. Hemphill, sheriff of Barry County, Cassville, Mo., has written an article in the May–June issue of the National Sheriff. Sheriff Hemphill is one of the outstanding sheriffs in our Nation and is so recognized as president of the National Sheriffs Association for 1967–68. His article is a thoughtful analysis of mankind's efforts to maintain respect for law, while at the same time maintaining respect for individual rights.

I insert the article at this point in the RECORD:

"Though liberty is established by law, we must be vigilant, for liberty to enslave us is always present under that very liberty."

That admonition could well have been uttered by any American political scientist today. It was not however the oratory of any American. It was not even said in our lifetime.

These words of warning were first heard more than 2000 years ago as a young attorney named Marcus Tullius Cicero was addressing the Roman Forum.

Cicero was concerned because of certain trends which he noted in Roman government. He had observed that the people no longer cared to interest themselves in affairs pertaining to government of the Roman Empire. There were some complaints that too much authority was being centralized in the hands of ambitious politicians of that day. Those who made this charge were generally belittled and those elected officials in Rome's government openly showed their contempt for citizens who dared criticize their actions.

The Roman patriot and orator observed this centralization of authority with dismay. He also noted a breakdown in family relationships, a disrespect for the laws and ordinances of Rome, and a general disregard for the Constitution of Rome. He publicly expressed the view that unless this tide were reversed, his country was in danger of collapse.

He eloquently warned that more and more, custom and the Constitution of the Republic meant less and less. He spoke against complacency and apathy, saying: "He who is not for Rome and Roman law is against Rome."

Cicero's dehortations were largely unheeded by Roman citizens. They were too busy enjoying their version of *la dolce vita* to concern themselves with the activities at the Capitol.

There were those however who heard this young attorney. There were those politicians who feared that unless Cicero were silenced, he might influence enough Romans to overturn the ambitious legislators and thereby effect a diminution in their quasi-oligarchic plans for the future of Rome.

Cicero's last appearance before the Roman Forum was to defend himself and to try to prevent his banishment from Rome. There were other familiar faces there that day. Caesar was there as were Pompey and Brutus. They spoke however no words in defense of Cicero.

The triumvirate of Brutus, Caesar, and Pompey, literally shrugged their collective shoulders and said, "It can't happen here."

Cicero was banished from the Forum. The morality of Rome continued to degenerate. The spending went on unabated while the populace enjoyed free food, circuses, and debauchery. The government meant little: the gods of Rome meant even less.

Even the mighty Caesar finally realized that conquest from without or collapse from within was inevitable. Brutus sought out the no longer young attorney and asked his advice. Cicero replied that it was already too late to save Rome, that the very foundations of the constitutional Republic had been so weakened as to make salvation impossible. *Ut sementem feceris, ita metes:* As you sow, so shall you reap.

Rome fell.

Many years were to pass before another great Republic was to be born. Its founders took heed of Cicero's comments, motivated with the desire to succeed where others had failed, and hoping to benefit from a knowledge of that which had gone before.

While considering a constitution for the new government, another young man warned:

"Be extremely cautious, watchful, jealous of your liberty. Instead of securing your rights, you may lose them forever." Patrick Henry had spoken much as Marcus Tullius Cicero had done so many years before.

It was reported that when the delegates to the Constitutional Convention had completed their work and emerged from their final meeting, Benjamin Franklin was asked, perhaps facetiously, by a woman standing without, "What have you given us?"

The same Franklin, who shortly before had warned that our government would flourish for a time but that it can "only end in despotism," replied to his questioner, "Madame. We have given you a Republic, if you can but keep it."

George Mason, author of the Virginia Bill of Rights had refused to sign the Constitution, saying that a centralized, consolidated government "is totally subversive of every principle which has hitherto governed us."

Time passes quickly and it is now some nine score years later. The founders of the Republic have long since returned to the dust from which they sprang. The nation has grown and has prospered. But there are changes—many changes—to be noted.

Let us think of Rome and of the U.S.A. for a moment as we prepare to enter a new NSA year, as we prepare for another Annual Informative Conference, and as we later this year make our thoughts (if any) known at polling places around the nation.

One seldom hears the word *Republic* anymore. To be sure, it is found in the Pledge of Allegiance to the Flag of the United States. But, who wastes his time with such nonsense as pledging allegiance to the Flag? One can't be forced to say it, you know, anymore than one can be forced to swear allegiance to the

United States of America before being hired by that same government.

Salute the flag? If you wish. Burn the flag or crush it into the dust? Certainly, if you wish. To prohibit this would be depriving you of your right to free expression. It is after all difficult to conceive any right more precious and hallowed than the right to vulify, curse, and profane the nation which gave us birth and which has nurtured us.

My country tis of thee? Outdated! Replaced by *Burn, baby, burn.*

Dissent? Debate? You bet. But maybe this isn't enough to maintain this right. It's better to throw in enough profanity and obscenity to make sure that the right to free speech is really there. (One must not be confused though. The right to free speech is not absolute. While one may curse freely just about anywhere, he must remember that it's unlawful to pray under certain circumstances or in certain places. Free speech can't be carried to extremes.)

The Republic? Let's call it a Democracy. Although those astute thinkers whose political and literary midwifery brought forth the new nation did not see fit to use the word *democracy* in the Declaration of Independence, in the U.S. Constitution, or in any other of their major writings, we are assured that this was merely an oversight. The drafters of these documents obviously believed that equality was more important than mere quality.

This is America in 1968.

Let us consider for a moment *The Decline and Fall of the Roman Empire,* an historical analysis of what went wrong in ancient Rome. Edward Gibbon wrote in 1788 that there were five principal causes for the death of the republic that was Rome. Gibbon's five causes were:

1. The undermining of the dignity and sanctity of the home, which is the basis for human society.

2. Higher and higher taxes; the spending of public money for free bread and circuses for the population.

3. The mad craze for pleasure; sports becoming every year more exciting, more brutal, more immoral.

4. The building of great armaments when the enemy was within—the decay of individual responsibility.

5. The decay of religion; faith fading into mere form, losing touch with life, losing power to regulate people.

All right, we've thought for a few minutes now. Let's return to our fun and to our games and leave the problems of spending of government, of subversion, up to somebody else.

History repeats itself? Don't be foolish. *It can't happen here!*

WHERE NEGRO BUSINESS GETS CREDIT

HON. JOSEPH S. CLARK

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 18, 1968

Mr. CLARK. Mr. President, the impact of what President Lyndon B. Johnson calls "creative federalism" is visibly seen in the Commonwealth of Pennsylvania. This harmonious partnership of citizens and Government working together through financial and management assistance programs has capitalized on individual initiative and bold imagination of the struggling small businessman.

President Johnson has spearheaded the drive to bring more Negroes into the mainstream of our American economic system and to encourage the entrepreneurship of our minority groups. A good example of the success of these efforts is the cooperative ventures of the Small Business Administration and the First Pennsylvania Banking of Philadelphia. The success of lining up Negroes as business borrowers is graphically presented in an article entitled "Where Negro Business Gets Credit," published in Business Week for June 8, 1968.

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:

WHERE NEGRO BUSINESS GETS CREDIT

First Pennsylvania Banking of Philadelphia is aggressively trying to line up Negroes as business borrowers. So far, defaults are less than 1%, half the loss rate on its other business loans.

Two Negro sisters who run a psychedelic dress shop in West Philadelphia recently borrowed $15,000 from First Pennsylvania Banking & Trust Co., the city's largest bank. The sisters rang up sales of $45,000 last year and are planning now to open their second store.

A few years ago, the bank probably would not have made the loan—and the sisters probably would not have applied. But over the past two years, it has lent some $1.2-million to encourage Negro-owned and managed enterprises.

The amount is small, but it is significant. Recently, the Small Business Administration cited First Pennsylvania for "leading the way in the formation of new attitudes for the entire banking community in this nation."

DOOR-OPENER

Developing Negro businesses, especially in Negro neighborhoods, is worthwhile, both militant blacks and conservative businessmen agree. And it is getting attention in Philadelphia.

First Pennsylvania's program was spearheaded by John R. Bunting, Jr., former executive vice-president just named president and chief executive officer. He puts his long-range goals this way: "About 50% of the market in Philadelphia is non-white. If we were going to do business properly and profitably, we had to face up to that fact."

The bank says its Negro lending program has made money, that the rate of default is less than 1%—half the loss rate of the bank's normal business loans. When the bank started its special "soft loan" program in 1966, most of the lending was tied to SBA guarantees. Today, only about half the loans have that security. On the other hand, the loan rejection rate runs about 50%—"roughly comparable to other businesses of the same size," says Bunting. However, he adds, rejections would be much higher if the bank were not leaning over backwards to make these loans.

FACT-TO-FACE

Mainly the bank believes it is gaining experience to meet a standard Negro complaint that white-owned banks do not understand how to evaluate loan applications from Negroes. Another part of the lesson, though, is that in today's social climate, white efforts can easily stir controversy.

First Pennsylvania's Negro loan program is handled out of a single branch at 49th St. and Baltimore Ave. in an integrated section of West Philadelphia. Both Negroes and whites criticize the general procedure. Negroes want to know why they can't get equal consideration in all 66 branches, while some white businessmen grumble about discrimination in reverse.

Bunting concedes both points. "If a Negro businessman wants to be treated like any other borrower," he says, "he can go to any of our branches. If he wants favored treatment, he must go to West Philadelphia. We needed a concentrated program." As for white complaints, he says simply that the program is specially aimed at Negro businessmen.

Directly in charge of the program is 31-year-old Gordon McDaniel, aided by Charles D. Bigelow, 42. Bunting did not want the program involving hidebound bank officers.

COOPERATION

Essential to the program's success, bank officials agree, is the working relationship First Pennsylvania has established with the Negro-owned Business Development Corp. Run by John H. Clay, BDC is owned by 3,000 Negro stockholders who put up $2 a share.

Clay explains the approach: "When a Negro sees a white man in business, he automatically assumes the white man is running the show. The Negro has to have an image of guys on his own level who have made it by hard work."

BDC, which has a 35-man board consisting of successful local Negro businessmen, acts as the bank's chief liaison with the Negro community. It channels Negro businessmen to the bank, helps in preparing the needed loan papers, and provides accounting and management consulting to borrowers.

Clay also thinks that BDC's profitmaking approach makes it more effective than federally financed and nonprofit business development groups. Describing BDC as a "profitmaking company used as an education forum," he adds that "the more you do something for nothing for someone, the less he learns."

SCORECARD

So far, BDC has helped arrange over 140 loans and more than 100 have come through First Pennsylvania. SBA has taken on the rest.

Under terms of an informal agreement between the bank and BDC, Bunting promised to review any loan promoted by BDC but rejected by the bank. While Clay has gone to Bunting a few times to question why a loan was turned down, he has not complained publicly about it. By the same token, Bunting, who has final say on loans, has yet to overturn a decision by loan officers.

Almost all the loans average between $6,000 and $8,000 for seven to eight years at a rate comparable to other business loans. While the bulk has gone into Mom-and-Pop type enterprises, a few have been large.

Claudas Bey, 30, received a $100,000 loan, partially secured by SBA, to buy a warehouse for wholesaling candy, tobacco, patent medicines, cookies, and school supplies. His business has grown in three years from a basement operation to a $750,000 enterprise. This year, he projects sale of $1-million.

Another star is Jack Baylor, 40, an ex-RCA and Univac engineer, who operates Data Preparation Corp., a key-punching business. Baylor put up $7,600 and First Pennsylvania came across with $35,000, partially secured by SBA. In 1967, his first full year of operation, he grossed $275,000.

ROUTINE

More typical is the $9,500 loan made to a woman operating a daytime baby-sitting center. About half the money went to pay delinquent debts, the rest to remodel her home so she could take on more children. Another soft loan, for $15,000, went to an automotive repair shop with an estimated net worth of $3,000; the owner, in addition to a history of debt delinquencies and income tax woes, needed money for a new shop. His roof had collapsed.

On most loans, McDaniel and Rodgers play it by ear. They base their decisions mostly on intuition and on-the-spot checks of the prospective borrower's business operation. They often overlook a background of debt delinquency if they feel a loan will put the borrower's business back on its feet. In some

cases, they ignore a criminal record if it is rooted in social pressures.

One reason for this approach is that normal credit channels do not work for checking out loan applicants. Even Negro businessmen who would easily meet borrowing requirements hesitate to seek bank loans. Often they have been snubbed in earlier attempts to borrow, or they assume without trying that the gesture would be useless. Many try to capitalize their businesses out of profits, or they turn to high-cost finance companies.

GRIPES

BDC's Clay maintains that banks unwittingly apply to Negroes traditional business standards, which he says cannot be applied. However, First Pennsylvania's and BDC's actions are working to improve rapport between Negro businessmen and the white banking world.

Follow-up counseling of borrowers has been the weakest part of BDC's operation. Because its 35 board members are businessmen with their own problems, it has been difficult getting a consistent program going. Then, too, BDC has had sparse results in getting Negroes who put in 12 to 16 hours daily at their own businesses to go to school at night.

SPREADING

One outgrowth of the First Pennsylvania-BDC program has been establishment of a $2-million pool by eight Philadelphia banks to make loans to businesses in depressed areas. Called Job Loan Corp., it parallels the program of First Pennsylvania, which has a piece of that action, too.

Job Loan Corp. is off to a shaky start. A premature announcement by Mayor James H. J. Tate brought a flood of telephone calls while the program was still being organized. The callers had to be stalled, and some Negro leaders view it as little more than a public relations sham. They also think it laughable that the eight banks could come up with only a $2-million commitment.

STATEMENTS BY THE REPUBLICAN TASK FORCE ON CRIME

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. GERALD R. FORD. Mr. Speaker, under leave to extend my remarks I include three recent statements by the Republican Task Force on Crime. The first issued May 17, 1968 is entitled, "GOP Crime Group Endorses LSD Curbs." The second entitled, "GOP Crime Group Disputes Clark's Crime Figures" was released on May 21, 1968. In the third statement issued on June 14, 1968, the "GOP Crime Group Calls for Federal 'Stop and Frisk' law—Terms It a 'Powerful Deterrent' To Carrying Handguns."

The statements follow:

GOP CRIME GROUP ENDORSES LSD CURBS

Noting the report of the House Health Subcommittee, unanimously endorsing legislation to make criminal the possession as well as the distribution of LSD and related drugs, the House Republican Task Force on Crime today asked that the enactment of such legislation be assigned top priority in the House of Representatives.

Rep. Richard H. Poff (R.-Va.), Chairman of the Task Force said, "As more and more information becomes available demonstrating the effect of LSD on the human body, it is apparent that this family of drugs should be prohibited in America. We urgently recommend favorable action upon legislation outlawing the possession and use of LSD in the United States."

GOP CRIME GROUP DISPUTES CLARK'S CRIME FIGURES

WASHINGTON, D.C.—The House Republican Task Force on Crime declared today that: "It is reported that during a nationally televised panel discussion recently, Attorney General Ramsay Clark defended the dismal performance of the Kennedy and Johnson Administrations in the field of crime control.

"According to a news story by George Lardner, Jr., 'Clark said that in the eight years [Richard M.] Nixon was Vice President during the 1950's, the crime rate had gone up 98 percent, or a greater figure than the 88 percent Nixon said it had risen during the Kennedy-Johnon Administration.'

"We have grown accustomed to spokesmen for the Administration playing 'fast and loose' with the facts, but the blatant manner in which they attempt to carry it off never ceases to amaze us.

"In the first place, *Mr. Nixon* didn't say there was an 88% increase, Mr. Clark's *Department of Justice said it*, in a well publicized press release earlier this year.

"Next, crime in the eight Eisenhower years between 1953 and 1960 *did not increase by 98%*. That charge is simply inaccurate.

"Crime reported in 1960, the last year of the Eisenhower Administration, was *63%* greater than in 1952, the last year of the Truman Administration.

"This, of course, covers 8 years. If the experience of 1967 holds true this year, the 8 year Kennedy-Johnson record will show a whopping *118% increase* for the comparable period, or almost double the rate under a Republican Administration. Paranthetically, if only a 7 year frame of reference is used, they fare even worse. During the first 7 years of the Eisenhower Administration the crime *increase was 43%*, less than half of the 88% recorded during the seven years thus far under Kennedy and Johnson.

"All of this would be 'much ado about nothing', of course, were it not for Mr. Clark's blitheness in attempting to foist an inaccuracy off on the American public. Any crime increase is bad and this is 1968, not 1960 or 1952.

"It is fundamental that most Americans today view crime in the streets as our number one domestic problem, and rightly so. In 1960 there was no such concern. Crime has been steadily increasing since the end of World War II and while no Administration is wholly to blame for this, the present Democrat policies of non-enforcement and permissiveness cannot be defended in the face of this. The plain truth is that we were a whole lot safer in 1960 than we are today. When General Eisenhower left office he did not leave behind a legacy of rampaging lawlessness that is most certain to face the new President in 1969."

GOP CRIME GROUP CALLS FOR FEDERAL STOP AND FRISK LAW—TERMS IT A POWERFUL DETERRENT TO CARRYING HANDGUNS

The House Republican Task Force on Crime today endorsed again the concept of a "stop and frisk" law for Federal agents and police in the District of Columbia, and called for "prompt hearings by the House Judiciary Committee on three bills proposing such a law which have already been introduced this year by GOP Congressmen."

The renewed call for action came in the wake of last Monday's ruling by the Supreme Court upholding State laws which permit police to stop suspicious persons on the street and to "frisk" them for weapons if they reasonably fear danger.

"Action on the pending proposals, some of which were introduced six weeks in advance of the Court decisions—which include the McCulloch-Poff bill (H.R. 16908), the Wyman bill (H.R. 17773), and the Railsback bill (H.R. 17875)—has understandably been delayed until the Court ruled," the GOP Group said. "But the way is open now—there is no longer any bar to hearings on the bills nor to ultimate enactment of some law in the area.

"In view of the concern over firearms control at this time," they continued, "a 'stop and frisk' law for Federal agents and police in the District of Columbia will really put teeth into handgun laws. Properly utilized, 'stop and frisk' laws can be powerful deterrents to the illegal carrying of weapons in addition to being effective enforcement tools where handgun laws are violated.

"Sixteen States have approved 'stop and frisk' procedures which, by one means or another, permit police to stop suspicious persons, detain them for a short period of time, ask them questions and 'frisk' them for weapons, if necessary, all without effecting a formal arrest, as long as the police have reasonable cause to do so.

"Over the years such laws have proven decidedly useful," the Task Force continued, "for the prevention and detection of crime, for the obtaining of evidence and, most important, for the protection of police officers.

"At this time no federal statute exists which extends this protection and this very valuable investigative tool to either Federal agents throughout the country or to police in the District of Columbia. Each of these bills is designed to fill this gap.

"We do not endorse any one bill over any of the others," the Task Force said. "Each adopts a somewhat different approach but to the same overall objective.

"Careful consideration by the Judiciary Committee will doubtless resolve the differences and the best law will emerge. The important thing is to begin hearings at once," they concluded.

THE ROAD TO OBLIVION—SPEECH BY SENATOR THURMOND

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Tuesday, June 18, 1968

Mr. TOWER. Mr. President, I have recently reread a speech first delivered by the distinguished Senator from South Carolina [Mr. THURMOND] in the spring of 1965. Because his thoughts then are applicable today and because they were quite prophetic, I ask unanimous consent that the text of his speech be printed in the Extensions of Remarks.

I call especially to the attention of Senators and other Americans Senator THURMOND's thoughts about the "provocation" of demonstrations and his lucid explanation of the equation between "disobedience" and "lawlessness."

It is unfortunate for our Nation that we did not have the wisdom to heed Senator THURMOND's words 3 years ago. I hope we have learned something since then.

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

THE ROAD TO OBLIVION

(Address of Senator STROM THURMOND, Republican, of South Carolina, to the board of directors of Christian Freedom Foundation at the Wellington Hotel, New York City, April 29, 1965)

In the comparatively short history of our Republic, society in the United States has advanced to the pinnacle of civilized achievements. Our people have advantages exceeding the fondest dreams of contemporary and past civilizations.

These magnificent benefits and accomplishments have been possible because of a unique political structure which is based on

and revolves around the Constitution of the United States.

The governmental structure based on the Constitution imposes a rule of law and excludes a rule of men.

It provides for the maintenance of order and stability while permitting not only the basic individual freedoms—such as of religion, speech and assembly—but also permitting the operation of a free economic system from which our material bounty has flowed.

The inherent concept of federalism in the Constitution accommodates diversity without stimulating division, and from diversity stems the initiative which gives birth to true progress.

Recent years, unfortunately, have witnessed increasing erosion of the Constitution in the form of evasions, usurpations and circumventions, which in turn has constricted individual freedoms, inhibited diversity, diluted stability, and invited disorders.

Realistically, these departures from and weakening of the Constitution portend an early end to our society's benefits and achievements. The demise of the Constitution can convert a noble experiment in government to a flash in the pan—a brief, brilliant meteoric ascent to the heights, snuffed out and merged with the darkness by an attempt to change course in mid-trajectory.

We are now confronted with the point of no return in our departure from a Constitutional course, if, indeed, we have not already passed it.

As you all are aware, there is now pending before the Congress a proposed "Voting Rights Act of 1965." This bill is unquestionably the most abysmal and chasmic departure from and contradiction of the Constitution which has confronted the Congress and the nation in a century, if not in all time.

This proposal to pervert the Constitution is particularly profane, for it masquerades as an attempt to enforce a provision of the Constitution, itself.

The 15th Amendment to the Constitution provides:

"1. The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude."

"2. The Congress shall have power to enforce this article by appropriate legislation."

The sole power given to Congress by that amendment, and the only appropriate legislation which can be enacted pursuant to it, is to *prevent* the United States or any State from denying certain people the right to vote on account of their race or color.

The 15th Amendment does not confer the right to vote on anyone, nor does it vest power in the Congress to confer the right to vote on anyone.

The Constitution clearly provides that the several States shall have the power and the authority to establish qualifications for voters. Section 2 of Article 1 of the Constitution provides that, in choosing Representatives for Congress, "The Electors in each State shall have the qualifications prerequisite for Electors of the most numerous branch of the State Legislature." There can be no argument that this provision was not modified by the adoption of the 15th Amendment. Years after the adoption of the 15th Amendment, the 17th Amendment was adopted; and it contains, with respect to the election of Senators, the identical language of Section 2, Article 1, to wit: "The Electors in each State shall have the qualifications prerequisite for Electors of the most numerous branch of the State Legislature."

The proposed "Voting Rights Act of 1965," however, would invalidate a whole spectrum of voter qualifications currently imposed by a number of States, particularly the requirement for proof of literacy. Such qualifications would be invalidated in certain States, regardless of the impartiality as to race or color of such qualifications and their application.

For instance, in South Carolina there has been no allegation that the voter qualification requirement of ability to read and write is used to deny or abridge the right to vote on account of race or color. Yet, under the proposed "Voting Rights Act of 1965," the literacy requirement for voters in South Carolina would be invalidated.

The proposed "Voting Rights Act of 1965" is also in conflict with Article 4, Section 2, of the Constitution, which provides: "The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States."

The invalidation of voter qualifications would apply *not* to all States requiring such qualifications, nor even to those in which there is use of such requirements to deny the right to vote on account of race or color. On the contrary, the invalidation would apply only in States or political subdivisions which fall within the confines of an arbitrary statistical formula having no rational relationship to incidents of voting denials.

The determination of those States and Subdivisions in which existing qualifications for voters would be invalidated would hinge on the percentage of voting age population registered and participating in the Presidential election of 1964.

The statistical formula proposed reflects no consideration of the numbers of people who have applied to register or vote, nor of whether any person has been illegally denied the right to vote.

The statistical formula in no way reflects any number and variety of circumstances which influence, in fact, the numbers of persons who apply to register and vote. For instance, until very recently, the Southern states—to which this bill, incidently, would principally apply—were dominated by a one-political-party system. It has been only a little more than a decade that any substantial number of persons voted in general elections in those States, because nomination in the Democratic Primary was tantamount to election. Now the Republican Party is becoming established in the Southern States, but by no means has the prevailing apathy toward general elections been overcome. Yet, it is the percentage of voting age population participating in the general election which provides the basis of this arbitrary statistical formula.

There is another rather paradoxical factor concerning the choice of the Presidential election from which to draw statistics by which to determine the applicability of the proposed "Voting Rights Act of 1965." There is no constitutional requirement that any of the electorate be given the opportunity to participate directly in the selection of Presidential electors. Article II, Section 1, Paragraph 2, of the Constitution, which determines the mode of choosing electors for Presidents and Vice Presidents provides: "Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress." It is within the Constitutional power of a State Legislature, therefore, to, itself appoint Presidential electors and, thereby, legally to have a zero percentage of the voting age population registered or voting in a particular Presidential election.

It is a basic and fundamental constitutional tenet, never to my knowledge overtly disputed, that the status of statehood is an invariable entity, with each State having the same powers and authority as every other State.

The proposed "Voting Rights Act of 1965" would flout that constitutional tenet, by denying to selected States while leaving to other States the power to fix voter qualifications which would not discriminate on account of race or color.

The bill would constitute a bill of attainder or an *ex post facto* law in violation of specific constitutional provisions. This result would follow from the fact that a State would be adjudged guilty of voting discrimination prohibited by the 15th Amendment and penalized accordingly on the basis of past actions—too small a percentage of voting age population voting in the 1964 Presidential election—which action did not constitute an offense at the time it was committed.

The enactment of this bill would violate the due process of law provisions of the 5th Amendment to the Constitution by virtue of any number of its provisions. For example, the bill would establish a conclusive presumption that a State was guilty of denying persons the right to vote on account of race or color, if too few people voted in the Presidential election of 1964, and provide no opportunity to the State to rebut the presumption.

Probably the most constitutionally incompatible provision in the bill is that which would prohibit, in States affected by the bill, the enforcement of any act of a State Legislature which changed voting qualifications or procedures from those in effect on November 1, 1964, without specific prior approval of either the United States District Court for the District of Columbia or the Attorney General of the United States. It is difficult to conceive of any provision more antagonistic to the constitutional concept of federalism than is this provision.

It would, I assure you, take more time than we have here today just for me to list the specific provisions of the Constitution and the provisions of the bill which conflict with them. I have mentioned but a few examples.

From at least one standpoint, it is not surprising that any legislation proposed to the Congress for enforcement of rights under the 15th Amendment sharply conflicts with the Constitution. You will recall the Congress enacted laws in this field in 1957, in 1960, and again in 1964. Almost every conceivable protection of the right to vote consistent with the Constitution, and some not consistent with the Constitution, were incorporated in these or previously enacted statutes. As a consequence, there is little, if any, room within the constitutional framework to enact other than repetitive implementations of the 15th Amendment. After all, it is not a broad field, for the 15th Amendment is, in fact, self-executing—that is, the Courts can enforce it upon application of any offended person without resort to any legislation passed by the Congress.

The question logically arises then, how and why did the proposed "Voting Rights Act of 1965" come into being and possess such a bright prospect for early enactment?

Rarely, if ever, has the *genesis* of a legislative proposal been of more pertinence. No realistic evaluation of this bill's breadth, its scope, its operation, or its consequences is possible in the absence of an understanding of its origin and the environment from which it sprang.

The proposed "Voting Rights Act of 1965" is before the Congress today as a consequence of what has been generally described as "mass demonstrations." It is somewhat difficult to pinpoint the precise point in time when the so-called civil rights movement took to the streets, but several years have passed now since it gained the focus of public attention. Although we have all been witness through the media of television and the printed word to these mass activities, and although each of us have been influenced to some degree and in some direction by such activities, there apparently remains little understanding of either the precise nature, pattern, or actual purpose and effect of such an activist movement.

For all the familiarity with the incidents, the places, the organizations, the people—there is obviously precious little comprehen-

sion of what is occurring. It is almost as though the nation has viewed these occurrences through the mind's window of emotion, never daring to crack that shutter of the mind which might subject these activities to the perceptiveness of reason.

For the most part, the so-called demonstrations are well organized. The leaders have largely succeeded in exercising the slight degree of control which is possible over large masses of aroused people. They have been diligent in training those activists who participate regularly in techniques long since perfected for this type of activity. Only to the untrained and only to the careless observer, do the so-called demonstrations appear either spontaneous or unmanipulated. They comprise one of the most successful, calculated propaganda operations ever undertaken.

The so-called demonstrations, themselves, constitute the professional application of the art of civil disobedience. Part and parcel of the operation is a massive verbal barrage, professing and acclaiming such activities to be the essence of non-violence. Indeed, the term "non-violence" has become almost an automatically accepted adjective for such activity, so successful has been the campaign of oral and written propaganda. The demonstrations have, in fact, actually been surprisingly non-violent, particularly in view of the violent tendencies inherent in mob psychology.

But non-violence is only one of the two major elements which composes the successful civil disobedience operation. For civil disobedience success, non-violent a demonstration *should* be, but provocative it *must* be; for prevocative is the other adjective, rarely enunciated, never advertised, which is the key to the success of the civil disobedience operation which we are witnessing and have witnessed for several years.

A careful study of the so-called civil rights demonstrations proves clearly that nothing is more *un*successful than a demonstration which provokes no resistance. Such is the nature of these non-violent provocative operations, however, that those activities which have failed to elicit some type of resistance merely evidence poor planning by the leaders or poor execution by the trained participants.

It is almost invariably possible to mount an essentially non-violent activity, which is at the same time so provocative that it will require even the most benevolent authority to respond with resistance, which resistance usually requires the use of force.

If massive demonstrations at noon in the city square are ignored and provoke no responses, demonstrations are re-scheduled from noon to 11 p.m., and to residential neighborhoods rather than the city square. Such was the case, for instance, in St. Augustine, Florida.

Thus, are non-violence and provocation the two ingredients which constitute the essence of the civil disobedience operations commonly referred to as civil rights demonstrations. The careful cloak of non-violence provides shelter from the potential disapproval of a fair-minded public which takes note of the operation from afar—not being directly affected by the particular demonstration. The element of provocation insures application of resisting force, which can be used to effectively gain the sympathy of that same public witnessing from afar. The more brutal and excessive the resisting force which can be provoked, the more successful becomes the particular civil disobedience operation.

I have described the so-called mass demonstrations as operations of civil disobedience. This is no chance choice of terms. I use "civil disobedience" deliberately and accurately. The term "civil embraces the non-violent appearance and ostensible character of the demonstrations, and distinguishes such activities from those of a similar nature and purpose which utilize "military", as contrasted to "civil" means. The term "disobedience" embraces the provocativeness of such activities, but it also includes and describes another aspect of the demonstrations. Disobedience embraces lawlessness, and the term is accurately applied to the so-called civil rights demonstrations, because they are inherently lawless. The disobedience is disobedience to duly enacted and prevailing law. Those laws to be disobeyed are selected at the discretion, usually, of the directors of the civil disobedience operation, but occasionally the participants expand the scope of the laws chosen by the leaders to be disobeyed.

A distinction should be made at this point between the grievances to which the massive civil disobedience is ostensibly directed at correcting, and the laws which are disobeyed in the process of the activity, for rarely are the object of the ostensible grievance and the laws which are disobeyed either identical or related.

It is the provocative disobedience of laws, unrelated to the ostensible grievance, which distinguishes this as an insurrection, rather than a reform movement. Because the campaign of civil disobedience seeks to undermine, through defiance, a whole spectrum of the rules of society, the movement denies and seeks to undermine the rule of law, itself. Necessarily, it also undermines the political order which the society has instituted for its own government.

The movement, therefore, is nothing more or less than a war against society and the existing political order—in short, and insurrection.

Insurrections are wars against society and undermine the entire political structure—the good elements as well as the bad. By its very nature, a revolution strikes at the whole political structure through which all the laws are instituted, those with which we agree, as well as those with which we disagree. When one chooses individually to openly defy a law, he becomes a criminal. When one conspires or joins an *organized* effort to defy a whole spectrum of laws, he becomes an insurrectionist; and his participation constitutes a declaration of war on the society in which he lives.

In a number of ways, almost any society contains vulnerabilities to this type of activity. The ingrained antipathy for violence and the sympathetic inclination in each of us for the under-dog and victim of violence tends to align us emotionally with the participants of the insurrection. At the same time, they obscure an objective evaluation of the movement. In many instances, the grievances against which the activity is ostensibly directed are in fact legitimate grievances. The existence of unused remedies escapes our notice, and as a consequence all too many of us fail to evaluate the goals and proposed remedies of the insurrectionist movement, and to test their suitability for correction of the ostensible grievances. The innate desire for domestic tranquility promotes a willingness to make concessions against the best interest of society in an effort to regain the blessings of tranquility.

Nor is the alternative to concessions pleasant to contemplate. The alternative would require strict law enforcement, and this in turn would almost surely mean violence and the disruption of peace and order, not to mention unfavorable political consequences.

It was a prolonged campaign of insurrection in Alabama which gave the immediate impetus to the "Voting Rights Act of 1965."

In the early weeks of this year, a campaign of civil disobedience was launched in Selma, Alabama, under the leadership of Martin Luther King, a resident of Atlanta, Georgia. The campaign of civil disobedience took the form of mass demonstrations in the usual pattern—for the most part, non-violent, but always provocative. The grievance ostensibly protested was the denial of voting rights. As time went by, the crowds participating grew—made up not only of applicants for voting registration, but also of non-residents of the State of Alabama, and to a major extent, of juveniles drawn from the schools of Selma.

Even when the campaign of Civil Disobedience began in Selma, a suit was pending in Federal Court for relief of those denied the right to register and vote. The court action was brought under provisions of the Civil Rights Acts of 1960 and 1964. On February 4, 1965, almost at the beginning of the campaign of civil disobedience, the Federal Court found Negroes were being denied the right to vote on account of race or color.

From the order of the Court, it is obvious that the remedy to voting denials was provided through the orderly prescribed process of law. The order insured that all eligible persons in Dallas County, Alabama, would be registered to vote long before the next election, and even made provision for registrations by the Court-appointed referee, should the Registration Board not comply with the Court's order. The order even provided that a minimum of 100 applicants be registered on each registration day.

The fact that the Court remedied the ostensible grievances of the insurrectionists was ignored by the insurrectionists and went unknown to, or unnoticed by most of the people in the nation.

The insurrectionist campaign continued until finally the persistent provocations got results—results in the form of violence, and martyrdom.

The President announced that he would send to the Congress a bill on voting, and on March 15, 1965, the President addressed the people of the nation in the context of an appearance before a Joint Session of Congress. It was an emotion-packed address, even more so than his usual.

The Congress reacted to the President's charge with a responsive emotional obedience.

Since the presentation to Congress of the proposed "Voting Rights Act of 1965," speed has been the watchword. Every effort, from drafting through hearings, has been bent to keeping ahead of the demonstrations. Congress seems to have adopted the motto of Mr. Satchel Paige: "Don't ever look back, something may be gaining on you." Underlying it all is obviously the fear that a slow or measured pace might permit the demands of the leaders of the civil disobedience campaign to overtake and surpass even this radical appeasement at the cost of the rule of law.

And down deep, we all know that the demands will continue to grow, and will never be satisfied with less than the total destruction of any structure of society based on the rule of law.

The "Voting Rights Act of 1965" is not, of course, just an isolated incident or divergence from constitutional government, and neither can the so-called civil rights movement be separated from the total insurrection with which we are faced; which includes the campaigns and activities of the professed pacifists protesting our Vietnam policies and those loosely referred to as "students" who are engaged in the so-called "campus revolt."

The "Voting Rights Act of 1965" is but one milestone—albeit a crucial one—on the road to oblivion for our Constitutional Republic. It is part and parcel of the seemingly inevitable, rapidly accelerating journey of our society into the dark realm of destroyed civilizations.

I do not know what you, individually, or as a Board of Directors, can or will do about either the "Voting Rights Act of 1965" or, even more important, the insurrection which has brought this voting rights bill so near to fruition. Your presence here this morning, however, attests to your leadership capabilities, and I implore you to use your abilities with renewed dedication in an attempt to save our Republic.

Even though the chances of success may be slight, we have no alternative but to make the effort.

Our Republic is too young, and its poten-

tial too great, for it to be propelled down the road to oblivion without someone at least trying to pull the brake.

ANGLO-AMERICAN CRIMINAL JUSTICE

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. MICHEL. Mr. Speaker—

There is abundant evidence that British criminal justice is still based on the philosophy under which it was founded—that it's main purpose is the prevention of crime.

This quotation is taken from a review by Charles L. Dancey, editor of the Peoria Journal-Star, of a book entitled, "Anglo-American Criminal Justice." The book, written by two American and one Australian professors of law, provided an interesting item-by-item study of British and American practice from police to prisons and, not surprisingly, its major finding is that the U.S. Supreme Court and U.S. legal philosophies have crippled crime prevention in America.

The book review appeared in the June 15, 1968, edition of the Peoria Journal-Star and I include it at this point in the RECORD, together with an editorial from the same edition, entitled "Tainted Evidence." Those of our colleagues in the legal profession may find this book to be of great interest.

The material follows:

STUDY FINDS FLAWS IN U.S. CRIMINAL LAW

(Review by C. L. Dancey)

(NOTE.—Following is a review of the book "Anglo-American Criminal Justice," by Delmar Karlen with Geoffrey Sawer and Edward M. Wise (Oxford Univ. Press, $6).)

A serious research study has found that the U.S. Supreme Court and U.S. legal philosophies have crippled crime prevention in America.

Two American and one Australian professors of law, operating under a research grant, have produced an interesting item by item study of British and American practice from police to prisons published under the title, "Anglo-American Criminal Justice".

The differences revealed are dramatic.

To an American, it comes as something of a shock to discover the extent to which practices and attitudes so "sacred" and "traditional" and "basic" to our legal system are, in fact, unique—and not accepted or regarded as practical methods elsewhere.

For example: In English law the professional bail bondsmen is forbidden, and to make a bond for remuneration is, itself, a criminal offense.

There, courts commonly use a "summons" instead of an arrest where it is deemed appropriate, and by-pass the whole bond business, and hence "lock up" fewer people than we do.

At the same time, they also often lock up an accused without bond because of grounds to fear that he may otherwise commit other crimes while out on bond—or tamper with witnesses. In America, such considerations are downright unlawful, and giving bond is required unless there are grounds to fear the accused will "jump" bond.

In England, there is no such thing as the U.S. district attorney or state's attorney. Eighty eight per cent of all prosecutions are either carried forward by the complainant as a private citizen or by police in the same capacity, hiring a prosecutor.

Thus, the "discretion" of the state's attorney, by which he has more effective powers over basic decisions than the judges concerning prosecution, does not exist, nor do the political involvement or considerations relating to prosecution.

The British police are organized and interrelated on a national basis, and a police officer can act as such anywhere. Also, standards and training are thus reasonably uniform.

While British courts exclude illegal evidence, they do not throw out whole cases or reverse them because of such a "taint"—they first look to see if, independently of such, there is decisive evidence of guilt.

Throughout, there is abundant evidence that British criminal justice is still based on the philosophy under which it was founded—that it's main purpose is the prevention of crime.

There is also abundant evidence that the U.S. system has become esoterically preoccupied in a large measure with internal complex "philosophies" concerning one phase of that overall task.

The authors find U.S. court decisions often based in part on "an exaggerated notion of the feasibility of police detection by other means than interrogation" and seems unconcerned about the failure to solve crimes thus imposed on police agencies . . . much less the failures of prevention resulting from heavy emphasis on "search and seizure" and arrests without prior legal procedures and papers of authorization.

TAINTED EVIDENCE

The British jurists and legal philosophers, and indeed, the British in general regard a number of American legal principles as "far fetched" theories.

That is typical British understatement.

On the Book Review page of the Weekender today is a review of a research work in which three Anglo-American lawyers laid out an item by item comparison of British and American procedures and organizations and rules in "criminal justice."

In the light of so much controversy these days over police practices, Supreme Court decisions, and law enforcement doctrines, not to exclude the new "Commission on Violence," it seems a good idea to find out how much of what we have been doing is "normal" and commonplace and how much of it is peculiarly and uniquely American.

The review to some extent, and the book's research to a very large extent, will shock many Americans to discover that the disputed "oddities" in modern American law are odd, indeed.

Far from being commonly accepted principles, half a dozen U.S. Supreme Court judges have cooked up entirely new concepts and inflicted them upon this society, exclusively.

The most far-reaching of these is the policy of no longer considering the validity or nonvalidity of evidence if it is in any way "tainted" by police or trial procedure.

In other words, whether the procedural fault actually puts the evidence in question or not is regarded as beside the point in the U.S. court doctrine, now.

For example, suppose police have reason to suspect something criminal is happening in a house or apartment and also that there isn't time to go through the search warrant process if they are to affect what is happening. So they then break down the door and catch a criminal red-handed in the performance of a crime.

If the court decides that the reason for breaking in wasn't good enough, and the catching the criminal was just a lucky circumstance, they decide that the police action was illegal—ergo, they say, the evidence against the crook is "fruit from a tainted tree" and, in spite of the fact that there is no doubt the criminal committed an illegal act, he is set free.

This doctrine, whereby the court second-guesses the motives and judgment of the police—and ignores whether results proved them right, even—and regards the perfection of police procedure as more important than proven criminal activity is considered "far fetched" and completely impractical everywhere but here.

The British regard it as absurd to "skip over" on such a basis the central question of whether the accused before the bar is, in fact, guilty or not guilty.

And it really is absurd!

What the U.S. high court has done is to become so preoccupied with the internal procedural theories of a Utopian nature that they are blind to the fact that "informal" and "unofficial" attacks upon the rights, the life, the liberty, and the property of citizens are tyrannies quite as real as official acts.

They have become so "institutionalized" and formal in their outlook, that they regard it as better that 1000 citizens lose their rights and be treated with brutal injustice by unofficial and uncontrolled criminal acts, than the one person lose his rights by an official mistake.

This is making a wholly imaginary distinction, in their pride of profession, between getting killed "formally" or "informally" ignoring the cold fact that the victim is equally dead in both cases.

They are more concerned about police interrogation than about murder, because they have freed murderers against whom the evidence was unimpaired as a means of "punishing" police for not having a defense lawyer present during an interrogation!

Thus the absence of a lawyer they regarded as a worse crime than the murder.

This is carrying professionalism to a rather fanatic degree.

There are legal remedies against illegal police actions.

There certainly should be.

The police can and should be restrained from capricious action.

They should have good reason to act on an emergency basis in search, etc., and they had better be right when they take extraordinary action.

But when they do so, and are proven right, and decisive evidence without cavil is produced of a heinous crime such as murder, the evidence should not be discarded and the murderer set free.

And nobody in the wide world but half a dozen Supreme Court justices has made that "far-fetched" decision at law.

It is not "the law" anywhere but here, and was not "the law" here until recently invented.

Only we have judges who apparently don't give a damn what happens in society as a whole, but only care about what happens in their courtroom. And there they care only for philosophic perfection, not human justice.

THE DECLINE IN LAW AND ORDER—RESOLUTION BY THE CAROLINAS BRANCH OF POSTAL SUPERVISORS

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 18, 1968

Mr. THURMOND. Mr. President, the Carolinas branch of postal supervisors recently met in Greensboro, N.C., and adopted a resolution of notable significance

The resolution urges Congress to be cognizant of the obstacle impeding strong law enforcement and to give full support to State and local law-enforcement personnel. This resolution was prompted by the obvious decline in law and order which our Nation is experiencing. It is a strong, clear call for a reversal of the permissive attitudes which have encouraged anarchy in our Nation.

Mr. President, I ask unanimous consent that the resolution be printed in the Extensions of Remarks.

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

The following is a resolution adopted by the Carolinas Branch of Postal Supervisors (composed of 833 members in North and South Carolina) in convention in Greensboro, N.C. June 6–8, 1968:

"*Whereas:* The moral state of our Great Nation seems to be steadily deteriorating, the process of law and order appears to be observed in the breach, rather than in the letter of the written law, and;

"Whereas: Certain individuals, groups and ideologies are interpretating the law to their own usage, all to the detriment of our Nation, and;

"Whereas: These conditions are resulting in assassinations, murders, rape and other crimes, too numerous and heinous to mention, further resulting in chaotic conditions, which can only lead to the downfall of the Country which we all so dearly love, and;

"Whereas: When and if the perpetrators of these crimes are taken into custody, the cry of "Police Brutality" is shouted to the highest heavens and if taken to the courts, cases are often thrown out by reason of devious rulings, technicalities or further interpretations of the Law, not consistent with our Constitution as originally written; Therefore be it

"Resolved: That the Carolinas Branch of the National Association of Postal Supervisors strongly urge all Congressmen and Senators to use every effort in their power to see that present laws are observed, and be it further

"Resolved: That Police Officers and members of Municipal Governments be backed in their efforts to quell any outbreak of crime, insurgency or other illegal acts, which would lessen the respect of other nations and individuals for our Great Country.

"WALTER L. EAKES,
"Secretary-Treasurer."

QUESTIONNAIRE RESULTS ALONG WITH WASHINGTON NEWSLETTER

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. HARVEY. Mr. Speaker, as is now customary, I would like to insert my Washington Newsletter, dated June 17, 1968, which will be distributed to Michigan Eighth District residents this week.

Highlighting this monthly report are the results of the eighth annual congressional questionnaire which was distributed early last month.

The answers are based on a tabulation of 10,244 of the nearly 12,500 returns. As a matter of fact, a few returns still are being received daily.

I am particularly grateful to the weekly and daily newspapers in our district who also published our questionnaire as a public service.

The newsletter follows:

WASHINGTON NEWSLETTER

1963, 8,500 Americans; 1964, 9,250 Americans; 1965, 9,850 Americans; 1966, 10,920 Americans; 1967, 12,230 Americans; 1968, ? ? ? ? ? ? ? ?

These are grim statistics. They represent the number of Americans who have been murdered in the United States in recent years. The fact that it is now estimated that a murder takes place every 48 *minutes* would be sufficient reason alone for the creation of the new National Commission on the Causes and Prevention of Violence.

The tragic death of Senator Robert F. Kennedy has awakened this nation to the violence and crime that are taking place as nothing else has in the past. It's a shameful and frightening review.

Many weeks ago, I stated that ". . . Our country will be a jungle—a battleground for survival—unless this disturbing criminal and civil disobedience wave of terror is slapped down. Sordid, appalling disrespect of law and order cannot be ignored any longer."

In announcing the new Commission, President Johnson stated in part, ". . . 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."

Legislation cannot and will not provide the total answer. Perhaps additional gun legislation will be helpful. Undoubtedly, better judgment by the television media in the showing of films during the prime children hours is in order. Certainly, a better means of classifying films suitable for young people is a must by the movie industry. All of these will be reviewed by the President's Commission.

The real answer though lies with each citizen. Law and order must be respected and observed. Crime breeds more crime. Anarchy will bring ruin. I believe 200 million Americans have had enough of both and will act, individually but as one voice, to restore the true principles of this country.

QUESTIONNAIRE RESULTS

On the reverse side are the results of our annual Congressional Questionnaire. Over 10,000 returns were tabulated by a Washington computer service. Of particular current interest was the strong support given to prohibiting mail order sales of guns, and the sentiment that government at all levels must take additional steps to enforce law and order.

ACTION AT LAST

The Administration, just in recent days, announced temporary import quotas on condensed and evaporated milk and cream. As one who introduced legislation, H.R. 6361, last year to better regulate the imports of milk and dairy products, I was delighted to support this action. The importance of this move to our Eighth District's 2,300 dairy farmers—the biggest concentration in Michigan—may well mean their survival against cheap dairy products from other nations.

I recognize both the value and fairness of a balanced export-import program for our country. But just consider that in April alone, for example, 1.2 million pounds of evaporated milk entered this country, an amount nearly equal to the 1.3 million pounds imported during all of 1967. Further, chocolate milk crumb import volume soared to 3.5 million pounds in the first quarter of this year, up 42% from a year ago. This certainly doesn't indicate much of a balance.

The United States Tariff Commission is to investigate present dairy quota problems and make recommendations. I trust it will move swiftly.

STOP AND FRISK

In recent years, I can't say that I have generally supported decisions of the United States Supreme Court on a number of issues, particularly those dealing with the apprehension of criminals, as well as obscene literature. Nonetheless, I have respected those judgments and the integrity of the Court.

I believe, however, the Supreme Court just last week showed that it is becoming more attuned to the times when it ruled 8–1 in favor of the so-called "stop and frisk" laws. I applaud this action.

Many can argue, with a degree of merit, that this is a gross infringement on personal liberty to be stopped and searched on the street. But our nation's crime situation is so bad—with crime up 88% in just the last seven years—that this ruling is absolutely necessary to meet the demands of law and order.

RESULTS OF THE 1968 MICHIGAN 8th DISTRICT CONGRESSIONAL QUESTIONNAIRE

[Based on tabulation of 10,244 returns; in percent]

	Yes	No
1. Would you support a negotiated settlement in Vietnam which provided participation by the National Liberation Front (Vietcong) in a coalition government?	51.9	48.1
2. When a satisfactory solution of the Vietnam conflict is found, would you support continued U.S. military commitments in southeast Asia?	46.9	53.1
3. Do you support a general reduction of Federal spending as a precondition to the administration's proposed income tax increase?	89.6	10.4
4. Do you favor Federal Government tax incentives to private business to hire and train unskilled workers?	55.2	44.8
5. Do you feel government at all levels must take additional steps to enforce law and order?	94.4	5.6
6. Do you favor legislation prohibiting mail-order sales of guns?	63.5	36.5
7. Do you support a guaranteed minimum income for each householder as an alternative to public welfare programs?	25.4	74.6
8. Do you believe the Government provides sufficient and complete information on vital foreign and domestic issues?	20.2	79.8
9. Do you favor ending Federal subsidies and controls?	75.1	24.9
10. Do you favor eliminating political appointments of postmasters?	86.6	13.4

BOB GRIFFIN OF MICHIGAN

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 18, 1968

Mr. SCOTT. Mr. President, as one of his colleagues, I can testify that the Senator from Michigan, BOB GRIFFIN, has been making his presence felt in the Senate during the short time in which he has served in this body. I am glad that the Pontiac Press, in its lead editorial of June 10, has taken note of Senator GRIFFIN's increasingly influential role in the Senate. I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

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

FRESHMAN GIVEN HIGH MARKS IN EXACTING SENATORIAL TEST

As time passes, we hear an increasing number of favorable reports on Michigan's new Senator—Robert Griffin.

Senator Griffin is slowly working himself into the role of one of the important figures in the world's greatest legislative body. He has to serve a freshman apprenticeship of

sorts. Let there be no mistake about that. Brother Senators make absolutely certain no one escapes the traditions of this distinguished and powerful body.

But during the period of servility and subservience, they are shrewdly appraised and graded by cautious brethren and by their constituents back home. Senator Griffin is passing both tests admirably. When a line of action arises with which he is in accord, the Wolverine digs in solidly and helps make things move in the direction he favors. His Washington experience helps mightily. He will never bog down or descend to the "me, too" level. Senator Griffin is also rightly self assertive.

As time passes, I believe this fledgling in the Senate will move onward into the most influential and powerful circles. Apparently he is destined to emerge as one of the leaders and motivating influences in shaping and formulating party, national and international policies.

Michigan did well when she sent this capable, energetic and stout-hearted man to represent the Wolverine Commonwealth in Washington in this capacity. He brings back pleasant memories of Senator Arthur Vandenberg who was one of the two or three most influential men in all Congress over an extended period of time.

The Press breaks into applause for this new Senator.

A DIALOG ON THE ACCURACY OF THE SOCIAL SECURITY ADMINISTRATION'S OFFICIAL COST ESTIMATES OF GOVERNMENTAL HEALTH CARE PROGRAMS

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. CURTIS. Mr. Speaker, on March 25, 1968, I inserted in the CONGRESSIONAL RECORD, pages 7553–7557, a copy of a letter of March 21, 1968, which I received from Dr. Barkev S. Sanders which was highly critical of the official cost estimates of Government health care programs made and publicized by the Social Security Administration over a period of several years. It was upon such estimates that the Congress has based its judgment in regard to health care legislation in the past decade and plans for improvement in the future. I placed Dr. Sanders' letter in the RECORD because the accuracy of these estimates is extremely critical for sound health care legislation and therefore they ought to be carefully and publicly scrutinized.

Dr. Sanders' March 21 letter challenged the assumptions gaining currency in certain segments of the news media that the present increase in costs of health care programs, such as medicare, are "unexpected" and due primarily to the "increase in physicians' fees." On the basis of his many years experience both inside and outside of the Social Security Administration, Dr. Sanders attempted to document in his letter that these increases in costs should never have been called "unexpected" and that it was erroneous to attribute them to the medical profession. He warned that they should have been fully anticipated, and to give the impression that they are due primarily to increases in doctors' fees is an error which covers over the more basic underlying actuarial errors permeating other aspects of the social security's official estimates.

Mr. Robert J. Myers, Chief Actuary of the Social Security Administration, responded in a letter to me of April 12, 1968, challenging many of the points raised by Dr. Sanders. Mr. Myers requested that I give his letter equal publicity in the CONGRESSIONAL RECORD. I assured him I would, and am placing his letter in the CONGRESSIONAL RECORD today, as I am deeply interested in getting a dialog moving on the specific health care estimates used by social security, and also on the broader issue of the soundness of the actuarial assumptions underlying the social security system itself.

In fact it is appropriate to point out here that a dialog on the larger issue of the soundness of social security was begun last fall, but aborted by the Department of Health, Education, and Welfare shortly thereafter. The dialog was instigated by a very provocative article in the Reader's Digest, October 1967, entitled "How Secure Is Your Social Security." The present Secretary of the Department of Health, Education, and Welfare, Wilbur J. Cohen, prepared a rebuttal to the Digest article which my colleague, Chairman WILBUR MILLS, placed in the CONGRESSIONAL RECORD, volume 113, part 20, pages 27026–27029—notably along with a copy of the Reader's Digest article the Secretary was attempting to rebut. However, when the Secretary circulated his rebuttal in the Social Security Administration's Bulletin, just as notably, he failed to circulate with it the Digest article.

As I felt Secretary Cohen missed some of the essential points brought out in the Reader's Digest article, I prepared a rebuttal to his position which is found in the CONGRESSIONAL RECORD, volume 113, part 22, pages 28461–28466. Secretary Cohen has since verbally promised to supply further comments clarifying the position he sought to advance, and I again invited him to do so in a letter I sent him on April 22 commenting on the dialog between Mr. Myers and Dr. Sanders.

What is fundamentally involved, along with the health care issue is the functional effectiveness of the congressional process. Issues of vital importance, such as the health of our people, can be determined outside the congressional process and therefore apart from the understanding and participation of the people only so long as Congress is lax in demanding accurate accounting from the Executive. This is a matter of substance as well as of procedure, as better programs result when Congress broadens the base to include the wisdom and knowledge which exists elsewhere in our society outside the Federal governmental bureaucracy.

Of course there are better means of debate and discussion than dialog by written correspondence. Nevertheless, this is a start, and I am inserting Mr. Robert Myers' letter of April 12, and Dr. Sanders' reply of June 10, in the RECORD at this point in the hope that fuller discussion will result from this beginning. Mr. Myers may have further rebuttal and, if so, I shall be pleased to place it in the RECORD.

Following this exchange of correspondence, I would like to insert in the RECORD an editorial from the June issue of Nation's Business which presents their views on this dialog:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, SOCIAL SECURITY ADMINISTRATION,
Washington, D.C., April 12, 1968.

Hon. THOMAS B. CURTIS,
House of Representatives,
Washington, D.C.

DEAR MR. CURTIS: In the *Congressional Record* for March 25, you inserted a letter from Dr. Barkev S. Sanders that criticized the cost estimates which I have made over the years for the legislation leading to the Hospital Insurance program that was enacted in 1965. I am taking the liberty of writing to you to discuss some of the points raised by Dr. Sanders, since I know that you are interested in hearing about all sides of important matter such as this. I hope that you will consider inserting this letter in the *Congressional Record* so that all viewpoints will be available to the general public.

Over the years, I have studied comments on the actuarial cost estimates that were made by various persons (including Dr. Sanders) and have taken them into consideration in the periodic revisions of the cost estimates. Dr. Sanders always held the view that the costs would be much higher than I had estimated—and his estimates have been far higher than the actual experience.

Dr. Sanders comments on my actuarial cost estimates are based upon (or include) several factual errors. In the first place, the legislation that was enacted included the provision of benefits for uninsured persons, whereas the early legislation did not. Dr. Sanders did not take this element into account in comparing the experience for calendar year 1967 with the estimates for Public Law 89–97, even though I have pointed out to him that the necessary data for making this adjustment and correction are contained in the same documents from which he derived his figures. Specifically, for Public Law 89–97, Dr. Sanders compares the estimate of $2,777 million that I made during 1967 with his March 1968 estimate of the 1967 actual experience of $3,360 million (the actual figure being $3,430 million). He should have increased the $2,777 million figure by the published figure of $439 million for the uninsured group (which was contained in the same source from which he obtained the $2,777 million figure). This would have made my 1967 estimate of the experience for that year $3,216 million—as compared with the actual figure of $3,430 million. In passing, it should be noted that the actual experience of the hospital insurance program as to the benefit payments with respect to both insured and noninsured persons for the first year of operation (July 1966 through June 1967) was only 7% above the actuarial cost estimate made at the time the legislation was enacted in 1965.

Dr. Sanders states repeatedly that the current experience is biased downward because of the lag in making payments to hospitals. This is not correct, since such payments are now being made on a current basis—and have been since the first few months of operation of the program—so that 1967 cash disbursements were virtually on an accrual basis.

Dr. Sanders is not correct when he states that the enacted program is narrower than the early proposals such as H.R. 3920, 1963. That bill had somewhat broader coverage for the auxiliary benefits (although neither it nor earlier bills provided "unvarnished nursing home care," as Dr. Sanders asserts), but this was far more than counterbalanced by the narrower hospital benefits (namely, 90 days of benefits with a deductible of $10 per day for the first 9 days—or two alter-

native equivalent options—as against the deductible of only $40 under the legislation that was enacted, again with a 90-day maximum).

Dr. Sanders states without explanation, that the existence of the Supplementary Medical Insurance program has the effect of reducing the cost of the Hospital Insurance program by about one-third. In other words, he is saying that the cost of the HI program would be 50% higher than it actually is if it were not for the fact that the SMI program had been enacted. This seems to be an impossibility because this would mean that if there were no SMI program, then HI would have cost $5.1 billion in 1967; yet, HI and SMI together had a cost of only $4.7 billion in 1967 (for far more benefit protection than HI alone). In my opinion, if there is any cost effect for the HI program due to the existence of the SMI program, it would be a small increase in cost because persons can more readily afford elective surgery which might be performed in a hospital.

Dr. Sanders gives data for *Hospitals* for February 1968 that purport to show that the increase in hospital utilization by the aged estimated by me is a 5-fold error. This analysis is based on the proportion of beds occupied by the aged, which is not a completely valid basis for analysis.

However, even if it were assumed that this is a valid basis for analysis, the conclusions that he has drawn are wrong for several reasons. First, the published figure of 35.6% for November 1967 was in error and has now been corrected to 32.7%. Dr. Sanders should have seen that this figure was out of line if he had considered the data for the earlier months of 1967, which ranged from a low of 30.4% to a high of 32.4%, and he should not have used the highest figure that he saw. The average for the first 11 months of 1967 was 31.8%, and this is only 14% above the 28% level prevailing when Medicare went into operation (Dr. Sanders states, without proof, that this figure was 25%)—well within our stated 20% range.

Dr. Sanders purports to make comparisons of the various past cost estimates for selected future years. As I have pointed out to him several times, the comparison that he makes is not valid, for several reasons. The long-range estimates for H.R. 1, 1965 and earlier bills are in terms of level wages, whereas the later estimates assume continuously rising wages into the future (and hospitalization costs rising even more rapidly). Thus, an estimate of benefit costs for a future year—particularly a long-distant one—that is based on constant-wage assumptions (which also involve essentially constant-hospitalization-cost assumptions) is not properly to be compared with an estimate that is based on dynamic-wage assumptions. As you know, consideration of dollar costs of benefits alone is not the basis for the financing of the program but rather there must be considered the percentages that benefit costs are of taxable payroll. (The taxable payroll too differs significantly for any particular future year, depending upon whether level earnings are assumed or whether increasing earnings are assumed, just as is the case with the cost of hospital services.)

In presenting my cost estimates that were made in several previous years, Dr. Sanders ignores published short-range figures which are properly comparable with the actual 1967 experience. Thus, for example, for H.R. 3920, 1963–64, he gives a figure of $1,230 million for the estimate for 1967. That figure is from the long-range level-earnings estimate, and he should instead have used the short-range estimate of $1,720 million that was contained in the same document from which he obtained his figure (*Actuarial Study No. 57*, pages 22 and 23). If he had applied his stated "more probable multiplier" of 4 to the latter figure, his estimate would have been $6.9 billion—as against the comparable actual figure of $2.9 billion (the total of $3.4 billion minus the $0.5 billion attributable to the uninsured persons).

In discussing the significantly higher actual benefit cost than had been estimated initially, Dr. Sanders neglects to look at the other side of the coin—the contribution income. Considering the cost estimate made when the law was enacted, the cost for benefits and administrative expenses for both insured and uninsured persons was $2,554 million for calendar year 1967 (as contained in the Actuarial Cost Report of July 30, 1965); the actual experience ($3,430 million) was $876 million higher. But the estimated contribution income was $2,756 million, and the actual experience ($3,207 million) was $451 million higher. Thus, more than half of the "excess" disbursements was met by "excess" income. It is always necessary to look at the effect of economic conditions on both the income and outgo of the system. The sizable increases in wages and in the general price level since 1965 have been reflected in both the taxable payroll and the benefit costs (thereby the increase in the former partially offsetting the increase in the latter); these increases were not predictable in 1964 and earlier.

Finally, Dr. Sanders states that the figures which he quotes have not been authenticated by the Social Security Administration because of our refusal to do so. This is not correct, because we have never been asked to check the type of figures that Dr. Sanders presents in his letter (which we could readily do, and would be glad to do). Actually, I have pointed out to Dr. Sanders several times that the figures in his Table A are not consistent and comparable. As you will recall, you had earlier requested very detailed data on the Hospital Insurance program, and we had been unable to supply all of them to you because they were not available, but these were not the summary data used by Dr. Sanders in his letter.

In this letter I have dealt with the most important points in Dr. Sanders' letter, and not with numerous other errors of commission or omission that I believe he has made.

Sincerely yours,

ROBERT J. MYERS,
F.S.A. Chief Actuary.

JUNE 10, 1968.

Hon. THOMAS B. CURTIS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CURTIS: I am very appreciative of your invitation to provide further comments on the official estimates of governmental health care programs, and specifically to respond to the comments on my letter to you of March 25, 1968, by Mr. Robert J. Myers, Chief Actuary of the Social Security Administration.

Before getting into the substantive issues, I would like to make some observations generally regarding our dialogue. First, I think that it is excellent that such a dialogue is taking place, and you are to be commended for fostering it.

Secondly, I hope to be able to respond to you with as much speed and diligence as Mr. Myers. It is to be remembered, however, that I do not have the personnel and facilities available as Mr. Myers and the Social Security Administration have. The statements I prepare are based upon my independent study after the regular working day, and are taken from my research and experience both within and outside of the Social Security Administration. If I am occasionally in error, I regret this, and I hope will be quick to admit it. I am also hopeful that this attitude will be reciprocated by Mr. Myers as neither of us should have any interest higher than the search for truth and the development of the best health care programs possible.

Turning now to Mr. Myers' letter to you of April 12, 1968, I would observe generally that Mr. Myers raises valid points. However, they are essentially technicalities, and taken together do not overcome the main thrust of my analysis which you placed in the Congressional Record for March 25, 1968 (7553–7556). What Mr. Myers has not addressed himself to is the fact that, using HEW's own figures given in Mr. Myers' letter (without any adjustments), the cost of Medicare (Part A) in 1967 is about 2½ times as high as HEW only three years before had told the American people it would be. (Actual $3.0 billion, for the insured only, compared to $1.2 billion estimated in H.R. 3920.)

It should also be noted that costs in future years will continue to escalate as already illustrated by the repeated upward revisions which Mr. Myers has had to issue almost each year.

In this connection it should be noted that Mr. Myers' 1967 estimate for 1990 is $11.2 billion for only Part A of P.L. 89–97, as contrasted with his earlier estimate of $2.5 billion under H.R. 3920. This change in estimated cost occurred within 3 or 4 years, and for a program less costly than H.R. 3920 would have been had it become law (these are of course exclusive of Part B costs and Medicaid). Such contrasts can not be wiped off by petty alleged differences. However, this is not all, there is every reason to believe (and in this the Secretary of Health, Education, and Welfare, Wilbur J. Cohen supports my assertion) that the actual costs by 1990 would be much greater than $11.2 billion for Part A alone, even if the program were not to be extended.

According to the Evening Star, May 11, 1968:

"Forecasts of the probable cost of medicare in 1972 made just last December have been described by Wilbur J. Cohen, Secretary of Health, Education and Welfare, as too low by at least 50 percent.

" 'Nobody could have anticipated the way medical costs have gone up,' Cohen said yesterday in a statement responding to questions posed by Sen. Carl T. Curtis."

The facts are, as indicated in my writings and my recent letter to you which is the basis of the present dialogue, I did anticipate the effects that medicare would have on medical costs, and I advised Mr. Myers and his superiors of this long before my article appeared for the *Nation's Business*, in which I again emphasized this effect which Mr. Cohen says "no one could have anticipated."

I shall now rebut Mr. Myers' criticism of my letter to you paragraph by paragraph.

PARAGRAPH 1

This paragraph needs little additional comment except to reiterate my endorsement of Mr. Myers' desire to get all viewpoints out to the public. Had this been allowed by the Social Security Administration the charges of passing a law (P.L. 89–97) on false premises would have been averted, and public confidence in the credibility of their government better preserved.

PARAGRAPH 2

I am not sure what Mr. Myers is driving at by his statement that he has studied actuarial cost estimates of others including mine taking these into consideration in his successive estimates. But whatever his motive there is no objective evidence of this whatsoever. The successive estimates published by the administration prior to my public criticism of these cost estimates can be explained in terms of the findings of the 1957 OASDI household survey, showing a higher hospital utilization than had been used for the 1958 estimates and the failure in each instance to take into consideration the sharper increase in per diem hospitalization costs. After my publication it is something else as I would indicate. More specifically:

(1) I have prepared no cost estimates for the various hospitalization bills from the time that I left the Social Security Administration in 1956. When HEW Secretary Flemming's Report to Congress, giving estimates of the cost of H.R. 4700 was published, in 1959, I did criticize the estimates and indicated my willingness to prepare more real-

istic estimates if given time and authorized to do so. There were no takers. In fact, in 1962, the Chamber of Commerce of the United States approached me to prepare independent cost estimates for H.R. 4222. I requested the Department's permission to accept the offer to do the work on my own time but no permission was given.

Moreover, in my reply to Mr. Myers' criticism of my article "What Would 'Medicare' Cost?" (J. of Risk and Insurance, Dec. 1965) I stressed to Mr. Myers that I had made no estimates of my own. In my reply I wrote:

"I have refrained from labeling what I have done as an estimate; when I did prepare estimates for SSA and I spent months and sometimes years studying analogous on-going programs. I cannot afford to prepare free estimates for SSA, but Mr. Myers' estimates are so far off the course that anyone who knows this field must wonder whether they may have resulted from political pressure for low estimates." (J. of Risk and Insurance, March 1967, p. 163.)

(2) Prior to my preparation of the article for the *Nation's Business* (U.S. Chamber of Commerce) after I had left the government service in 1964, there is no indication whatsoever that Mr. Myers was in the least responsive to my criticisms of the deficiencies in his estimates for successive bills. I had advised him, for instance, that the nursing home benefits would be at least 10 times what he was allowing for. Recent confession of 10 fold error has borne me out. I advised him that the sharper increase in hospitalization cost as against wage levels will not only not disappear, as he had assumed they would in all his estimates prior to 1965, but will be accentuated (contrary to Mr. Cohen's assertion "nobody could have anticipated") as it has been, by the enactment of medicare. I also advised Mr. Myers that hospital utilization rates which he used were unrealistic. These are only a few of the score of specific criticisms I had of his estimates, but at least prior to 1965 none of these provisions were modified. To be sure, after my public criticism radical changes in the estimates did occur, and it is quite possible that my public criticism had something to do with these. If so, it was through pressures of others who were made knowledgeable to the deficiencies in Mr. Myers' estimates. In this connection it is pertinent to quote some of the remarks of the Chairman of the House Ways and Means Committee, Congressman Wilbur Mills:

"We were aware also that the administration's estimates *had been revised substantially upward over the years, primarily as a result of our prodding.* After our review and after the benefit of testimony from experts in the hospital and health insurance fields, the Committee adopted new and more conservative financing assumptions. For example, we increased the administration's utilization rate assumption by 20 percent . . .

"The Committee on Ways and Means earlier this year received testimony that hospital costs have gone up and will continue to go up even faster than was anticipated by our governmental and private sector advisers in 1965. The American Hospital Association gave us testimony this year which indicated that hospital costs will have gone up 30.2 percent in the 2-year period ending October 1967—well above the increase assumed in the estimates." (Report of the National Conference on Medical Costs, Washington, D.C. June 27, 28, 1967, U.S. Department of Health, Education, and Welfare, pp. 52–53). (Emphasis added)

Referring to 1965 hearings, some Congressmen who had seen my writing urged me to testify but I declined to appear as a partisan witness, though I would have been happy to have been called as expert witness. The paper which I prepared for the *Nation's Business* was reproduced in the Senate hearing, Committee on Finance, 89th Congress, 1st session, Part 2, 1965, pp. 1140–1147. It was submitted by the Ohio State Medical Association without my knowledge. This and other papers on medicare costs which I have published have been made available to interested members of the Congress. Therefore, indirectly my writings on costs could have influenced Mr. Myers' estimates in late 1964 and after, but not before they were made public. And any such influence must have come through outside pressure, such as Chairman Mills has referred to, and not spontaneously.

Thus, if there is any truth in what Mr. Myers says it is an influence in this indirect sense only. This is not only true with respect to my criticisms of administration's cost estimates, but the criticisms of others as well. For instance:

(3) In the House hearings on H.R. 9467, in 1958, Mr. E. J. Faulkner, President of the Woodmen Accident and Life Insurance Co., representing the Health Insurance Association of America, presented a well reasoned estimate of H.R. 9467 to the House Committee on Ways and Means. Hardly any attention was paid to Mr. Faukner's estimates by the administration. In fact, in the Report of Secretary Flemming in 1959 Faukner's estimates were criticized and discarded. Future events have proved Faulkner's estimates to be far more realistic than those advanced by the Department of Health, Education and Welfare. There is no indication that in the 1959 or subsequent estimates made by Mr. Myers these estimates by Mr. Faulkner were taken into consideration. One distinctive feature of these estimates was the progressive rise in hospital utilization once the program was introduced. As late as 1965 House hearings Mr. Myers was adhering rigidly to the hospital utilization figures used in the 1959 Secretary Flemming's Report, 2.37 days of hospitalization per insured person per year, until, as Chairman Mills has said he was forced to increase this by 20 percent, making it 2.8 days.

As far as I know the administration has issued no official figures of the days of hospital care per insured eligible for benefits at the beginning of 1967 (this is the method used by the administration in getting its cost estimates). If we take the number of aged hospitalized in 1967 (Social Security Bulletin, May 1968, Table M–17 (p. 41)), and multiply this by 13.2 (number of days per admission in 1967) and relate the product to 19 million, we get 3.5 days per person per year. This is on the low side, since not all the hospitalization occurring in 1967 had been reported. Furthermore, this is only the beginning. *Hospitals*, published by the American Hospital Association observes:

"Average length of stay for patients 65 and over, generally on the rise since July 1966, reached 13.7 days per admission this month, a new high. (Hospitals, Vol. 42, No. 10, May 16, 1968, p. 27)."

Thus Mr. Myers in estimtaing the costs of hospitalization initially was about 50 percent too low, and eventually 100% which he could have remedied had he profited from the estimates of Mr. Faulkner.

(4) As my letter of March 20th to you, Congressman Curtis, documents, Mr. Myers' estimates have always been too low. This applies even to the estimate for 1967 made at the end of 1967. With such a record Mr. Myers has no basis whatsoever to write "and his estimates have been far higher than the actual experience". Mr. Myers seems to have lost sight of the fact that these estimates are not just for 1967 but for the next 24 years, 1990.

PARAGRAPH 3

I find many points of disagreement in this paragraph. In this first place the 1967 experience was based on Public Law 89–97, and there was no legislation prior to that, although there were legislative proposals. If what Mr. Myers meant to say is that P.L. 89–97 includes non-insured aged not included in H.R. 3920, (a legislative proposal in 1963–64) the payment for these non-insured comes from the U.S. Treasury and is not a part of the health insurance trust fund. As far as I am aware these costs are not included in the estimates shown in the table included in my letter to you. I have limited my discussion to the insured. In any event in complex legislative proposals there may be scores of minor variations some of them with plus signs and some with minus. These generally make little difference. If Mr. Myers thinks this difference is significant he should indicate how much this alleged oversight reduces his three to four fold error in estimation. This is the critical question.

In this same paragraph, the language used by Mr. Myers, "even though I have pointed out to him . . ." implies that he and I have been in close association. I have not met with Mr. Myers face to face since 1961, and therefore I am uncertain what is the adjustment that he is talking about.

The $2,777 million comes from the Committee of Ways and Means Report (Dec. 11, 1967). The $3,360 million is not my estimate, it is a derivation which I explained was obtained from Feb. ('68) *Hospitals*, p. 144. The *Hospitals* article has no reference to $439, though I surmised that the higher figure which I got for the 12 month period did probably include the expenditure for the non-insured and indicated as much.

I notice Mr. Myers labels his $2,777 million figure published in December 1967 as an estimate. Surely it is not customary or profitable to make estimates after the fact. But even this latest estimate, made after the fact (December 1967) is in error, as admitted by Mr. Myers; the correct figure for 1967 according to him is $2,991 million. The $2,991 million may not be the complete incurred costs for 1967, since in his letter to you Mr. Robert M. Ball, the Commissioner of Social Security, indicated that it was not possible to obtain incurred costs. But accepting this total, at least provisionally and comparing it with the cost estimate for H.R. 3920 (1963–64), which I first criticized publicly one finds a difference of 243% (without any adjustment); compared with the estimate for H.R. 11865 (1964) the difference is 166%; compared with the estimate for H.R. 6675 (1965) the difference is 132%, this was the bill that was enacted into law; finally, compared with the estimate for 1967 after P.L. 89–97 was passed the difference is 131%. The percentages above reflect the minimal error for the first full year of operation. With this kind of estimating performance on a program on which Mr. Myers has been preparing estimates for nearly 30 years, what signficance can the reader attach to the estimates that Mr. Myers has prepared for 1968 to 1990? Question arises, why publish these estimates at taxpayers' expense to mislead the public?

PARAGRAPH 4

With respect to the incompleteness of 1967 experience, as you well know you tried to get from the Social Security Administration the incurred costs for the different benefits and the extent of utilization of each. You were not successful and the reasons given to you were:

"The reported claims data do not provide the information you requested on incurred cost. To obtain an accurate picture of incurred costs by type of service, we must wait until all the claims incurred for the period in question are filed and recorded in our system. Because there is no cut-off period for the submission of bills, we are still receiving bills for services incurred in the early months of the program. Our records show that one percent of the July 1966 in patient hospital bills recorded in our fines after one year of operation were received and recorded in June 1967." (From letter

signed by Robert M. Ball, Commissioner of Social Security to Congressman Curtis, Nov. 1, 1967).

Since our discussion has been with respect to 1967, the preceding documentation which should be well known to Mr. Myers, establishes my assertion as to the difficulty of obtaining information from the Social Security Administration. It also means that the 5,060,968 hospitalization and $2,991 million costs which has materialized for 1967 (calendar) are incomplete and partial.

PARAGRAPH 5

The capsulized benefit provisions with their main limitations on H.R. 3920 and Public Law 89–97, Part A, Title XVIII were as follows:

H.R. 3920	*P.L. 89–97*
Hospitalization	
Three different options said to be equivalent (without proof) one of which provided 180 days of hospital care in a benefit period after a deductible of $92.50 (deemed equivalent to 2.5 days of average hospital charges). No co-payment.	A maximum of 90 days hospitalization in a spell of illness with $40 deductible (deemed equivalent to 1st day average charges) for the first 60 days in a spell, then co-payment of ¼ hospital deductible for each of the additional 30 days eligible for benefits.
Nursing Home Care	
180 days of skilled-nursing facility within a benefit period when such services are furnished following transfer from hospital and are necessary for continued treatment of a condition for which the individual was hospitalized.	100 days post-hospital extended services in any spell of illness with a co-payment beginning with the 21st day and continuing for each day up to a total of 80. Co-payment each day would equal ⅛ of the in-patient hospital deductible ($5.00). Only those eligible who have been in hospital at least 3 days and need nursing care on a continuing basis for any of the conditions with respect to which the individual was receiving inpatient hospital care prior to transfer to the extended care facility.
Home-Health Service Visits	
240 days home-health services during a calendar year.	100 post-hospital home health service visits during one year after the beginning of a spell of illness and before the beginning of the next while the patient was under the care of a physician. It should be noted that the same individual is entitled to 100 home-health service visits in a year, without any of these limitations under Part B, which would mean minimal use of these benefits under Part A.
Outpatient-Hospital Diagnostic Services	
Outpatient-hospital diagnostic services in excess of a $20 deductible during 30 days period.	Outpatient-hospital diagnostic services with a deductible equal to one-half of the sum of in-hospital deductible ($20) for a 20 day period and a 20 percent co-payment for the remainder of the cost.

The preceding capsulized statements fail to reflect the general tone of far more exacting and restrictive requirements of P.L. 89–97 for each of these benefits as compared with the parallel provisions of H.R. 3920. One must read the respective documents to appreciate the full difference. But even the capsulized provisions I believe support my judgment that P.L. 89–97 provisions were more restrictive than the comparable ones in H.R. 3920.

It should be observed also that as late as in 1963–64 the term used in legislative proposals is "skilled-nursing facility" and not "post-hospital extended care services" as used in P.L. 89–97, Sec. 1812 (a) (2), p. 7. It is also of interest that in his criticism of my paper, "What Would 'Medicare' Cost?", Mr. Myers was willing to settle this difference in our respective judgments by saying the provisions were about the same differences balancing each other. He wrote:

"Most important, he [Sanders] states that the scale of the benefits is reduced from 1963 proposal. This is not the case, because the various changes broadening the scope approximately counterbalance those narrowing it. On the broadening side are the inclusion of mental and tuberculosis hospitals and the more costly hospitalization benefits (60 days with 1 day deductible) . . ." (J. of Risk and Ins. March 1967, p. 146)

In the above quotation from Mr. Myers it should be noticed:

(1) He is willing to assume that the hospitalization and related benefits were about the same for H.R. 3920 and for P.L. 89–97. In paragraph 3 of his letter he mentions a difference in coverage which he accuses me of overlooking in comparing costs under P.L. 89–97 with estimates of H.R. 3920. In the quotation enumerating the pluses and minuses no such difference in coverage is claimed.

(2) In paragraph 5 of his present letter, Mr. Myers leaves the reader with the impression that the plus adjustments in P.L. 89–97 more than outbalance the minus adjustments in P.L. 89–97 more than outbalance the minus adjustments when compared with H.R. 3920.

(3) In his earlier criticism (quoted partly) Mr. Myers takes lightly the auxiliary benefits, with respect to which as I have shown, and the experience bears me out, he has been prievously wrong—a ten fold error in the first year with respect to nursing home benefits.

In concluding, I disagree that plus items in P.L. 89–97 (Part A) come anywhere near counterbalancing the minus items when compared with the provisions of H.R. 3920, especially when the entire tone of the two proposals are considered.

PARAGRAPH 6

Contrary to Mr. Myers' assertion, I did not attribute the higher cost of H.R. 3920 solely to the presence of the Supplementary Medical Insurance in P.L. 89–97, but to the combined effect of that and other differences touched upon in my discussion of paragraph 5. Though admittedly I would say the major single factor is the SMI in P.L. 89–97 which was not a part of H.R. 3920.

I cannot agree with Mr. Myers, I see no impossibility at all that under certain circumstances hospital benefits alone can considerably exceed hospital and SMI benefits provided by P.L. 89–97. We know that prepaid group practice plans, such as Kaiser Foundation Health Plan on the West Coast which provide all health care services in addition to hospitalization have lower aggregate cost per patient than some Blue Cross plans providing hospitalization only. This in all probability results from the concern of the doctors. Under H.R. 3920 there was no provision whatsoever to remunerate for doctor's services. Commitment to a hospital would have facilitated for the doctor to be charitable to a patient who could not pay for services. Furthermore, the bill provided that the interns and residents working in the hospital could give medical attention to hospitalized patients. This situation would have led to many hospitals staffing themselves with trainees so as to attract more of the patients whose hospitalization would be assured by the federal government. This would have meant more and more of the patients would have gravitated toward the hospitals with large trainee staffs, and with consequent very high "reasonable charges." It should be apparent that this type of hospitalization program, which made no provision for out of hospital medical care costs would have increased hospitalization very markedly, regardless what Mr. Myers says.

PARAGRAPH 7

In this paragraph Mr. Myers is critical of certain figures taken from *Hospitals*. I took it for granted that the editors of *Hospitals* could be relied upon when they wrote that 35.6 per cent of the beds were occupied by patients age 65 and over. If this figure was in error, I am sorry, I used it in good faith. But even if we take the 32.7 per cent figure, which according to Mr. Myers would have been the appropriate figure to use, it would still be far above the level which Mr. Robert M. Ball said he would expect. (See the quotation in my March 25th letter.)

The 25 per cent which Mr. Myers says I used "without proof," comes from the statement of Mr. Robert M. Ball, Commissioner of Social Security. In the 1965 House hearing Mr. Ball said:

". . . about 20 to 25 per cent of hospitalization is in this age group [65 and over]." (Hearings 1965, p. 122.) It was also Mr. Ball who said "perhaps a 10 per cent increase in utilization by the aged which would make about a 2½ per cent increase in the total use of beds." (p. 128)

Since the above statements were being made in defense of the costs for estimates extended over 25 years, it would be natural to assume that these observations were not made for the first full year but as an average for the entire period. This should be kept in mind. Now, if we subtract (20+2½) from 32.7, the difference would be 10.2, which when divided by 2½ still indicates at least a four-fold understatement. Even if we took the upper limit of the range given by Mr. Ball, subtracting (25+2½) from 32.7 leaves 5.2, divided by 2½ shows a difference at least twice as large as that prognosticated by Mr. Ball. Finally, if we use the mid point as the more probable, and therefore subtract from 32.7 (22½+2½), we get a difference of 7.7, which is three times as large as the difference indicated by Mr. Ball. As I have said in the context in which Mr. Ball was speaking the 2½% increase was to be the average increase over the 25 years. However, we find in the first full year of operation this prognostication is only one-third of the actual increase. Therefore, Mr. Myers' criticism even

though literally meritorius is irrelevant with respect to the real issues involved.

I assume what Mr. Myers has in mind in saying "well within our stated 20% range" is the 20% increase in utilization which Chairman Mills said his Committee was influential in getting adopted by the administration. Applied to 2½ per cent increase this would make a 3 per cent increase, which is still less than half of the 7.7% increase in the first full year of operation. There is every reason to believe that this difference will increase year after year, and the 5-fold increase which Mr. Myers disputes may prove to be ultra conservative.

I notice that Mr. Myers feels I should use 31.8%, the average for 1967; I must again remind him that his estimates were for 25 years and not for 1967. If anything, I should use a projection of what the percentage would be by 1978, which in all probability would be substantially higher than 32.7%. As *Hospitals* has indicated the percentage of beds occupied by the aged has been creeping up month after month since 7/1/66, and there is no indication when this upward trend will flatten out.

In this paragraph there is another observation that is of interest. According to Mr. Myers the percentage of beds occupied by the aged was 28 on 7/1/66. If so, then on what basis was Mr. Ball telling the Congress of the United States in 1965 that it was 20 to 25%. How could it be that having worked on these estimates for decades the Commissioner of Social Security was using figures which were not true, and which could have been established with relative ease? It seems the government spends billions for research, and yet it never has the appropriate information which it needs to come up with sensible estimates, as in this instance. Again let me stress that the figures I have used are those used by Commissioner Ball in the 1965 Hearings before the Ways and Means Committee of the House.

PARAGRAPH 8

If the prior dollar cost estimates were meaningless and inappropriate for future years why were they made and published for everyone to see. As I mentioned earlier, back in the 1958 hearings on H.R. 9546 Mr. Faulkner presented a relatively much more realistic cost estimate of what then proposed hospital benefits would cost, but in Secretary Flemming's Report this estimate was regarded as unrealistically too high and was rejected. This early estimate for the future is actually lower than the revised estimates for the program for 1968 and subsequent years, prepared by Mr. Myers at the end of 1967. This repudiates the argument that the dollar values of earlier estimates should not be compared with the dollar values in more recent estimates for identical calendar years.

Part of the criticism from HEW Secretary Flemming's 1959 report of Mr. Faulkner's estimate reads:

". . . the HIAA estimated that the cost of a 60-day hospital benefit for aged and mother and child eligibles in 1959 would be $1,370.0 million or 0.67 per cent of taxable payrolls (table 3). The SSA estimate of the 1960 benefit cost for these two groups—$861.8 million—increased by 5 per cent for the cost of administration, is $904.9, or 0.43 per cent of taxable payroll." (pp. 86–87)

"The 1979 utilization and cost figures developed by the HIAA when used in combination with intermediate long-range cost estimates of the Division of the Actuary of the SSA, assuming a 2.6 per cent interest rate and a $4,200 taxable wage limit (the applicable amount in 1958), resulted in an estimated level-premium cost for a 60-day hospital benefit for aged and young survivors eligible groups of 1.655 per cent of taxable payroll. If adusted to the present $4,800 taxable pay roll base and a 3 per cent interest rate, the level-premium cost would be 1.50 per cent of pay roll. The comparable SSA estimate (for aged and mothers and children, intermediate hospital cost factors, 5 per cent administrative costs) is 0.66 per cent of taxable pay roll." (Flemming's 1959 report, p. 87)

These observations, which should be well known to Mr. Myers, indicate beyond the shadow of any doubt that HEW has multiplied its early cost estimates by a factor of at least three and this multiplier of the early estimates to equal actual costs is bound to become larger still with passage of time even if the present restrictions in the program were retained, which I would say is far from the intent of the strategists of the Department.

The estimate of 0.66 per cent of the payroll with a maximum of $4,800 for hospitalization benefits for 60 days for all the beneficiaries of OASDI might be compared with 1.8 per cent ultimate tax rate on a taxable payroll of $7,800 for 90 day hospitalization and auxiliary benefits for the aged—keeping in mind that according to Mr. Myers hospitalization constitutes more than 85 per cent of Part A benefits. Part A now includes in addition to hospitalization only post-hospital extended care, and post-hospital home health services, which according to Mr. Myers would cost .08 per cent of taxable payroll (Actuarial Study No. 57, p. 21). As a matter of fact, by the time 1979 comes around the costs of the program in all probability would far exceed the latest estimates as Secretary Cohen has indicated. It should also be noted that according to Mr. Myers raising the maximum duration of hospital benefits per period from 60 days to 90 days will add 9% to the cost. (Actuarial Study No. 57, July 1965, p. 9.)

This statement about static level wage assumption in prior estimates is of little moment since even if we limit the comparison of the latest estimate to that made for H.R. 6675, for which these so called dynamic assumptions were used for 1970 we find a deficit of 67% in the estimate ($4.127/2465). If Secretary Wilbur J. Cohen is right in his hunches, as I believe he is, by the time 1970 comes around the excess in actual expenditure can be twice as large as the estimate.

Undoubtedly, there has been depreciation of the dollar and there is some merit in what Mr. Myers is saying, but this could not account remotely for the 3 or 4 fold increase already experienced between 1963–64 cost estimates and 1967–68 incurred costs.

Not only is the increase demonstrated in terms of dollars, but also in estimates in terms of the percentage of taxable payroll. As I indicated in my letter, the estimate of cost for the earlier bills which were more liberal in their provisions, back in 1958 was 0.5 per cent of the taxable payroll, which at that time had a maximum taxable wage of $4,200. Compare this with 1.8%, the eventual tax on the pay roll, with a present maximum taxable wage of $7,800, which in all probability will be raised further as time goes on. Or for that matter consider the official estimate for H.R. 3920 in 1963–64, 0.68 per cent of taxable wages with a maximum of $5,200. (Actuarial Study No. 57, p. 21.) In making these comparisons do not forget the greater restrictions of P.L. 89–97 and the latest revision, P.L. 90–248, and the effects of Supplementary Medical Insurance on lower hospital utilization, and the reduction or actual removal of auxiliary benefits from Part A to Part B in the 1967 amendments.

PARAGRAPH 9

As a matter of fact, in my article on "What Would 'Medicare' Cost?" I used the short term estimates. It seems anomalous, since the 1970 long range estimate is considerably lower than that for 1967 on short range basis. It was really through an oversight that I used the long range estimate. But, since both of these are labeled as official estimates, and my purpose was to show the long range effect, I see no reason why I was not justified to use the long range estimate. In this as in other paragraphs Mr. Myers makes it sound that the whole impact of his deficient estimates is already apparent, which is far from the facts. His estimates were for the period 1966 through 1990, and not for 1967 only.

PARAGRAPH 10

First of all, the non-insured had no contribution, the U.S. Treasury is to pay the amount that their benefits come to. Therefore, even if the argument here has any merit, these two components must be separated. Secondly, the estimates were in terms of incurred costs. Disbursements for 1967 were less than incurred costs as emphasized by the quotation from the letter of Commissioner Ball to you. Third, and the most important point to remember is that these estimates were made for the 25 years starting on July 1, 1966, and yet here in 1967, the very first full year of operation of this program we find a disparity of $876 million (34%) between the estimate and the admitted disbursement of $3,430 million (which we have reason to believe is appreciably less than the incurred costs which the estimate $2,554 represent). Is this something to be proud of—especially when one considers that HEW had been working on these estimates since 1939? Therefore it would seem the Department had had ample time to get sound basic information for its estimates so that they would have been closer to experience than these estimates, in spite of their frequent highjacking, have turned out to be.

Still another logical fallacy is present in this paragraph. Mr. Myers is suggesting that two wrongs make a right. He erred by $451 million to estimate the correct income of the program for 1967, he wants to reduce his error in benefit disbursements by his error to predict correctly the income. Since when do two wrongs make a right?

PARAGRAPH 11

The statement in my letter reads:

"Again the above estimates referring to various prior cost estimates for hospitalization and related benefits for the aged are pieced together from various official sources since SSA refused to give official figures."

There is no implication in the above that I submitted the figures which I used for authentication. They were all taken from official publications. You had previously requested officially approved estimates for the different bills preceding P.L. 89–97 in terms of specific benefits both on utilization and costs in terms consistent with the assumptions on which the earlier official estimates were based. HEW declined to provide such information, saying it would not be practical, and that if you wished any information Mr. Myers can be helpful to you. Sir, I need not say more on this since the facts are well known to you.

In concluding, it would see to me even if we granted all the premises claimed by Mr. Myers, even for the first full year of operating experience compared with the 1958 estimates, the error would still be three to four fold. In terms of the 1963–64 estimates, H.R. 3920, the error would be two to three fold. But many of Mr. Myers premises are unwarranted or irrelevant, as I have tried to point out. Therefore it would be unreasonable to appraise the quality of 25 year estimates exclusively in terms of the first full year's experience. In Mr. Myers' entire letter the only valid point of criticism derives from the figures I used unknowingly from *Hospitals*, and even then, my adjustments for these figures do not invalidate my criticism of HEW's estimate as I have indicated.

I must assert again that the evidence strongly suggests that Mr. Myers' estimates were falsified with the thought that only thus the passage of the law in which the Department was interested would be possible. In my opinion, this was a gross disservice to this Nation, and it has contributed with other acts of the administration to the widening credibility gap and to the many disturbances which have beset our Nation.

Thank you again for allowing me this opportunity to respond.

Sincerely,

BARKEV S. SANDERS.

WHY COSTLY GOVERNMENT

Federal officials now feign surprise at the high costs of medicare.

As far back as 1964, NATION'S BUSINESS warned that officials' estimates were at least 300 per cent too low. Dr. Barkev Sanders, nationally respected authority on health and welfare statistics, made the true estimates for NATION'S BUSINESS. He retired from government service because he couldn't persuade his superiors to use realistic cost figures.

To help get the bill passed, federal health and welfare officials told Congress the medicare law would cost only $1.3 billion by 1970. Even though the benefits were subsequently restricted to make it less costly, the government now admits they will cost $4.1 billion.

When NATION'S BUSINESS warned of the future high costs, Social Security's chief actuary wrote an irate letter to the editor denying that the government's estimates were wrong or that they were used to influence passage of the law.

Those phony estimates typify how potentially ultra-expensive welfare programs can be slipped through Congress. And the public shouldn't be fooled by wrathful denials of federal officials either.

Wrath doesn't make right.

BALTIMORE TUTORIAL PROJECT GRADUATION ADDRESS

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Tuesday, June 18, 1968

Mr. TYDINGS. Mr. President, on Tuesday, May 28, 1968, the Baltimore tutorial project held its seventh annual graduation ceremonies. In past years, the tutorial project's guest speakers have included Baltimore City Mayor Theodore R. McKeldin, U.S. Senator DANIEL B. BREWSTER, Representative CLARENCE B. LONG, and myself.

The totally privately funded and sponsored project has never had any large sums of money to spend. In fact, its largest single budget in any one year was only some $6,000. Yet because of the dedicated nature of its hundreds of volunteers, it has, year in and year out, been able to tutor some 250 children in each of its three semesters.

This year, rather than turn to the community in general for a speaker at graduation. the Baltimore tutorial project chose to look inward and invited instead a young man who is a product of the tutorial project, Mr. Samuel Lloyd.

Mr. Lloyd grew up in the Somerset public housing projects around the corner from the main office of the tutorial project. Even though he was a good student at Dunbar High School, he took advantage of the tutorial project to bolster himself in subjects in which he was weak.

Today Mr. Lloyd is president of the student government at Morgan College, Baltimore, and is also the secretary of the Mount Royal Democratic Club. I am proud to have Mr. Lloyd as a part-time caseworker on the staff of my Baltimore office.

Mr. Lloyd's graduation ceremony speech tells a remarkable story. It is my hope that its message will help people understand the importance of personal involvement in and commitment to the cause of human dignity. I am proud to be a supporter of the Baltimore tutorial project because it implements the noblest strengths of our society. It is, indeed, a daily testimonial to what excellence of spirit can achieve.

I ask unanimous consent that Mr. Samuel Lloyd's address to friends and graduates of the Baltimore tutorial project be printed in the RECORD.

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

GRADUATION ADDRESS BY SAMUEL LLOYD

This is a happy season for young people all over the country. Thousands of young people much like yourselves will be graduated or promoted to another level of schooling. Still others will pause during this season to have their achievement in various areas recognized. This is why we are here tonight, and I am happy to join your many well-wishers in expressing congratulations to you upon your participation in a very worthwhile venture in learning. You have kept the faith and tonight is very properly your very own. Congratulations to all of you.

I feel especially happy about the opportunity to talk with you tonight, for as it has already been pointed out, I am more or less an alumnus of this fine tutorial project, and I want to tell you that whatever measure of success I may have achieved up to now, partial credit for that success is no doubt due to the discipline and confidence that this project helped to encourage in me. And so, as an alumnus of the Baltimore Tutorial Project, I want to pause and express a word of thanks to the dedicated young men and women who have stuck by us here in the ghetto because they really cared. The officials and the tutors well know that there is much work yet unfinished. Further, they know that they must depend on you and young people like you to continue their work, to carry the torch, to really care for others.

I want to say to you tonight that I have not given up on America. While I will make no attempt to argue the merits of various approaches to forcing the American dream into reality, I do want to impress upon you what is to me a cold but inescapable fact—*America owes you nothing* but the chance and the opportunity to develop into complete personal greatness. This is what America is all about and this in very simple terms is what the fury of the 1960's is all about.

I do not think that it is necessary for me to tell you of the advantages of staying in high school until you have graduated and that if your interest and ability are equal to the task of attending college, I wholeheartedly endorse it also. You know, for example, that the more education one has in American society, the more money he will be able to earn during the course of his life time. Money is important, very important, but far more important than money is that you will emerge from your schooling with a refreshing kind of what I call "excellence of spirit". I say "excellence of spirit" because mere excellence in academic activities is not enough, and if I had to choose between scholastic excellence and "excellence of spirit", I would choose "excellence of spirit.".

As you move on and on to obvious levels of schooling and finally complete your formal education, taking upon yourselves jobs and the responsibilities of family living, you simply must not forget the fact that whatever you are and whatever you become, such success is due directly to the fact that somewhere down the line somebody cared about you. This fine tutorial project in which you have participated is the result of somebody caring. Your gratitude for the efforts of your tutors will be reflected in your going on to continue improving yourselves toward the end of taking over this project, thereby making available to other girls and boys the same kind of patience and understanding and help that has been given to you. Excellence of spirit demands that you will give to others more than you have received.

You will never be able to achieve complete excellence of spirit until you, first of all, solve all of the personal conflicts which you have regarding yourself and others like you. You simply cannot believe yourselves or allow anyone to convince you that you are not an important and worthwhile individual. As the late and esteemed Dr. Martin Luther King often reminded us, the only legitimate basis for judging you or any person is not the color of your skin but the content of your character. It is no disgrace to be black, and the single most important message that you must give and impress upon America is people are people and there will be little comfort and peace until this message is accepted and translated into reality.

A friend of mine who teaches at Morgan State College told me that a few days ago he spoke to a small group of students at Dunbar High School. He said that he left Dunbar with an uncomfortable feeling because he sensed a strong feeling of dejection among the students. In his words, the Dunbar kids really think they are out of it. I say to you that Dunbar students are not out of it, and they simply must come to feel that they can find lives as full and as rich as students at other schools. Sure, Dunbar is in the ghetto, but look at the history of splendid achievement of Dunbar graduates. You know the story as well as I do. You know, for example, that it was a Dunbar graduate who broke down the racial barriers at the Nursing School at the University of Maryland. It was an East Baltimore Dunbar graduate, Martin Dyer, who broke down the racial barriers at Saint John's College in Annapolis. Calvin LaCompte, a Caroline Street Dunbar graduate teaches in the English Department of Catholic University of America. Elton Fax, a Dunbar graduate is an illustrator for one of the leading textbook publishers in the country. The beautiful voice of Jeannette Walters continues to charm concert audiences throughout the country. The chairman of the Art Department at Morgan State is a distinguished sculptor and a Dunbar graduate. The Dean at Coppin State College is a Dunbar graduate.

A member of the Baltimore City Council is a Dunbar graduate. These are people who walked the same streets of East Baltimore the way you now walk. These are some of the very successful people who attended Dunbar High School. These are some of the people who refused to allow anyone to tell them they did not count. These are some of the people who know the meaning of excellence of spirit. You do count!

"Excellence of spirit" does not come about automatically. Once you have developed a wholesome view of yourself as a worthwhile individual, you must use this self-respect and self-confidence as the springboard from which you will give direction to your lives. "Excellence of spirit," therefore, requires that you will dream better and higher dreams and that you will work hard to move any obstacle to the full realization of those dreams.

I believe that one of the more familiar songs of recent years has in it the real meaning of "excellence of spirit" as it relates to dreaming good dreams:

"To dream the impossible dream,
To fight the unbeatable foe,
To bear with unbearable sorrow,
To run where the brave dare not go;

"To right the unrightable wrong,
To love, pure, and chaste, from afar,
To try, when your arms are too weary,
To reach the unreachable star;

"This is my quest, to follow that star,
No matter how hopeless, no matter how far,
To fight for the right without question or pause,
To be willing to march into hell for a heavenly cause.

"And I know that if I'll only be true to this glorious quest,
That my heart will lie peaceful and calm
When I'm laid to my rest.

"And the world will be better for this,
That one man, scorned and covered with scars,
Still strove with the last ounce of courage,
To reach the unreachable stars."

I say again, young people, if you wish to achieve "excellence of spirit," you simply must reach for the stars, dream better dreams.

But what good is served if a man writes a book, composes a fine symphony, paints a beautiful picture, or invents a wonderful invention . . . of what good are all these things if they fail to improve the lot of mankind. Indeed, my friends, "excellence of spirit" carries with it another dimension. You must resolve now that your life will be a useful one, one that is designed to help make life and living more pleasant for others. If you complete high school or college or any school of your choice and sit back relaxed and comfortable while others about you are suffering and without, it would be better if you had never lived. Horace Mann put it simply by warning that we should "be ashamed to die until we have done some good for humanity". The slums are bad as everyone must admit, but I ask you to see in the ghetto a challenge. Thus, excellence of spirit depends on your leading an active life of doing . . . serving, if you please, your brothers and sisters. To me, it is criminal to aspire to go to Africa or Asia to do missionary work, when the job here at home is so great. I want you to begin now developing those skills necessary to become responible agents of change in our community. Equipped with a new sense of self-worth and a determination to reach the unreachable stars, you can be powerful forces for meaningful change in our community. To do less, means that this Tutorial Project, your school will have failed you and you will have failed them.

But "excellence of spirit" means even something else. It means that you will have to ask the right questions and once assured that you have asked the right questions, you will move on towards finding the answers to those questions. Are there really fifty million poor people in America? What can I do about it? Is this country really wealthy enough to afford everyone a decent living? What is my role in helping to move my brothers and sisters from the mere subsistence level of living? Are public officials really corrupt? What can I do about this? Are the people in my community getting their fair share of community and government services? What is my role here? Is there any such thing as a just war? Must we live in constant fear of having the lives of our loved ones needlessly snuffed out by war. How may I be heard on this score?

Questions like these, and many others must be raised by young people like you. Answers to questions like these must also be found by young people like you. It is important that you continue developing your capacity for clear thinking, not allowing yourselves to be swayed by opinions of others unless you are sure that their views are consistent with your own. The country, our State and our City have many problems.

We have at last come to appreciate the fact that a person does not have to be sixty years old to be a leader and to behave responsibly. History is on your side, for as you will recall, Mozart had written his symphonies at the age of eighteen; Napoleon had conquered half of Europe before he was thirty years old; William Pitt became Prime Minister of England at the age of twenty-three; Jesus of Nazareth had completely revolutionized the world by the time he died at the age of thirty-three; and Martin Luther King died at the age of thirty-nine and will go down in history as the central figure of the twentieth century. Young people are on the move, in quest of excellence of spirit.

I want to congratulate all of you tonight for jobs well done. You remember how almost everyday one of your friends dares you to do something? In closing this brief talk with you, I would like to pose for you a series of dares:

I dare you to remain in school until you have completed the highest level your abilities will allow you to complete.

I dare you to resolve tonight to chart for yourselves a life that is dedicated to helping others find better lives.

I dare you to participate in the life of your community as an agent of meaningful change.

I dare you to hold your head up high and defy any man who would suggest to you that you are anything less than a human being with dignity and worth.

I dare you to translate all the knowledge, abilities, and skills which you may develop into a rich depository from which human beings may draw freely.

I dare you to begin now searching for excellence of spirit.

I dare you to dream the impossible dream.

And so, in conclusion, I ask the question of each of you here tonight, will you accept my dares? I dare you!

PUBLIC EMPLOYEE UNIONISM

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. HALL. Mr. Speaker, last month a score of my colleagues and I introduced a bill that has come to be called "the freedom of choice act." It in essence would grant Federal employees the right to refrain from union membership. It is principled on the basis of and duties of those in the public trust. This proposed legislation has generated much favorable editorial comment throughout the country. Among this editorial comment is one from the Columbia Daily Tribune, of Columbia, Mo. The editorial is entitled "public employee unionism," and reads as follows:

PUBLIC EMPLOYEE UNIONISM

Faced with static membership rolls, the nation's labor unions have turned their attentions to new and hopefully greener pastures in the persons of public employes.

There are three million people working for the federal government and another nine million on the payrolls of cities, counties and the 50 states. The recent efforts of unions to organize groups of these workers is well known and openly acknowledged by labor leaders.

One of the most troubling points in these negotiations is invariably the issue of the agency shop.

Under this provision the employer agrees to withhold union dues (or their equivalent) from workers' paychecks and send the money directly to the labor organization. From the union standpoint this provision has obvious advantages. It provides a tremendous power base because the union is relieved of having to depend on its members to voluntarily pay their dues—the public employer takes care of that, and the result is a locked in union membership and a loss of independence for the worker.

A bill has been introduced in Congress which guarantees a federal employe the right to refrain from joining a union. Rep. Ben Blackburn (R. Ga.) has put in statutory form the provision that is now only guaranteed by an Executive Order issued by John F. Kennedy when he was President. An identical bill has been introduced in the Senate by Sen. Wallace F. Bennett (R. Utah).

The protection of an individual's right not to join a union is even more important for public employes than those working for private concerns. If it becomes a condition of employment that all federal, state and local public employes must belong to a union—and, of course, pay dues—a situation with frightening consequences will have developed.

Aside from the obvious problem of strikes—an issue which has two sides to it—the financial implications are enough to cause concern all by themselves.

Suppose just the three million federal workers became involved in an agency shop condition. Regular dues alone would total a staggering amount of money over which the employes would have no control. But suppose in addition the AFL–CIO's COPE or some other union political organization made a special election year assessment of just 50 cents per member per month. This would create a war chest of some $18 million. To go on, imagine a like amount extracted from each of the other nine million public workers, and the union influence would be irresistible. An organization with $72 million to dump into a Presidential campaign—well, the implications are just too much. This example of the accumulation of power may be a trifle oversimplified, but the message is clear.

Trade unionism is a viable force in the socio/economic fabric of this country. Just like big business, big labor has its place. But unconscionable power in the hands of one cohesive influence group is bad, and the monolithic nature of big labor leadership makes the possibility of unilateral action likely indeed.

We do not like compulsory unionism any more than we would like compulsory customer allegiance in behalf of an industry. It would be wrong for a rule to be passed and enforced which would require that every citizen of Columbia subscribe to the Tribune. When business or industry loses the need to compete for its means of sustenance it becomes unresponsive and corrupt.

This is the scourge of monopoly.

DEFENSE CUTS PLANNED

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 18, 1968

Mr. THURMOND. Mr. President, the June 11 edition of the State newspaper, Columbia, S.C., contains an excellent column entitled "Report: Defense Cuts Planned," written by Mr. Paul Scott. Mr. Scott points out, that while there has been no public announcement, that the President has made a very controversial decision to carry out the congressional mandate for cutting $6 billion from the Federal budget. This is the well-known tradeoff in return for the 10-percent surtax, which the administration has sought for some time.

The controversial decision, Mr. Scott reports, is to slash the military budget by an estimated $3 billion, without affecting

any reduction on the $30 billion now allocated to the war in Vietnam.

As I stated on the Senate floor on June 13, the most likely items to be cut from the military budget are expensive items of hardware such as the manned orbiting laboratory and the ABM—the Sentinel missile system.

While I realize the importance of national military strength, I also know that there are reasonable limits and constraints which must be taken from a financial point of view. In this regard, I hope that the administration will avoid the mistake of casting these issues in an adversary aspect of civilian versus military. This is not the issue. Both the civilians and the military have necessary and proper places in these decisions. In my opinion, the issue is what is best for the country and what will best insure its security and survival, and this is the hard decision that we must make.

Mr. President, I urge Senators to think of these defense cuts in this regard and invite their attention to this excellent article. I ask unanimous consent that the article be printed in the Extensions of Remarks.

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

DEFENSE CUTS PLANNED: L. B. J. MAY SLASH MILITARY BUDGET BY $3 BILLION

(By Paul Scott)

WASHINGTON.—Although there has been no public announcement, President Johnson has made a very controversial decision on how he will carry out a proposed congressional mandate to cut $6 billion from the huge federal budget.

After grimly agreeing to bow to Congress in order to obtain a $10 billion tax boost, the President has decided to cut at least $3 billion—or half—from the $79.8 billion now being spent for national defense.

The enormous defense request is the biggest single item in the Administration's $186 billion budget for the year beginning July 1. The $79.8 billion figure represents a cut from the $101.4 billion originally requested by the Joint Chiefs of Staff.

While President Johnson has ruled out any reduction in the $30 billion being spent for the Vietnam war, military experts here say the huge defense cutback will cripple a number of programs directly related to that conflict.

Most critical of the war-related projects to be affected will be the training and equipping of a new Army division needed to replace one being withdrawn from the Strategic Reserve in the U.S. for duty in Vietnam.

If the $3 billion is cut out of the coming year's military spending, members of the Joint Chiefs of Staff claim, plans to activate the division will have to be dropped.

Other military spending cuts will force the Army to withdraw an additional 50,000 troops from Europe, including part of the small garrison which is now in strife-torn West Berlin.

The President's controversial decision to take half of the proposed reductions out of defense was made known to Democratic congressional leaders.

Stressing his populist-liberal background, the President told the legislators that he was desperately trying to ease the spending cuts on domestic programs by using the meat ax approach on the Defense Department.

The other $3 billion in cutbacks, he pointed out, will be made in the domestic programs, with the main reductions coming in space, agriculture, and public works projects. An estimated $400 million would also have to be slashed from the government's anti-poverty program.

In making his reduction plans, the President stressed, $71.8 billion of the budget represented what he described as "uncontrollable civilian items" which could not be cut, including:

Social Security, medicare, and other social insurance, trust funds ($38.5 billion); interest ($14.4 billion); veterans ($5.2 billion); public assistance grants ($5.7 billion); farm price support commitments ($2.9 billion), and other government fixed payments ($4.4 billion).

For all his pretended alarm over the "chaos" to be produced domestically if his "Great Society" programs are cut back, the President so far hasn't included foreign aid on his reduction list.

Rep. Thomas B. Curtis, R-Mo., and Sen. John J. Williams, R-Del., two authorities on federal waste, have proposed $3.5 billion be cut out of foreign aid.

Curtis also has warned members of the House Ways and Means Committee, of which he is a member, that the President could blandly ignore any congressional mandate on spending cuts.

According to Curtis, President Johnson can if he wishes leave most of the budget cutting to his successor next January 20. He points out that Congress is giving the President a blank check on how the reductions are to be carried out.

Also, he claims, there is no way that the President can be forced to carry out the reductions during the remaining seven months of his Administration.

The House, which on May 29 rejected an amendment to limit the cut to $4 billion by a 259 to 137 vote, is expected to approve the $6 billion cut next week. The Senate already has voted the larger reduction.

The once-untouchable National Aeronautics and Space Administration now seems to be everyone's candidate for economy.

Less than a year ago, NASA had 420,000 persons working on space programs, compared with 240,000 as of June 1. Most of the 180,000 cut was made in contractor jobs and relatively few among civil service personnel.

Now, President Johnson has directed Administrator James Webb to eliminate at least 5,000 of NASA's 33,000 civil service jobs during the next three months.

STUDY OF ALL ASPECTS OF CRIME

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. DENNEY. Mr. Speaker, today I have introduced House Joint Resolution 1340 to set up a joint select committee of the House of Representatives and the Senate to make a study of all aspects of crime. This committee would then make recommendations to the respective Houses of the Congress with respect to any remedial legislation which would contribute to protecting the lives and property of our people.

The tragic events of the past weeks and months make it imperative that the Congress exhibit to the citizens of this great Nation its determination to meet the challenge and eliminate crime and violence in every way within its power.

During times such as these, the citizens rightfully turn to their elected Representatives for leadership, guidance, and action. However, we must not allow the state of emotional shock in which we find ourselves to allow us to hastily legislate.

We must determine the reason for lawlessness and violence. When we find the cause, we will be better able to restore to our people a sense of security against the assault of the criminal.

Mr. Speaker, the majority of our citizens join with us in our desire and determination to find a solution to this problem. Their assistance and support will be the deciding factor in our return to the respect for God, country, and fellow man that made this Nation the greatest nation the world has ever known—a nation where every citizen, regardless of race, creed, religion, or national origin is entitled to equal protection of the laws, and are secure in their homes, and on the streets, wherever they may go.

THE ELECTORAL COLLEGE: RETENTION OR ABOLITION

HON. EDWIN E. WILLIS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. WILLIS. Mr. Speaker, last summer, I had the pleasure of having Russell O. Ayo, Jr., as one of my summer interns. Mr. Ayo is a native of my congressional district. At the time of his internship, he was the immediate past president of the student body of Nicholls State College located in Thibodaux, La. He is presently a law student at Louisiana State University.

During the course of his service in my office, Mr. Ayo conducted a rather lengthy study into the electoral college. He carefully and studiously reviewed the history of the electoral college, the arguments for its retention or abolition, and alternate plans that have been offered as a replacement for it.

At the conclusion of his studies, Mr. Ayo prepared a rather lengthy paper for me. This paper, entitled "The Electoral College: Retention or Abolition," offers a significant contribution toward a better understanding of the issues that are involved.

Mr. Speaker, during the last several decades, our country has been faced with many substantial constitutional issues. Not the least of these is one concerning the manner in which presidential elections are conducted. Therefore, I am very pleased to extend in the RECORD at this point, Mr. Ayo's paper, so that all of my colleagues can share in the result of his herculean endeavor:

THE ELECTORAL COLLEGE: RETENTION OR ABOLITION

(Prepared by Russell O. Ayo, Jr., for Hon. EDWIN E. WILLIS, member of House Committee on the Judiciary)

INTRODUCTORY REMARKS

Never in the history of our Nation has a problem been so evident, so controversial, and yet remained so unresolved. The 90th Congress, as many of its predecessor Congresses, is trying to solve it. It is deliberating, analyzing, and investigating both the old and the new methods of possible constitu-

tional change to our present system of electing the President and Vice President of the United States.

There does not seem to be general accord either in Congress or throughout the States on any one of four proposed plans of changing our present system—the direct election plan, the district plan, the proportional plan, and the President's automatic system—or even on the preservation of our present system, the Electoral College. Congressmen and their constituents, however, are realizing that some action must be taken to calm this recurring period of tension and uncertainty about the electoral system that transpires when election year approaches.

The American public, through agencies, organizations, and especially through their representatives in Congress must promote a workable, acceptable solution. Whether this solution will be one of permanence or of brevity remains to be resolved. President Johnson, in regard to this fact, has stated:

"The potential of paralysis implicit in these conditions constitutes an indefensible folly for our responsible society in these times. Common sense impels, duty requires us to act—and to act now, without delay."[1]

Our problem is one of urgency, and it cannot be taken lightly. Because of its gravity, it must be handled swiftly but assiduously and carefully. The burden of decision rests heavily upon the broad shoulders of Congress and this is as it should be; yet they are far from being alone. I am confident that their solution will be for the best—their decree will be made for you and I—the American people.

The 90th Congress must not and cannot be satisfied with merely attempting to create a solution; the attempt has been made many times in the past—today not tomorrow is the time for action. James J. Kilpatrick of the *Wall Street Journal* wrote:

"Congress has been trying to repair the Electoral College since it first backfired in the Presidential Election of 1800. Now the debate seems to be reaching a peak for two reasons:[2] One is the proposal submitted by the American Bar Association, and the other is a growing belief that George Wallace will run for President next year on a third party ticket. It's probably impossible to amend the constitution in time for direct voting in the 1968 election, but the Wallace candidacy is reminding alert politicians in both major parties of the present system's potential for chaos: A capture of just enough Southern States to deny anyone a majority of electoral votes and thus require the House to pick the President, or a 'spoiler' effect in pivotal Northern States that could tip the balance between the two major candidates.

" 'It took an assassination to get us the 25th Amendment' for filling a Vice Presidential vacancy, says a Capitol Hill supporter of direct voting. 'It may take a Wallace to give us the 26th.' "[3]

Whatever the reasons that guide Congress either to continue or to abolish our present system is important, but of more importance is that they do take proper action without further delay. Over one hundred sixty-seven years have proven that the longer they delay the more difficult it becomes to achieve something positive.

HISTORICAL BACKGROUND

At the Constitutional Convention of 1787, the "founding fathers" were in agreement that the President and Vice President of our Nation should be elected officials, but the method of election presented serious problems for the young country. These difficulties were resolved only after intense discussion and heated debate.

"Proposed methods included direct popular election, election by the Congress, election by the state legislatures, and election by intermediate electors."[4]

Each of these methods was widely opposed by numerous members of the convention for various reasons.

The direct popular election proposal failed because the members seemed to feel that the people, in general, were not capable of determining the character, integrity, and qualifications of the Presidential and Vice Presidential candidates. Communication during those days was slow, inadequate, and unreliable—making direct election impractical; popular election was thus destined for failure.

Election of candidates by Congress was a very controversial issue. Desiring to maintain an independent executive, the "founding fathers" believed that this proposal was unacceptable. Their rejection of this plan relieved the executive offices from contingency and dependence upon the wants and desires of Congress.

Election by the state legislature was not approbated because of reasons similar to those of election by Congress. The two top executives, if elected in this manner, would have been unable to avoid undue pressures exerted by the state legislatures.

Deadlock occurred. Which method was best? An eleven man committee was appointed to study the problem and hopefully develop an answer. After tiring efforts, the committee on September 4, 1787, issued its plan, and it was accepted by the convention with only a few minor changes. This report served as the foundation for Article II of the Constitution.

The following points were recommended in the report and adopted by the convention.

Each state legislature was to prescribe the manner in which the electors were to be chosen. A state was entitled to have the same number of electors as it had representatives and senators, and these electors would cast their own votes in their state for two persons for President, at least one of whom was not an inhabitant of their state.

"And they shall make a List of all Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States . . ."[5] where they will be tallied.

After the results were compiled, the candidate that received a majority of the votes was President and the individual with the second highest number was Vice President. The House of Representatives would elect the President in the event that no candidate received a majority of the votes. Each state, regardless of its number of representatives, was allowed only one vote when the election devolved upon the House; a majority vote with a quorum or two-thirds of the states voting was a necessary condition to elect a candidate. If two or more candidates received an equal number of votes with a majority of the vote, then one of them was chosen President; however, if a majority of electoral votes was not received by any candidate, then the House would select the President from the top five candidates and the candidates with the second highest electoral votes was the Vice President. The Senate would choose the Vice President if there were a tie between candidates for the second highest number of votes. (These provisions were later superseded by the 12th and 20th amendments.)

The original method of election lasted only four elections after its ratification by the States; its alteration was caused by the Jefferson-Burr incident in the election of 1800. Thomas Jefferson and Aaron Burr were candidates for the office of President and Vice President, respectively. But when the electoral votes were counted, it was discovered that both Jefferson and Burr had received an equal number. The cause for this unfortunate occurrence rested in the provision that the candidates for President and Vice President were voted for jointly and not by separate, distinct ballots.

Congress proposed in the 12th Amendment a method that would alleviate such incidents. This amendment included such provisions as the electors who ". . . shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President, . . .; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot the President. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice President shall act as President. . ."[6] (This last part from "and if . . . shall act as President" has been superseded by section 3 of the twentieth amendment.)

Similar provisions were included in the 12th amendment for the election of the Vice President in case of a tie vote.

The election of 1800 had another major effect upon the electoral system. The members of the convention intended that the electors were to be independent and vote as individuals when choosing the President and Vice President. Political parties were the downfall of the independent electors; they were making their debut and becoming more popular and intense. By the fourth Presidential election, they had reached a summit and were destined to become one of our Nation's most notable traditions. The independent attitude of the electors had virtually disappeared with the evolution of political parties and each elector was expected to vote along party lines.

There were other changes developing in the early 1800's. At first, state legislatures chose electors as they were empowered to do by Congress; however, most of the electors were elected by direct popular vote in 1804. One of the most favorable early plans of choosing the electors was the district plan.

". . . one elector was chosen by the voters of each Congressional district, and two were elected by those of the state at large . . . The district plan of choosing electors was supported by leading statesmen of both parties, including Jefferson, Hamilton, Madison, John Quincy Adams, Jackson, Van Buren, and Webster."[7]

Eventually the district system was abandoned for the unit vote system whereby the state delivered its entire electoral vote to the Presidential and Vice Presidential candidate that carried the state. This eliminated the splitting of the State's electoral vote between two or more candidates.

"States which employed a unit vote or general ticket system were able to assign all their electoral votes to the candidate receiving the highest popular vote, with the result that these states were able to exert greater influence in presidential elections."[8]

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[1] Message from The President of the United States, 89th Congress, 1st Session, House of Representatives (February 1, 1965), p. 2.

[2] James J. Kilpatrick, "Alternatives to the Electoral College, The Wall Street Journal, (June 5, 1967), p. 18.

[3] Ibid., p. 18.

[4] "Electoral College Reform", Public Affairs Department, Chamber of Commerce of the United States (Washington, September 1963), p. 1.

[5] The United States Constitution, 89th Congress, 2nd Session, House Document No. 470 (Washington, 1966), Article II, p. 5. (Later superseded by Article XII)

[6] Ibid., Article XII, p. 13.

[7] "Referendum No. 98: Electoral College Reform", Chamber of Commerce of the United States of America (Washington, December 1965), p. 4.

[8] "Electing the President: A Report of the Commission on Electoral College Reform", the American Bar Association (Chicago, January 1967), p. 22.

In order to maintain an equal footing with states using the "en bloc" system, the remaining states were impelled to convert to the unit vote system. Every state since 1892 has used this, our present system.

ELECTORAL COLLEGE SYSTEM

The provisions of Article II, section 1, and the 23rd Amendment provide for the appointment or election of electors. Usually it is by direct, popular vote of the people, but it may be in any manner that the state legislature directs. These electors in turn elect the President and Vice President of the United States. At the present time, the American people directly choose their electors but they only have an indirect voice in the election of the President and Vice President. Each State's electors are the actual voice of the people in choosing the Nation's two most important elected officials.

These electors are known as "colleges" within each State and collectively they are called "the Electoral College". The electors convene and vote within their own State on the date prescribed by Congress; their vote is cast as a single and distinct ballot for both the President and Vice President, i.e., one ballot for President and a separate ballot for Vice President. The results of the vote in each State are sent to the President of the Senate and in the presence of both Houses, he opens all the certificates and the votes are counted, state by state, and the results are compiled and announced. The candidates who receive a majority of the electoral votes are declared to be the President and Vice President elect.

If no Presidential candidate receives a majority of the electoral votes, then the election of the President shall devolve upon the United States House of Representatives. The House shall choose the President from the candidates receiving the highest number of electoral votes, but not from more than three such candidates. In the voting, each State regardless of its size or population is allowed only one vote. Two-thirds of the States shall constitute a quorum for this purpose and a majority of the States' representations shall be necessary for a choice.

Each State's one vote is determined by polling the members of its delegation.

"If the State's votes in its poll are evenly divided, or if no candidate receives a majority in the poll, the State will lose its one vote." [9]

Should this occur, the State has two alternatives from which it can choose: either submit a blank ballot, or decline to vote. This could easily result in the House taking a number of ballots until one candidate has received the majority vote necessary to a choice.

If no Vice Presidential candidate receives a majority of the votes of the Electoral College, the right of choice shall devolve upon the United States Senate. The Senate shall choose the Vice President from the two candidates with the highest number of votes. Two-thirds of the whole number of Senators shall constitute a quorum and a majority of the whole number shall be necessary for a choice.

Whenever the right of choice of the President has devolved upon the House and such body has failed to choose the President by the beginning of his term, then the following provisions are put into effect:

"If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified." [10]

The present system, as now used, has three methods of electing the Presidential and Vice Presidential electors. The first is the Presidential short ballot where the names of only the Presidential and Vice Presidential candidates are printed on the ballot in the general election. This method implies that the electors who are chosen will be expected to vote for his party's Presidential and Vice Presidential candidate. It means that a vote cast for these candidates is a vote cast for that party's electors whom the Presidential and Vice Presidential candidates represent.

Another method has both the names of the Presidential and Vice Presidential candidates and the names of the electors printed on the same ballot. This also implies that a pledge exists because the ballot contains the names of the electors who are preceded by the names of the candidates for President and Vice President.

The last method has only the names of the electors on the ballots. These electors are unpledged and if elected in the general election, they are not obligated or even expected to vote for any particular candidate. They vote as individuals for the candidate of their choice; this closely resembles the manner that was established in 1789 when the framers of the Constitution wanted the electors to be independent, conscientious selectors of the President and Vice President. All three methods are used within the United States in choosing the two chief executive officers and the electors. They are presented in the order of most popular use, ranging from thirty-five states using the short ballot to only two states having only the names of the electors on the ballots. Each functions with a degree of success that is mainly dependent on what the individual state hopes to accomplish.

Arguments in favor [11]

Those proponents in favor of retaining our present "en bloc" unit vote system have their basic philosophy well expressed in a statement made by Senator John F. Kennedy in 1956:

"It is not only the unit vote for the Presidency we are talking about, but a whole solar system of Governmental power. If it is proposed to change the balance of power of one of the elements of the solar system, it is necessary to consider the others."

Senator Kennedy's "solar system" refers to the elements in the American governmental structure—the Presidency, the Senate, the House of Representatives, the Supreme Court, and state and local governments. The proponents of this philosophy and of retaining our electoral system present the following arguments:

(1) Our existing system has successfully endured the test of time since it came into existence in 1789, with only minor amendments adjusting it.

(2) The electoral system has given us only three minority Presidents; that is, Presidents who had less popular votes in the general election than their chief opponent.

(3) The right of choice of the President has devolved upon the United States House of Representatives only twice under the electoral system—once in 1800, and again in 1824.

(4) Our present system gives ample representation to both the small and the large states without infringing upon the rights of either one.

(5) No other method has found general acceptance by the people; therefore, we should not abandon a system that has proven its dependability.

(6) The electoral vote exaggeration of the winner's margin serves as apparent national approval and acceptance of the newly elected candidates by the people.

(7) The Electoral College has had very few problems in dealing with "splinter" parties, thus strengthening our age old two party system.

(8) The present system affords organized minority groups attention that they might not necessarily receive.

(9) Both parties must and do have similar public appeal, thus limiting extremism in our government.

(10) The electoral system provides adequate expression of the metropolitan vote in Presidential elections to counterbalance the rural influence allegedly evident in Congress.

Comments on pros

The proponents argue that our present system has operated effectively for almost two centuries, nevertheless, we have had candidates who received less votes than their opponents as President. Whether or not such incidents occurred only three times is irrelevant, what is important is that we have had minority presidents. Is this the manner in which our democratic system should function? Or should it be designed so that this could never occur?

Why have candidates in modern times concentrated their campaigns in the large, "pivotal" states, if both the large and the small states have adequate representation? The answer is clear. These men want to win; they want to be elected, and they can only accomplish this by channeling their efforts in those states that have the largest number of electoral votes. It is possible—maybe not probable—for a candidate to be elected President and have carried only twelve of our fifty states. The following is a list of the twelve states and the number of electoral votes to which each is entitled (this is the present distribution of electoral votes for these states):

State	Electoral votes
New York	43
California	40
Pennsylvania	29
Ohio	26
Illinois	26
Texas	25
Michigan	21
New Jersey	17
Florida	14
Massachusetts	14
Indiana	13
Delaware	3
Total	271

These twelve states possess the 270 electoral votes necessary to elect the President and Vice President of the United States. (There are 538 electoral votes; a candidate needs only one more than half to be elected). This simply means that a candidate can carry these 12 states, lose the remaining thirty-eight, and still become President. Is this the workings of our democratic government? Should twelve states be the voice of fifty?

[9] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), p. 4.

[10] The United States Constitution, 89th Congress, 2nd Session, House Document No. 470 (Washington, 1966), Article XX, section III, p. 18.

[11] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, December 1965), pp. 23–26. Alexander M. Bickel, "The Case for the Electoral College", The New Republic, (January 28, 1967), pp. 15–16. "Electoral College Reform", Public Affairs Department, Chamber of Commerce of the United States (Washington, September 1963), pp. 8–9. "Referendum No. 98: Electoral College Reform", Chamber of Commerce of the United States of America (Washington, December 1965), pp. 5–6.

The exaggeration in the electoral vote gives the appearance that the newly elected President is approved, accepted, and backed by the entire nation. This can be advantageous to our recently elected President. Gerald W. Johnson of *The New Republic* has this to say about the exaggerated margin:

"The electoral college is a device that emphasizes the fact that one man has been elected President, he is President of all Americans, Republicans, Democrats, and even those who vote for Byrd. It's our right to cuss him, but we have no right to challenge his authority."[12]

If the Electoral College does nothing else, it does strengthen the solidarity that the world's greatest nation must possess in order to maintain its position of leadership.

Do the American people have an actual choice or are they choosing between "the lesser of two evils", if both political parties concentrate on similar appeals to attract the public's attention? This similarity of party appeal may limit radicalism and extremism, but what does it offer the American people? Does it give you and I as individuals the type of choice that our American government claims to offer its citizens? To remain unbiased, it must be determined if there is a better method than our two party system. If there is, no one seems ready to advocate it. Furthermore, it does not seem likely that if we changed our present system of electing the President it in turn would alter the method by which our two party system operates. Most probably it would function in the same manner under any of the proposed plans of constitutional change.

Organized minorities under our present system receive attention that they might not ordinarily receive under another method. Should candidates be dictated by the whimsical desires of minority groups in the populous, key states only because their bloc vote might be the deciding factor of the election results in that state? A Texas Congressman was quoted by Prof. James M. Burns of Williams College regarding this matter:

"Is it fair, is it honest, is it democratic, is it to the best interest of anyone, in fact, to place such a premium on a few thousand labor votes, or Italian votes, or Irish votes, or Negro votes, or Jewish votes, or Polish votes, or Communist votes, or big-city-machine votes, simply because they happen to be located in two or three large, industrial, pivotal states?"[13]

But is there any other way in which minority groups can express themselves and make their voices heard? Would the Presidential candidates listen to their wants and needs if the vote of minorities was not a determining factor in some states?

Arguments have been propounded that this system affords the metropolitan and industrial areas with an advantage in electing the President and Vice President that is similar to the advantage formerly possessed by the rural areas in electing the members of Congress.

"Despite the undemocratic aspects of the Electoral College, the quadrennial drive for constitutional amendment has little chance of success. The large industrial states in particular are unwilling to compromise their determinative impact on National elections by splitting the solid block of electoral votes which they presently deliver."[14]

Likewise, the smaller states are hesitant to accept any proposal that would presently eliminate their two vote advantage in electing the President. Each state however large or small receives two electoral votes for its two senatorial seats, and the remaining number of electors is determined by the state's population. This is a definite benefit to the smaller, less populous states.

If a new proposal is to be adopted, it must be one that will be acceptable not only to the large, industrial states but also to the small, rural ones. This is the problem—to develop and adopt a plan that has the general accord of the citizens of all fifty states and the District of Columbia. The Electoral College will remain in existence as long as this is not accomplished.

Arguments against[15]

"The evils and weaknesses of the present system are well known and have been stated many times."[16]

Nevertheless, it would be advisable to restate and clarify these "evils" and attempt to determine whether they are alleged or valid weakenesses.

(1) There is no uniform method of choosing Presidential electors; each state elects its electors as it sees fit.

(2) There exists in the electoral system "independent" or "unpledged" electors who are not legally bound to cast their vote in the manner directed by the people.

(3) The Electoral College system tends to restrict National campaigns to a dozen or so key pivotal states.

(4) The "founding fathers" never intended the unit vote system to evolve into a system whereby a candidate receives all the electoral votes of a state regardless of his margin of victory.

(5) Each state, regardless of its size, is allowed to cast only one vote for President when the election of the President devolves upon the House of Representatives.

(6) A possibility exists that the President and Vice President may not be of the same party if neither candidate qualifies in the general election.

(7) The Electoral College system has permitted the election of fourteen "minority" Presidents; that is, Presidents who did not receive at least 50% of the popular vote cast in the general election and three of whom had less votes than their major opponent.

(8) The Electoral College permits and invites control and domination by organized minority groups within the key states, and encourages the development and solidarity of religious, economic, and racial blocs within these states.

(9) A candidate receives credit for his opponents votes in the states he carries but does not receive any credit for his own votes in the states his opponent carries.

(10) When the choice of a President devolves upon the House of Representatives, the elected candidate may not be the choice of the Majority of American people.

(11) The final count of the electoral vote does not always accurately reflect the popular vote of the people.

(12) The "winner-takes-all" system tends to restrict the choice of Presidential candidates to men who are from the large pivotal states that possess a large bloc of electoral votes.

(13) If the President elect dies between election day and the counting of the electoral votes in December, no provision is made for a successor to be chosen—except that the electors would have to exercise their authority and choose a President.

Comments on cons

"Today we begin a difficult task—a task that has been a troublesome one ever since the Constitutional Convention. It is the task of trying to find a better means to elect our President and our Vice President."[17]

This statement was made by Senator Birch Bayh, Chairman of the Subcommittee on Constitutional Amendments on February 28, 1966. As Senator Bayh has stated, this is a "troublesome" task, troublesome because many people wish to preserve a system that is "archaic, undemocratic, complex, ambiguous, indirect, and dangerous."[18]

There is a conflicting trend of thought in many arguments for and against the present system. In one instance, we hear people say that our system today does not function as it was designed to by the founding fathers. According to the Founding Fathers as stated in the Federalist Papers; No. 68, the electors were to operate in the following fashion:

"Thus without corrupting the body of the people, the immediate agents in the election will at least enter upon the task free from any sinister bias. Their transient existence, and their detached situation, already taken notice of, afford a satisfactory prospect of their continuing so, to the conclusion of it."

In another breath, someone will argue about the "independence" or "unpledged" attitude of some electors in a few of our states; but is not this how our system was supposed to function? When one hears contradictory arguments such as these, it can only be said that the present system is outmoded, and unable to adapt itself to the workings of modern times.

It was stated earlier and because of necessity it will be repeated again, there are three methods of choosing Presidential electors—the Presidential short ballot, ballots containing the names of the Presidential candidates and the electors and ballots with only the names of the electors. This lack of uniformity of choosing Presidential electors has caused intense clamor among the states and has raised the question that fraudulent practices may exist in some states in appointing Presidential electors. However, each state is legally authorized by Article II, Section 1, of the United States Constitution to appoint its electors in a manner determined by the legislatures of each state. Therefore, it is evident that as long as Congress does not feel that such an amendment to the Constitution is both necessary and imminent, the states will be authorized to operate in this manner.

The "winner-takes-all" system tends to limit campaign efforts to the large pivotal states that possess a great portion of the electoral votes. What consolation is it to a

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[12] Gerald W. Johnson. "Leave the College Alone", The New Republic, (January 9, 1961), p. 22.

[13] Richard L. Strout, "So You Think You Vote for a President?", The Christian Science Monitor, January 19, 1966.

[14] "State Power to bind Presidential Electors", Columbia Law Review, Vol. 65, No. 4 (April 1965), 696.

[15] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1960), pp. 26–29. "Electoral College Reform", Public Affairs Department, Chamber of Commerce of the United States (Washington, September 1963), pp. 9–10. Neal R. Pierce, "The Case Against the Electoral College", The New Republic, (February 11, 1967), pp. 12–13. "Proposed Constitutional Amendment Abolishing Electoral College and Making Other Changes in Election of President and Vice President", Committee on Federal Legislation, The Association of the Bar of the City of New York, Vol. 4, Bulletin No. 3, (July 1965), pp. 123–124. "Referendum No. 98 On: Electoral College Reform", Chamber of Commerce of the United States of America (Washington, December 1965), pp. 4–5.

[16] Senator Quentin N. Burdick, "Director Popular Vote of the President and Vice President of the United States", Congressional Record—Senate, (March 15, 1966), 5677.

[17] "Reform the Electoral College", Virginia Commission on Constitutional Government, p. 21. (Statement by Senator Birch Bayh at the Opening of Hearings Before the Subcommittee on Proposed Changes in the Electoral College, February 28, 1966).

[18] "Electing the President: A Report of the Commission on Electoral College Reform", The American Bar Association (Chicago, January 1967), p. 3.

candidate to have carried thirty-eight small and medium sized states and yet have lost the election to his opponent who carried the twelve populous key states. This is how the system works under the unit vote method and it will continue to do so unless it is changed. The unit vote, or "en bloc" system as it is sometimes called, has another major disadvantage—it credits all the electoral votes to the candidate that carries the state regardless of his margin of victory. The pamphlet, *Statistics of the Presidential and Congressional Election of November 8, 1960,* which is compiled under the direction of the Clerk of the House of Representatives, showed that in Illinois 2,377,846 votes were cast for John F. Kennedy and 2,368,988 votes for Richard M. Nixon. Kennedy received Illinois' twenty-seven electoral votes, but he only had 8,858 more votes than Nixon. This system does not clearly reflect the results of the popular vote and the preceding example proves this to be true. Not only does it cast an untrue picture of the vote of the people, but it may also, as it has previously done, result in the election of a minority President.

This fact is not new to the American people; it has occurred fourteen times since this system's inception. The following is a list of the fourteen minority Presidents (that is, Presidents who did not have at least fifty percent of the popular vote—three of whom had less votes than their chief opponent. The chart below shows the candidates and the percentage of the popular vote each received. (This information was taken from the American Bar Association's pamphlet, "Electing the President," January, 1967.)

Year	Elected		Opponents					
	Name	Percent	Name	Percent	Name	Percent	Name	Percent
1824	J. Q. Adams	30.54	Jackson	43.13	Clay	13.24	Crawford	13.09
1844	Polk	49.56	Clay	48.13	Birney	2.30		
1848	Taylor	47.35	Cass	42.52	Van Buren	10.13		
1856	Buchanan	45.63	Fremont	33.27	Fillmore	21.08	Smith	.01
1860	Lincoln	39.79	Douglas	29.40	Breckenridge	18.20	Bell	12.60
1876	Hayes	48.04	Ti'den	50.99	Cooper	.97		
1880	Garfield	48.32	Hancock	48.21	Weaver	3.35	Others	.12
1884	Cleveland	48.53	Blaine	48.24	Butler	1.74	St. John	1.49
1888	Harrison	47.86	Cleveland	48.66	Fisk	2.19	Streeter	1.29
1892	Cleveland	46.04	Harrison	43.01	Weaver	8.53	Others	2.42
1912	Wilson	41.85	T. Roosevelt	27.42	Taft	23.15	do	7.58
1916	do	49.26	Hughes	46.12	Benson	3.16	do	1.46
1948	Truman	49.51	Dewey	45.13	Thurmond	2.40	Wallace	2.38
1960[1]	Kennedy	49.71	Nixon	49.55	Unpledged	.92	Others	.27

[1] 1960 percentages total more than 100 percent because of double-counted Alabama votes both under Kennedy and unpledged columns.

When neither the President nor Vice President or both fail to qualify in the general election, that is, have a sufficient number of electoral votes to be elected, the election of such candidates devolves upon the House of Representatives and the Senate, respectively. The House starts its undemocratic wheels rolling and the machinery necessary to elect a President goes into effect. Each state, regardless of its size or population, may cast only one vote for President when the election goes to the House. Both Delaware and New York cast the same number of votes—only one—and they are at opposite extremes, not only in population but also in size.

This is not the only unfavorable aspect of an election by the House. Another of equal importance is that the candidate elected might not be the choice of the people. The election devolving upon the House may cause undue pressure and fraudulent practices to be exerted, resulting in a "compromise" President that could be contrary to the will of the people.

"The big States tend to have healthy and strong two-party systems—and I think we all can agree on the virtues of this political competition which assures us public officials who are responsive to the people."[19]

The large states are not only conducive to strong two-party systems but also to the undue pressures of organized minorities. In a well-balanced two-party state where the result of an election is never decided until the last vote is cast, the large minority groups that cast their votes as a bloc can and do exert an enormous degree of influence, and they may often turn the result of an election end for end, even in the closing minutes of the campaign.

The 25th Amendment to the United States Constitution has established a line of succession and a method of choosing a new Vice President when this office becomes vacant. But no provision has been established to provide for the death of the President-elect if he should die between election day and the official count of the electoral vote which legally determines who shall be President.

What can a democratic people of a democratic nation that believes in democratic government do about "the evils and weaknesses" of our present system of electing the President and Vice President of the United States? President Lyndon Johnson in his Message from the President of 1965 gives us his answer:

"I believe it is the strong and overriding will of the people today that we should act now to eliminate these unhappy possibilities inherent in our system as it now exists. Likewise, I believe it is the consensus of an overwhelming majority of the Congress—without thought of partisanship—that effective action be taken promptly. I am, accordingly, addressing this communication to both Houses to ask that this prevailing will be translated into action which would permit the people, through the process of constitutional amendment, to overcome these omissions so clearly evident in our system."

Our President is calling the American people and the lawmakers of this great Nation to act without delay. We must not be afraid to accept this undertaking; in fact, we should accept it willingly and without hesitance. We are not embarking on a new horizon, a new dimension, when we speak of a constitutional change. This path has been trod upon many times by our forefathers.

"Since January 6, 1797, when Rep. William L. Smith of South Carolina offered in Congress the first Constitutional Amendment proposing reform of our procedure for electing a President, hardly a session of Congress has passed without the introduction of one or more resolutions of this character."[20]

[19] "Reform the Electoral College", Virginia Commission on Constitutional Government, p. 29. (Statement By Senator Birch Bayh at the Opening of Hearings Before the Subcommittee on Proposed Changes in the Electoral College, February 28, 1966).

[20] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1960), p. 20.

RESULTS OF 1960 PRESIDENTIAL ELECTION[21]

States	Current electoral system		
	Kennedy	Nixon	Unpledged
Alabama	5		6
Alaska		3	
Arizona		4	
Arkansas	8		
California		32	
Colorado		6	
Connecticut	8		
Delaware	3		
Florida		10	
Georgia	12		
Hawaii	3		
Idaho		4	
Illinois	27		
Indiana		13	
Iowa		10	
Kansas		8	
Kentucky		10	
Louisiana	10		
Maine		5	
Maryland	9		
Massachusetts	16		
Michigan	20		
Minnesota	11		
Mississippi			8
Missouri	13		
Montana		4	
Nebraska		6	
Nevada	3		
New Hampshire		4	
New Jersey	16		
New Mexico	4		
New York	45		
North Carolina	14		
North Dakota		4	
Ohio		25	
Oklahoma		7	1
Oregon		6	
Pennsylvania	32		
Rhode Island	4		
South Carolina	8		
South Dakota		4	
Tennessee		11	
Texas	24		
Utah		4	
Vermont		3	
Virginia		12	
Washington		9	
West Virginia	8		
Wisconsin		12	
Wyoming		3	
Total	303	219	15

DIRECT ELECTION PLAN

The direct election plan is exactly what it claims to be—a proposal that would elect the President and Vice President by nationwide, popular vote of the people. It would abolish the Electoral College, the electoral vote, and the unit vote system; it would eliminate the election of a President and/or Vice President by the House of Representatives and Senate, respectively; and it would provide for the election of the chief executive by a majority of the total popular vote of the people. The plan would provide for a runoff election between the two persons who received the greatest number of votes cast for President but did not receive a majority of the total votes cast.

There seems to be a concerted effort on the part of some United States Senators and Representatives and certain organizations such as the American Bar Association, the United States Chamber of Commerce, the Association of the Bar of the City of New York and the Federal Bar Association to inaugurate the direct election plan as the new method of electing the President and Vice President of the United States. They have spent many laborious hours of hard work and study in developing proposals and statistical reports to support their views. Senator Quentin N. Burdick of North Dakota conducted a nation-wide poll involving all the Nation's state legislators. Of the Nation's 8,000 state legislators contacted, he received

[21] "Statistics of the Presidential and Congressional Election of November 8, 1960", U.S. Government Printing Office, (Washington, 1961), pp. 50–51.

approximately 2,500 responses. The results showed: [22]

(1) 58.8 percent were in favor of complete abolition of the electoral college and substitution of a direct election plan.

(2) 21.2 percent favored the proportional plan as a modification of the present system.

(3) 10.2 percent favored the district plan for electing the President and Vice President.

(4) 9.7 percent were for retaining our present system as it is today.

However, we must realize that this study is not determinative proof. It is a fairly good indication, but not conclusive, that all state legislators or even a majority of them are in favor of either retaining or abolishing our present system. Of the 8,000 legislators polled, only 2,500 replied—31.25 percent of the total legislators of all the states.

The American Bar Association established The Commission on Electoral College Reform. Robert G. Storey, President of the Southern Methodist School of Law, and former President of the ABA was Chairman. The commission arrived at the consensus that a Constitutional Amendment should be adopted. This amendment should: [23]

(1) Provide for the election of the President and Vice President by direct, nationwide popular vote.

(2) Require a candidate to obtain at least forty percent of the popular vote in order to be elected President and Vice President.

(3) Provide for a national runoff election between the two top candidates in the event no candidate receives at least forty percent of the popular vote.

(4) Require the President and Vice President to be voted for jointly.

(5) Empower Congress to determine the days on which the original election and the runoff election are to be held, which days shall be uniform through the United States.

(6) Provide that the places and manner of holding the presidential election and the inclusion of the names of candidates on the ballot shall be prescribed in each state by the legislature thereof, with the provision that Congress may at any time by law make or alter such regulations.

(7) Require that the voters for President and Vice President in each state shall have the qualifications requisite for persons voting therein for Members of Congress, with the provision that each state may adopt a less restrictive residence requirement for voting for President and Vice President provided that Congress may adopt uniform age and residence requirements; and

(8) Certain appropriate provisions in case of the death of a candidate.

These recommendations were the result of the industrious efforts of the members of the commission, and they closely coincide with those proposals introduced in Congress, thereby giving the appearance that some kind of harmony exists between the American Bar Association and some of the Members of Congress.

The Chamber of Commerce of the United States has composed a booklet entitled, "Electoral College Reform?". This booklet gives a historical background and an analysis of the present system and the major reform proposals. A proposed policy declaration was submitted to each chamber or association for their approval or rejection. The proposed declaration as stated in the Chamber of Commerce's Referendum No. 98, on Electoral College Reform, reads as follows:

The Chamber of Commerce of the United States supports the adoption of an Amendment to the Constitution that would:

(1) Abolish the Electoral College.

(2) Provide for the election of the President and Vice President of the United States on one of the following bases:

A. Nationwide Popular Vote, i.e., a plurality of the popular votes cast in the nation at large.

B. The District Method, i.e., one electoral vote for each congressional district and two electoral votes at large within each state with a majority of electoral votes in the nation required for election.

In order for the votes of each chamber or association to be recorded, they had to be received on or before January 31, 1966, at the National Chamber Headquarters.

"In the referendum—completed on January 31, 1966—member organizations in 49 states cast ballots.

"Over ninety percent of the ballots received favored the proposed policy statement. The result was 3,881 votes in favor and 369 against."

This excerpt was taken from the testimony of Donald H. Scott before the Subcommittee on Constitutional Amendments, Senate Committee on the Judiciary on March 9, 1966.

A resolution of the Association of the Bar of the City of New York through its Committee of Federal Legislation was submitted by Chairman Eastman Birkett in behalf of the committee:

"The following resolution was adopted at the Annual Meeting of the Association held on May 16, 1967:

" 'Resolved, that this Association favors the proposal and adoption of an amendment to the Constitution of the United States with respect to the election of President and Vice President which would abolish the electoral college and provide for the direct popular election of the President and Vice President.' "

The Federal Bar Association has recently joined its cohorts and taken a stand against our present system. An article in the August 1, 1967 issue of the *Washington Post* entitled "Federal Bar Joins Electoral College Foes" gives the Association's stand on this issue:

"A proposal to eliminate the electoral college and choose the President by popular vote has won the support of the 13,000-member Federal Bar Association.

"The FBA took action on the proposal through a vote of its 1,000-member House of Delegates Saturday at the closing session of its national convention. The Association thus joined the American Bar Association, which earlier took the same position."

These organizations seem to be in agreement on abolishing the Electoral College and substituting the direct election plan.

Senator Quentin Burdick says why we should favor abolition:

"The President is the President of all the people. It follows then that all the people should elect the President. We should remove forever the possibility of electing a President by less than a majority of the people. National popular election of the Presient? Why not?" [24]

Senate and House resolution (joint)

There have been numerous proposals to amend our Constitution and substitute the direct election plan in its place. The most recent proposals are those that have been introduced during the 90th Congress by members of both Houses. These resolutions were summarized and translated from their legal terms into laymen's language in order that a clearer picture might be presented. (Note: Each translation was taken directly from the Senate or House Joint Resolution introduced by that Senator or Representative.)

S.J. Res. 2—Introduced by Senator Birch Bayh (D.-Ind.)

Proposes a constitutional amendment to substitute the direct election plan for our present system. The President and Vice President shall be voted for by a single ballot and within 45 days after the election, the results shall be transmitted to the President of the Senate and the votes shall be counted. The Presidential and Vice Presidential candidates having the greatest number of votes, if such number is a plurality of at least 40% of the certified votes, shall be President and Vice President. If a 40% plurality is not secured, the two pairs of Presidential and Vice Presidential candidates that have joined their names together will participate in a runoff election. If the candidate who would have been entitled to election as President dies, the Vice President-elect shall be declared President.

S.J. Res. 6—Introduced by Senator Margaret Chase Smith (R.-Maine)

The candidates for President and Vice President shall be nominated by direct popular vote in a primary election. The time of the Primary election shall be uniform throughout the states and each voter is eligible to vote in the primary election of the party of his registered affiliation. The electoral college is abolished, and in its place, is substituted a general election by the people for President and Vice President. The voters shall cast separate, distinct ballots for President and Vice President. If no person receives a majority of votes for President or Vice President, a runoff election shall be held. The person receiving a majority of popular votes in the runoff election for President and Vice President shall be the President or Vice President. If a person receives a majority of votes in the general election for both President and Vice President due to write-in votes, he shall accept one of the offices and a runoff election shall be held between the candidates of the vacant office.

S.J. Res. 15—Introduced by Senator Quentin N. Burdick (D.-N. Dak.)

The President and Vice President shall be elected by direct popular vote; the time of such election shall be set by Congress and shall be uniform throughout the United States. Any person who has not attained the age of 18 years will not be permitted to vote, otherwise qualifications for voting shall be those requisite for the most numerous branch of that State's legislature. Congress shall establish voting qualifications for the District of Columbia. The voters shall cast a single ballot for President and Vice President. The results shall be transmitted to the seat of the Government of the United States. The candidates for the office of President and Vice President with the greatest number of votes totaling at least 40% of the total votes cast shall be the President and Vice President, respectively. If no candidate has at least 40%, a runoff election will be held. In case of the death of the President-elect, the Vice President-elect shall become President.

H.J. Res. 447—Introduced by Rep. Charles E. Bennett (D.-Fla.); H.J. Res. 463—Introduced by Rep. J. Edward Roush (D.-Ind.)

The President and Vice President shall be elected by the people of the several states and the District of Columbia by a single ballot for President and Vice President. Both of whom shall have consented to have his name on the same ballot with the other. The two persons on the same ballot are referred to as a "presidential candidacy."

If a presidential candidacy receives a plurality of at least 40% of the votes cast, they shall become the President-elect and the Vice President-elect. If no candidacy receives the required 40%, then a runoff election shall be held between the two candidacies receiving the highest number of votes. The election of the President and Vice Pres-

[22] "State Legislators Favor Direct Vote For President", Congressional Quarterly, (Washington, December 16, 1966), p. 3030.

[23] "Electing the President: A Report of the Commission on Electoral College Reform", The American Bar Association (Chicago, January 1967), p. 3.

[24] Senator Quentin N. Burdick, "Direct Popular Vote of the President and Vice President of the United States", Congressional Record—Senate, vol. 12, pt. 5, p. 5928.

ident shall be held on the same day throughout the several states and such day shall be determined by Congress.

The qualifications for voters in any election under this article shall be the same as apply to voters in such state election of Senators. Congress may provide uniform qualifications for age and residence by law; if Congress does not prescribe uniform residence qualifications, the state may prescribe less restrictive residence qualifications.

Congress shall by law establish procedures to provide for the death or withdrawal of a candidate on or before the date of election. This article shall not apply to any election for the term of office beginning two years after ratification date by a sufficient number of states.

H.J. Res. 545—Introduced by Rep. Charles S. Gubser (R.-Calif.)

Every fourth year on a uniform date throughout the several states and the District of Columbia an election shall be held in which the people shall vote for President and Vice President. The vote will be cast as a joint vote for President and Vice President, hereafter referred to as a "presidential candidacy". Both of whom shall have consented to have his name on the same ballot with the other. The state legislature shall prescribe regulations relating to places and the manner of holding such election, but Congress may by law alter such regulations. The voters in such election shall have the qualifications requisite for persons voting therein for Senator; however, uniform age and residence requirements may be adopted by Congress for voting in such election. If Congress does not take action regarding uniform residence requirements, a state may adopt less restrictive requirements. Congress shall prescribe all matters dealing with voting in the District.

If a presidential candidacy receives a plurality of at least 45% of the popular votes, the persons comprising such candidacy shall be the President-elect and the Vice President-elect. If no candidacy receives a 45% plurality, then a runoff election shall be held between the two candidacies receiving the largest number of votes.

Congress may provide by law for the death or withdrawal of a candidate. This article shall not apply to any presidential term of office beginning earlier than one year after its ratification.

H.J. Res. 461—Introduced by Rep. John Jarman (D.-Okla.)

The electoral college system is hereby abolished and the President and Vice President shall be elected by the people. Qualifications for electors shall be those requisite for electors of the most numerous branch of the state legislature. Congress may determine the time of election which shall be uniform throughout the states.

The official custodian of the state election returns shall transmit to the seat of the Government of the United States distinct lists of all persons voted for as President and Vice President. Each list shall include the number of votes cast for each person and the total number of votes cast for all such persons.

The votes shall be counted and the person having the greatest number of votes for President and the person having the greatest number of votes for Vice President shall be the President and Vice President, respectively. Congress may provide for the death of any person who, except for his death, would have been entitled to a plurality of the votes for President or for Vice President.

H.J. Res. 470—Introduced by Rep. Emanuel Celler (D.-N.Y.)

The people of the several states and the District of Columbia shall elect the President and Vice President. The electors in each state shall have qualifications for electors of Senators and Representatives in Congress except that lesser qualifications may be established by the state legislature in regards to residence. Congress may establish uniform residence and age qualifications. The persons having the largest number of votes for President and Vice President shall be elected, if such number is at least 40% of the popular vote cast. If no person has such a majority, a runoff election shall be held and the President and Vice President will be chosen from the persons who received the two highest numbers of votes for each office. The state legislatures shall have control over election proceedings and regulations but shall be subject to alterations by Congress.

Each elector shall cast a single vote for both President and Vice President. Both of whom shall have consented to having his name on the same ballot with the other. Congress shall determine the time of election, and it shall be uniform through the states. Congress may provide by law for the case of the death of any candidate and for the case of a tie in any election.

H.J. Res. 490—Introduced by Rep. James Harvey (R.-Mich.)

The people of the several states and the District of Columbia shall choose the President and Vice President. They will be elected by a joint vote on the one ballot, hereafter referred to as a "presidential candidacy." Both of whom shall have consented to be on the same ballot with the other.

If a presidential candidacy receiving a plurality of at least 40% of the popular vote cast, then these persons shall become the President and Vice President elect. If no presidential candidacy receives such plurality, then a runoff election will be held between the two candidacies receiving the largest number of votes.

Congress shall determine a uniform election date held pursuant to this article. The state legislatures shall have control over election regulations as long as they are consistent with the Acts of Congress. Congress shall have the power to provide by law control over election proceedings.

Voter qualifications shall be the same as those requisite in the state, in elections of Senators. Congress may prescribe uniform age and residence requirements; however, the state may require lesser requirements than in election of Senators if Congress has not acted on such matters. Congress may provide by law for the death or withdrawal of a candidate on or before election date.

Arguments in favor [25]

Those who favor the direct election plan as an adequate substitute for our present system give the following reasons:

(1) The direct election plan would abolish the unit vote system and substitute direct election which would give a more accurate picture of the election.

(2) The American people would actually elect the President and Vice President instead of merely "appointing" electors to express their views.

(3) Direct election would have more appeal to the people thus encouraging more voter participation.

(4) The "one-man, one-vote" ruling would apply to the election of the President as it now applies to Congress and the state legislatures.

(5) The possibility of an individual becoming President who had fewer votes than his opponent would be eliminated because under direct election the candidate with the greatest number of popular votes would be President.

(6) Direct election would abolish the complex ballots which contain the names of the President and Vice President and/or the electors, since only the names of the Presidential and Vice Presidential candidates would be on the ballots.

(7) Because the unit vote system would not be in effect, the two-party system would be strengthened especially in one party states.

(8) Direct election would not necessarily encourage the formation and participation of splinter parties.

(9) Minority groups would be unable to exert undue pressure on the major candidates and/or their parties for excessive concessions; these groups would have political power equal to their actual numbers.

(10) Party campaigns would be more evenly spread throughout the Nation and Presidential candidates would have a greater possibility of coming from a state that was not considered one of the "key", pivotal states.

(11) Direct election would provide that the day the people cast their vote would be the day the President and Vice President were officially elected; thus eliminating the no delay between election day and the day the electors usually cast their vote.

(12) The election of the President and Vice President would never devolve upon the House or Senate, respectively, because a runoff election would be held if a candidate failed to receive a sufficient number of popular votes to be elected.

(13) Fraudulent practices and weather conditions would have little or no effect on the outcome of the election.

Comments on pros

It is always difficult to make comments—favorable or unfavorable—on an issue that is not yet in effect. We all know how our Electoral College System has worked, where it has succeeded, and where it has failed, what it has accomplished and what we can expect from it in the future. But for any other proposal, including direct election, we can only assume how they would actually function and our comments and criticisms must be confined, therefore, to the theoretical existence of the plan. Our arguments, therefore, are based on what we believe would happen if this or any other plan became a reality. People are unique. At times predictable and other times entirely unpredictable, their thoughts, words, and deeds of today may be incongruent with their feelings tomorrow.

The direct election plan would give a clear picture of the results of the Presidential election. Every vote would be credited as cast whether it came from a large or a small state. There would no longer be the exaggerated margin of electoral votes that our present system often times affords the winning candidate. A candidate would receive credit for the votes cast for him in every state, thus eliminating the defect in our present system that gives a candidate credit for the votes cast in his favor only in those states that he carries. However,

"The fear is expressed that if we operate under a system of electing the President which permits all votes to be credited as cast, there is a possibility that a minority party might become the prevailing party in the Nation. Our present system gives the plurality candidate in each state credit for the whole vote of that state and gives no credit to any other candidate in that state." [26]

[25] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), pp. 39–53. "Electoral College Reform", Public Affairs Department, Chamber of Commerce of the United States (Washington, September 1963), pp. 14–15. "Referendum No. 98 On: Electoral College Reform", Chamber of Commerce of the United States of America (Washington, December 1965), pp. 6–7. "Electing the President: A Report of the Commission on Electoral College Reform", The American Bar Association (Chicago, January 1967), p. 3–13.

[26] Bowers Aly, "Selecting the President", The NUEA Discussion and Debate (1953–54), Vol. 2, (September 1, 1953), 96. (Edited by.)

If this plan were adopted, the "one-man, one-vote" ruling that now applies to legislative apportionment within the States as a result of the Supreme Court's decision in *Baker vs. Carr*, 369 U.S. 186 (1962), and to Congressional districts as a result of *Wesberry vs. Sanders*, 376 U.S. 1 (1964), would also be applicable to the election of the President and Vice President of the United States. As it is now, the situation in regard to Presidential elections is just the reverse and this should be corrected. As Chief Justice Earl Warren has said:

"To the extent that a citizen's right to vote is debased, he is that much less a citizen. The fact that an individual lives here or there is not legitimate reason for overweighting or diluting the efficacy of his vote. The complexions of societies and civilizations change, often with amazing rapidity. A nation once primarily rural in character becomes predominantly urban. Representation schemes once fair and equitable become archaic and outdated. But the basic principle for representative government remains, and must remain, unchanged—the weight of a citizen's vote cannot be made to depend on where he lives."

There remains the possibility that if this plan were substituted for the present system that minority or "splinter" parties would not necessarily multiply. The people want a strong, viable two-party system, and in the long run, it seems that the present two-party system would be strengthened by this plan. It is also reasonable, however, to assume that if a new plan is adopted that numerous minority parties will make an effort to establish themselves as official parties. This can be remedied by the continuous efforts of our party leaders to unite and solidify their members and by a Constitutional Amendment or state laws, some of which are now in existence, requiring parties to have a required number of members before it can become an official party.

Senator Quentin Burdick, in a statement made on March 15, 1966, comments on the meaningfulness of direct vote, the weight of the individuals vote, the possibility of fraud, and minority groups:

"It has been fairly well established that a direct vote would encourage larger turnout at the polls, because each person would know that his vote is meaningful in the final outcome of the election.

"The possibility of accident or fraud deciding a national election would be greatly reduced.

"It would eliminate the possibilities of electors disobeying instructions.

"With a direct popular vote, every citizen's vote would count. Minorities would have influence in direct relationship to their numbers. Today the voters choose officials at every successive leevl of the U.S. system by a popular vote. It, therefore, should follow that the Chief Executive be chosen on a one man, one vote basis." [27]

It is difficult to determine whether or not direct election would cause campaigns to be on a more nationwide basis or if they would still be concentrated in the large states because this is where the votes are and where a candidate has to "politik" in order to win. This is one of the theoretical aspects that we must cope with in a plan that is not in practice. The closing remarks of Senator Margaret Chase Smith of Maine in her statement to the Subcommittee on Constitutional Amendments on March 2, 1966, adequately conveys her feelings, the feelings of some of her peers, of some American organizations, and of some of the American people on the outcome of the direct election proposal:

". . . I am confident that ultimately it will be adopted because I think it is inevitable that the will of the majority cannot be forever denied. It is only a matter of time until that will of the majority is made sufficiently articulate and sufficiently brought to bear on Congress and the states to so amend the Constitution.

"The public will and the power are there. It is only a question of how soon the liberal and moderate supporters of not only direct election but direct nomination will be able to organize and crystallize this overwhelming sentiment of the American people."

Argument against [28]

(1) Direct Election would deprive the small or sparsely populated states of the competitive advantage of having two electoral votes for their two United States Senators.

(2) Direct election could possibly lead to an increase in the number of "splinter" parties.

(3) Direct Election would be the most drastic change of all the proposals to revise the electoral system.

(4) It is highly improbable that such a revolutionary change to our present system would be approved by two-thirds of Congress and ratified by three-fourths of the States.

(5) This proposal, in due time, could bring into existence national laws governing voting qualifications.

(6) Direct election could easily result in regulatory control over political parties by the Federal Government instead of the states.

(7) This proposal, if adopted, could seriously impair our principle of Federalism upon which this Nation was established.

(8) Because of direct election, campaign expenditures would increase; Presidential campaigns would have to cover a larger territory and on a wider scope.

(9) Campaigning would still be predominantly in the populace states and in the metropolitan areas and cities; this would remain a serious disadvantage to rural communities and small states.

(10) The political power of our two major parties might be unduly upset in some areas and party pride in "carrying the state" for its candidate would be reduced.

(11) The exaggerated results that are produced under the electoral system may be desirable.

(12) The importance and relative weight of each state's vote would no longer depend upon population but upon the number of votes cast.

Comments on cons

The smaller states do have an advantage in the provision that all states receive two electoral votes for their two Senatorial seats. The industrial states have a similar advantage which they, too, are hesitant to relinquish—their impact on national elections because of the large bloc of electoral votes they are able to deliver. Direct election of the President would eliminate both of these advantages. Both the small and the large states would have to be willing to compromise in order to accept this plan; each would have to give up their most precious advantage. Senator Burdick had this to say about the feasibility of the states ratifying a direct election amendment in the Congressional Record, March 15, 1966:

"A study of past considerations of this subject shows that nationwide popular vote has never fully and fairly been considered by the Congress. It is dismissed by some on the assumption that it has no chance of ratification because it is alleged the smaller states would lose a disproportionate voice in presidential elections if the electoral vote allocation were abolished. Just the contrary is true.

"As a Senator from one of these smaller states, I believe that my constituents and most other Americans will be attracted to the inherent fairness and justice of national popular election.

"To those who say that such an amendment is impossible of ratification, I say: Give the people a chance. The proposal, which makes so much sense and which is so inherent in our democratic principles should be no longer dismissed in congressional committees without giving the people a chance to decide for themselves."

It has been said, and possibly justly so, that if this plan were adopted and ratified, national standards and regulations would eventually be established governing voting qualifications. The feasibility of this occurring in the long-run is both highly probable and possible. This would destroy one of the basic principles upon which our governmental system was founded—federalism. Such a blow might affect our doctrines of democracy on both the national and state level. Yet, is it right, is it logical, is it just to preserve our electoral system when it is archaic and undemocratic, solely because we hope to retain every aspect, every detail, every expression of federalism. Senate Majority Leader, Mike Mansfield of Montana, issued a statement during the 87th Congress referring to this principle:

"To the only significant argument which still serves to underwrite the electoral college system—that is, that it is a part of the federal system and as such must be preserved—I can only reply that in my opinion, the federal system is not strengthened through an antiquated device which has not worked as it was intended to work when it was included in the Constitution and which, if anything, has become a divisive force in the federal system by pitting groups of states against groups of states.

"As I see the federal system in contemporary practice, the House of Representatives is the key to the protection of district interests as district interests, just as the Senate is the key to the protection of state interests as state interests. These instrumentalities, and particularly the Senate, are the principal constitutional safeguards of the federal system, but the presidency has evolved, out of necessity, into the principal political office . . . for safeguarding the interests of all the people in all the States. And since such is the case, in my opinion, the presidency should be subject to the direct and equal control of all the people."

If presidential campaigns did cover a wider scope and greater territory, they would be accompanied by a soaring increase in presidential campaign expenditures to meet the necessity of having nationwide coverage and to strengthen the power and enhance the image of each candidate's political party. This would lead to a "centrally-directed, television-oriented presidential campaign."

There are many well-founded advantages and disadvantages of direct, popular election, some of which are known and understood, while others remain unknown and much less understood. The Nation does face a serious crisis—a very grave domestic crisis. Maybe direct election is the solution; maybe it is not. We must, nevertheless, recall the underlying principle upon which our Electoral College system was founded:

"The choice of several, to form an intermediate body of electors, will be much less apt to convulse the community with any extraordinary or violent movements, than the

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[27] Senator Quentin N. Burdick, "Direct Popular Vote of the President and Vice President of the United States", Congressional Record—Senate, (March 15, 1966) p. 5677–5678.

[28] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), pp. 54–65. "Electoral College Reform", Public Affairs Department, Chamber of Commerce of the United States (Washington, September 1963), p. 15–16. "Referendum No. 98 On: Electoral College Reform", Chamber of Commerce of the United States of America (Washington, December 1965), p. 7.

choice of one who was himself to be the final object of the public wishes." [29]

If the national election plan is adopted, we will eliminate this principle which was established to protect the interests of the American people. However, if the substance of this principle is antiquated and no longer serves to safeguard the interests of Americans, then it must be rectified and there is no better time than now to do it.

RESULTS OF 1960 PRESIDENTIAL ELECTION [30]

States	Direct election plan	
	Kennedy	Nixon
Alabama	324,050	237,981
Alaska	29,809	30,953
Arizona	176,781	221,241
Arkansas	215,049	184,508
California	3,224,099	3,259,722
Colorado	330,629	402,242
Connecticut	657,055	565,813
Delaware	99,590	96,373
Florida	748,700	795,476
Georgia	458,638	274,472
Hawaii	92,410	92,295
Idaho	138,853	161,597
Illinois	2,377,846	2,368,988
Indiana	952,358	1,175,120
Iowa	550,565	722,381
Kansas	363,213	561,474
Kentucky	521,855	602,607
Louisiana	407,339	230,980
Maine	181,159	240,608
Maryland	565,808	489,538
Massachusetts	1,487,174	976,750
Michigan	1,687,269	1,620,428
Minnesota	779,933	757,915
Mississippi	108,362	73,561
Missouri	972,201	962,221
Montana	134,891	141,841
Nebraska	232,542	380,553
Nevada	54,880	52,387
New Hampshire	137,772	157,989
New Jersey	1,385,415	1,363,324
New Mexico	156,027	153,733
New York	* 3,830,085	3,446,419
North Carolina	713,136	655,420
North Dakota	123,963	154,310
Ohio	1,944,248	2,217,611
Oklahoma	370,111	533,039
Oregon	367,402	408,060
Pennsylvania	2,556,282	2,439,956
Rhode Island	258,032	147,502
South Carolina	198,129	188,558
South Dakota	128,070	178,417
Tennessee	481,453	556,577
Texas	1,167,932	1,121,699
Utah	169,248	205,361
Vermont	69,186	98,131
Virginia	362,327	404,521
Washington	599,298	629,273
West Virginia	441,786	395,995
Wisconsin	830,805	895,175
Wyoming	63,331	76,551
Total	34,227,096	34,107,664

*Includes 406,176 votes for Liberal Party.

DISTRICT ELECTION PLAN

The District Plan would preserve the person and the office of the elector. The Electoral College would be kept intact. It would eliminate the unit vote system of giving a state's entire electoral vote to one candidate. A number of electors, equivalent to each state's number of Representatives in Congress would be chosen by the voters—one for each Congressional or similar district and two for the state at large equivalent to the two Senators of each state. The geographical lines of these districts would be set by the state legislatures, and they would not have to be identical to their present Congressional districts. In each electoral district, the Presidential candidate receiving a plurality of the popular vote would win that district's electoral vote and the Presidential candidate receiving a plurality of the state's total popular vote would win the two electoral votes of the state. The Presidential candidate receiving a majority of all the electoral votes would be elected President. If no candidate received a majority of the electoral vote, the Senate and House of Representatives voting as a single body would choose the President from the persons having the three highest numbers of electoral votes. If no person for Vice President had a majority of electoral votes, the Vice President would be chosen in like manner. A quorum shall be three-fourths of the total number of Senators and Representatives and a majority of the whole number shall be necessary to elect.

In the 84th Congress, the district plan became known as the Mundt-Coudert Plan. Named after Senator Karl E. Mundt of South Dakota and former Representative from New York, Frederic R. Coudert, Jr.

Senate and House resolution (joint)

The following are Senate and House Joint Resolutions that were introduced during the 90th Congress. They would substitute the district plan for our present system, the Electoral College. (Note: Each translation was taken directly from the Senate or House Joint Resolution introduced by that Senator or Representative.)

S.J. Res. 12—Introduced by Sen. Karl E. Mundt (R.—S. Dak.)

Each State will choose a number of electors equal to its total number of Senators and Representatives in Congress. The two electors representing the Senators will be elected by the people of the state at large. The electors representing the Representatives will be elected by the people within single elector districts. Before being chosen elector, the candidate shall officially pledge his vote for President and Vice President. Such pledge shall be binding on any successor. The electors shall cast distinct ballots within their State for President and for Vice President and make distinct lists of all persons voted for as President and Vice President. These results shall be transmitted to the seat of Government of the United States and counted by the President of the Senate in the presence of the members of both houses.

The person having the greatest number of votes for President and the person having the greatest number of votes for Vice President shall be the President and Vice President respectively, if such number is a majority of the electoral votes. If no person voted for as President has a majority of the electoral votes, the members of both houses voting as a single body will choose a President from the persons with the three highest numbers of votes. If no person voted for as Vice President has a majority of electoral votes the members of both houses voting as a single body will choose a Vice President from the persons with the three highest numbers of votes.

Congress may provide by law for the death of any person for President or Vice President that they may have the authority to choose when the right of choice has devolved upon them.

H.J. Res. 7—Introduced by Rep. Thomas G. Abernethy (D.-Miss.); H.J. Res. 388—Introduced by Rep. Albert H. Quie (R.-Minn.)

Each State shall choose a number of electors equal to its total number of Senators and Representatives in Congress. Two electors shall be chosen by the people of the state at large and the remaining electors by the people in single elector districts established by the State legislature. A candidate for the position of elector must pledge his vote for President and Vice President and this pledge shall be binding upon any successor. The candidate for the position of elector must have the qualifications requisite for the most numerous branch of the State legislature except for possible lesser qualifications pertaining to residence.

The electors shall meet and vote within their State by signed, district ballots for President and Vice President, one who shall not be an inhabitant of that State. Distinct lists of all persons voted for President and Vice President shall be transmitted to the United States seat of the Government and shall be opened and counted by the President of the Senate in the presence of the members of both houses. The person with the greatest number of votes for President shall be President and the person with the greatest number of votes for Vice President shall be Vice President, if such number is a majority of the electoral votes.

If no person has a majority for President, the President shall be chosen by both houses voting as a single body from the persons with the three highest numbers of votes for President. A quorum shall be three-fourths of the total number of Senators and Representatives and a majority of the whole number shall be necessary to elect. If additional ballots are necessary, the choice on the fifth ballot shall be between the two persons who have the highest number of votes on the fourth ballot. The Vice President shall be chosen in a similar manner, if no candidate has a majority. No person constitutionally ineligible to hold the office of President shall be eligible to hold the office of Vice President. The Congress may provide by law for the death of any person President or Vice President that they may have the authority to choose when the right of choice has devolved upon them. The electors from the District shall be chosen in such a manner as Congress may direct.

H.J. Res. 8—Introduced by Rep. Thomas G. Abernethy (D.-Miss.)

Each State shall choose a number of electors equal to the total number of its Senators and Representatives in Congress. Two electors shall be chosen by the people of the State at large and the remaining electors by the people in single-elector districts established by the State legislature. The electors shall have the qualifications requisite for the most numerous branch of the State legislature. The electors shall meet and vote within their State by district, separate ballots for President and Vice President, one of whom shall not be an inhabitant of the same State. Distinct lists of all persons voted for as President and for all persons voted for as Vice President shall be made and transmitted to the seat of the Government of the United States. The President of the Senate in the presence of the members of both houses shall open all certificates and count the votes. The person having the greatest number of votes for President shall be President and the person having the greatest number of votes for Vice President shall be Vice President, if such number is a majority of the whole number of electoral votes.

If no person voted for as President has a majority then both houses voting as a single body shall choose a President from the persons having the three highest numbers on the list voted for as President. Three-fourths of the whole number of Senators and Representatives shall be a quorum and a majority of the whole number shall be necessary to a choice. If additional ballots are necessary, the choice on the fifth ballot shall be between the two persons having the highest number of votes on the fourth ballot. The Vice President shall be chosen in a like manner if no person has a majority. No person constitutionally ineligible to hold the office of President shall be eligible for the office of Vice President. Congress may provide by law for the death of any person from whom it may choose a President or Vice President whenever the right of choice has devolved upon them.

[29] Sherman F. Mittell, "Federalist Papers: No. 68", The Federalist, National Home Library Foundation (Washington, D.C.), p. 442. (Editor)

[30] "Statistics of the Presidential and Congressional Election of November 8, 1960", United States Government Printing Office, (Washington, 1961) pp. 50–51.

H.J. Res. 143—Introduced by Rep. Jamie L. Whitten (D.-Miss.)

Two of each State's electors shall be elected by the people thereof; and the remaining electors by the people in single-elector districts established by the State legislature. Such districts shall contain, as near as possible, the number of persons which entitles the State to one Representative in Congress and these districts shall not be altered until after the next census. One-fifth of the State legislature may petition Congress to establish such districts if the State legislature fails to do so. The electors shall have the qualifications requisite for the most numerous branch of the State legislature.

If no person voted for as President or Vice President has a majority of the electoral votes, then from the persons having the highest numbers, not exceeding three, on the lists voted for as President and Vice President both houses voting as one body shall choose the President or Vice President or both whatever the case may be. A quorum shall consist of three-fourths of the whole number of Senators and Representatives and a majority of those present and voting shall be necessary for a choice. If additional roll-calls are necessary, the choice shall be made from the two persons having the highest number of votes on the first rollcall. No person ineligible for the office of President shall be eligible for the office of Vice President.

Congress may provide for the death or inability of any of the persons from whom it may choose a President and Vice President whenever the right of choice shall have devolved upon them.

Arguments in favor [31]

(1) Under the district system, popular votes would tend to be reflected more clearly and accurately than under our present system.

(2) The district method would apply the same principles of representation that apply in the election of Congress to Presidential elections.

(3) This method would eliminate the "unpledged" elector by having each elector pledge his support to a candidate beforehand.

(4) The political importance of large states would be diminished because the unit vote system would be abolished and this would cause the major parties to seek more electoral votes from all states—large and small.

(5) This plan would be more favorable for and offer encouragement to the establishment and maintenance of a well-organized two party system.

(6) Minority parties or "splinter" groups would not necessarily increase because they could only divert a few electoral votes from the major candidates.

(7) The influence of organized minorities in metropolitan areas would be reduced to their actual numbers in the population of those areas.

(8) By preserving the electors, the district method would not evolve any threat to the role of the States in the Presidential election; our basic principle of the federal system would be preserved.

(9) Gerrymandering could be avoided by the creation of electoral districts that are of "compact and contiguous territory, containing as nearly as practicable the number of persons which entitled the State to one Representative in the Congress". And providing that such districts could not be changed until another census had been taken.

(10) Each voter, regardless of where he lived, would vote for two State electors and one district elector, thus giving equal weight, based on population to both rural and urban districts.

(11) The district system would attempt to equate the political pressures on the President with those felt by the Members of Congress.

(12) This system would establish a uniform method of choosing Presidential electors.

Comments on pros

There are certain inequities that exist under the present system, the most notable of these being the unit vote system, which is an inaccurate reflection of the popular vote and causes uncertainty because of the unpledged electors. Karl Mundt, (R.-S.D.) believes the district method eliminates these inadequacies:

"S.J. Res. 12, in my estimation, is the only plan proposed which would correct the inequities without making basic changes in our constitutional system. It would correct the unfairness by eliminating the general ticket system. It would correct the uncertainty because it would bind the presidential electors to the winning candidate. It would correct the undemocratic factors because it provides for a greater voice for the larger States should Congress be forced to name the President in the event no candidate wins a majority of the electoral college." [32]

The District system would cause the President to rely very heavily upon the members of Congress to pass necessary measures because the same principles of representation would be applicable not only to Congressional but also to the Presidential elections. The President could be forced into giving support to one of his party's candidates in Congressional elections in order that his views, beliefs, and measures would be supported by that district in Congress. This would diminish the independence of our executive and legislative branches and would be a clear violation of our "checks and balances" doctrine.

The candidates for electors would have to "pledge" their support to their party's choice of President and Vice President. This pledge would supposedly eliminate the independence of electors and the unpledged elector. According to the Supreme Court's decision in *Ray* vs. *Blair*, 343 U.S. 214 (1952), upholding the policy that it is constitutional for a party to have its candidate for elector pledge his support to his party's Presidential and Vice Presidential candidate. The feasibility of enforcing such a pledge will be discussed later.

The district method would preserve the electors, thus keeping our principle of federalism intact, but we would destroy one aspect of our federal doctrine by establishing a uniform system of choosing Presidential electors. This method would select one from each electoral district and two from the State at large. Which factor outweighs the other is something that must be resolved and the solution can only be one of compromise.

The influence of minority groups may possibly be reduced to their actual numbers in the population thus eliminating their overall impact of casting a state wide bloc vote. Splinter groups would only have influence within their electoral districts and their degree of influence would depend upon how well they were organized and the amount of pressure they were able to exert as a concentrated body of districts. The voices of minorities would seldom be heard in Presidential elections unless they could find a method to adequately express themselves and let their views be known. Could and would they be heard in their single electoral districts? If not, how would they be sufficiently represented? Both the rural and the urban districts would vote for only three electors as previously explained. This would give equal weight to each vote in all areas and would be in accord with the "one-man, one-vote" principle established by the Supreme Court. The Daily News in New York in its January, 1967, issue asked:

"If it's good enough for Congress and the state legislatures, why isn't 'one-man, one-vote' good enough for the President?"

Arguments against [33]

(1) Election of the President under the district plan would not necessarily reflect more clearly or accurately the results of the popular vote.

(2) The district system would not automatically convert the election of an elector into an electoral vote for a particular candidate.

(3) The adoption of this plan could result in the existence of two separate, distinct districts within a State, one Congressional and one electoral.

(4) The district method would lead to gerrymandering of electoral districts.

(5) The system might tend to overweigh and unduly favor the political power of the rural and small-town areas.

(6) Minority group influence would be intentionally reduced under this method.

(7) "Splinter" parties would concentrate their efforts in a few districts in every State in order to shift the balance of power in close national elections with hope of throwing the election into Congress where their voice would have more weight.

(8) Presidential campaigns would be concentrated in marginal districts as they were centered in pivotal States greatly increasing the cost of Presidential campaigns.

(9) The district plan would not eliminate the possibility of having a minority President.

Comments on cons

Why would the district plan reflect a more accurate picture of the people's vote? Is it not the same as the state's unit vote system but only on a smaller scale? The present unit vote system gives the plurality candidate of the state, all of its electoral votes and no credit is given to the other candidates regardless of how slim or how wide the margin of victory. The district plan would function in the same manner except on a district instead of state basis. It would give the district's electoral vote to the plurality candidate. This could result in a minority President being elected. It does not seem that we have eliminated this defect. It has been made more difficult for it to occur—and more complicated for us to resolve.

There is no reason why the state legislatures could not create electoral districts that would be entirely separate from the Congressional districts of each state. The legislatures could gerrymander the electoral districts even though such districts were "compact and contiguous" territories. This would not

[31] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), pp. 73–80. "Electoral College Reform", Public Affairs Department, Chamber of Commerce of the United States (Washington, December, 1965), p. 11–12. "Referendum No. 98 on: Electoral College Reform", Chamber of Commerce of the United States of America (Washington, December 1965), p. 8–9.

[32] Senator Karl E. Mundt, "Electoral College-Reform or Retreat?", daily Congressional Record-Senate, (February 28, 1966), p. 4082.

[33] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), pp. 81–86. Nicholas deB. Katzenbach, "Statement on Electoral College Reform", Department of Justice (Washington, March 8, 1966), p. 6–7. "Electoral College Reform", Public Affairs Department, Chamber of Commerce of the United States (Washington, September 1963), p. 13. "Referendum No. 98 On: Electoral College Reform", Chamber of Commerce of the United States of America (Washington, December 1965), p. 9.

be too difficult a task in states where one-party was predominant even though the "one-man, one-vote" ruling was in effect. Electoral districts could "still be drawn for political advantage" even with the compact and contiguous requirement. And even though "neither political party has a monopoly on this sort of thing," the metropolitan areas which are heavily populated "are obviously more vulnerable to this divide and conquer partitioning." This could result, according to the late Senator Estes Kefauver in *The Electoral College: Old Reforms Take on a New Look,* Law and Contemporary Problems. Spring 1962, Vol. 27, 188, 199.

Even though the *Ray* vs. *Blair* decision said it was constitutional for political parties to require electors to pledge their support to a candidate, there are no legal grounds to enforce such a pledge or to correct the results when the pledge has been violated.

"The obligation of presidential electors to cast their electoral votes for the presidential and vice-presidential nominees to whom they have been pledged has remained largely undefined throughout the history of American presidential elections." [34]

It would be feasible to accomplish this result by a Constitutional Amendment and some authors of the district plan have included this type of provision in their resolutions.

By concentrating their efforts in a few districts, "splinter" parties might receive credit for electoral votes that they would not receive under another plan. If an organized splinter party carried an average of only one electoral district in each state, this would be sufficient, in some instances, to throw the Presidential election into Congress. In Congress this minority party would have a better opportunity to bargain and to express its views and these views would have a direct bearing on the Representatives of the district that party carried. If the minority party was strong enough to carry the district in a Presidential election then it could also determine the results of a Congressional election. We are assuming, in this example, that the Congressional and electoral districts are identical. Even if this were not the case, the minority party would still be exerting pressure on some Congressmen within that State.

Presidential candidates would be forced to campaign in marginal districts as they are now forced to campaign in the marginal or pivotal states. This localizing of national elections would increase campaign expenditures, shift the emphasis from national to local problems, and expand rural influence. The following excerpt from former Attorney General Nicholas deB. Katzenbach's statement on "Electoral College Reform" adequately brings these points to light.

"To some extent, the 'district plan' would move in the opposite direction from the 'national election' and 'proportional' plans. Whereas the latter would enlarge the unit in which popular elections are held from the State to the nation, S.J. Res. 12 would narrow it from the State to the Congressional districts. Instead of focusing on national problems in a national campaign, the emphasis would to a considerable degree be shifted to matters of local concern within a particular district. I see no point to localizing a national election. The principal effect of S.J. Res. 12 would be, I judge, to expand the influence of rural areas at the expense of the cities. To some of course, that is its virtue, but to others, it is a vice. Certainly, however, there is not now a consensus in the country that the rural areas are underrepresented in the government at either the State or national level." [35]

[34] "State Power to Bind Presidential Electors", Columbia Law Review, Vol. 65, No. 4 (April 1965), 696.

[35] Nicholas deB. Katzenbach, "Statement on Electoral College Reform", Department of Justice (Washington, March 8, 1966), p. 7.

Senator Mundt's concluding remarks in the Congressional Record of February 28, 1966, tell us what S.J. Res. 12 and the other district plans hope to achieve:

"If you accept the thesis, which I do not, that two wrongs make a right, in 1961, the argument could be made that although large urban areas possessed a disproportionate influence in the selection of the President this was offset by a certain disproportionate representation in Congress on the part of the rural areas. In effect, then, there was a counter-balance of interests. As has been previously pointed out, this is no longer true. We have reformed and equalized the election process for the legislative branch. Now we must do likewise for the executive.

"Simply put, in the past a wrong existed and logic demanded that it be rectified. Today that same wrong exists and both logic and justice demand that it be rectified."

RESULTS OF 1960 PRESIDENTIAL ELECTION [36]

States	District election plan*		
	Kennedy	Nixon	Unpledged
Alabama	**1	1	**9
Alaska	0	3	
Arizona	0	4	
Arkansas	7	1	
California	13	19	
Colorado	1	5	
Connecticut	7	1	
Delaware	3	0	
Florida	4	6	
Georgia	12	0	
Hawaii	3	0	
Idaho	1	3	
Illinois	12	15	
Indiana	1	12	
Iowa	0	10	
Kansas	0	8	
Kentucky	2	8	
Louisiana	8	2	
Maine	0	5	
Maryland	6	3	
Massachusetts	16	0	
Michigan	10	10	
Minnesota	7	4	
Mississippi	3	0	5
Missouri	6	7	
Montana	1	3	
Nebraska	0	6	
Nevada	3	0	
New Hampshire	0	4	
New Jersey	10	6	
New Mexico	4	0	
New York	25	20	
North Carolina	7	7	
North Dakota	0	4	
Ohio	5	20	
Oklahoma	1	7	
Oregon	0	6	
Pennsylvania	17	15	
Rhode Island	4	0	
South Carolina	6	2	
South Dakota	0	4	
Tennessee	4	7	
Texas	17	7	
Utah	0	4	
Vermont	0	3	
Virginia	3	9	
Washington	4	5	
West Virginia	6	2	
Wisconsin	3	9	
Wyoming	0	3	
Total	244	279	14

*Calculated under terms of Mundt plan (S.J. Res. 12). Based in part on figures furnished by the American Good Government Society, dated Nov. 23, 1960.

**Alabama elector totals under district plan are computed by crediting each district's electoral vote to the highest polling single elector. At-large elector candidates are arbitrarily divided, 1 for Kennedy, and 1 unpledged.

[36] "A State and District Analysis of the 1960 Vote for President, Governor, Senator, and Representative", Congressional Quarterly Special Report: Complete Returns of the 1960 Election by Congressional Districts, Part II of C Q Weekly, Report No. 10 (March 10, 1961)

PROPORTIONAL ELECTION PLAN

The proportional plan would abolish the Electoral College and the office of the elector but the electoral vote of each state would be preserved. Each state's number of electoral votes would be determined in the same—the electoral vote would be equivalent to the number of Senators and Representatives each state has in Congress.

Each Presidential candidate would receive the same proportion of the state's electoral vote as his share of the popular vote of that state. Fractional votes would be carried out three decimal places and fractional numbers of less than one-thousandth will be disregarded unless such computations would change the result of the election.

The candidate with the greatest number of electoral votes throughout the nation would be elected President provided he received a certain percentage, usually 40 percent, of the electoral vote. In case no candidate received a sufficient number of electoral votes to be elected, the election would devolve on Congress. Both Houses sitting jointly and voting as individuals would choose the President from the candidates with the two highest numbers of votes. A majority of the total votes of both Houses is necessary to elect. The Vice President of the United States shall be elected at the same time and in the same manner. The proportional plan is sometimes called the "Lodge-Gossett" plan after the two most ardent advocates—former Senator from Massachusetts, Henry Cabot Lodge, Jr., and former Representative from Texas, Ed Lee Gossett.

Senate and House resolutions (joint)

The following resolutions were introduced during the 90th Congress. They would abolish the Electoral College system and substitute the proportional plan in its place. (Note: Each translation was taken directly from the Senate or House Joint Resolution introduced by that Senator or Representative.)

S.J. Res. 3—Introduced by Sen. George A. Smathers (D.-Fla.)

Each nominee of a political party shall be determined by a primary election. The results of the primary election shall be transmitted to the seat of the Government of the United States and counted in the presence of both houses by the President of the Senate. Each political party within the state is entitled to a number of nominating votes equal to the total number of Senators and Representatives of that State in Congress. Each person who received votes for President or Vice President shall receive such a portion of his party's nominating votes as he receives of the total popular vote of his party. Fractional numbers of less than one-thousandth shall be disregarded when making computations unless such calculations would change the results. Party candidates must receive a majority of the nominating votes to be that party's nominee for President or Vice President. If no candidate of a political party has a majority of the nominating votes then a second primary shall be held for the two persons with the highest number of votes in the first primary. The person with the highest number of votes in the second primary is that party's nominee for President and Vice President. The party national committee shall provide for choosing a successor in event of the death of its candidate for President or Vice President.

A general election will be held on a date prescribed by Congress that is uniform throughout the States. The person having the greatest number of electoral votes shall be President or Vice President, providing it is at least 40% of the total electoral votes. If no candidate for President or Vice President has a majority of electoral votes, then both houses voting as a single body shall choose from the persons with the two highest numbers. Congress may provide by law for the case of the death of any persons who are candidates for President or Vice President that they may have the authority to choose when the right of choice has devolved upon them.

When the powers and duties of the President shall devolve upon the Vice President

or another person designated by Congress in the absence of a Vice President, a special election shall be held for choosing a President and Vice President providing certain conditions are present.

H.J. Res. 9—Introduced by Rep. Thomas G. Abernethy (D.-Miss.); H.J. Res. 255—Introduced by Rep. A. S. Herlong, Jr. (D.-Fla.); H.J. Res. 390—Introduced by Rep. O. C. Fisher (D.-Texas)

The electoral college system is hereby abolished. The President and Vice President shall be elected by the people of the several States. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature. Each State shall have a number of electors equal to its whole number of Senators and Representatives in Congress. Congress shall determine a uniform time for the election throughout the States.

The official custodian of the State shall transmit to the seat of the Government of the United States the result of such election within the State. The President of the Senate in the presence of both houses shall count the votes. Each person who received votes for President in each State shall receive such proportion of the electoral votes of that State as he received of the total vote of the electors therein for President. Fractional numbers of less than one one-thousandth shall be disregarded. The person having the greatest number of electoral votes for President shall be President if such figure is at least 40% of the whole number of electoral votes. If no person has at least 40%, then both houses sitting in joint session shall choose the President. A majority of the whole number of both houses is necessary for a choice. The Vice President shall be chosen in the same manner and at the same time.

Congress may provide by law for the death of any persons for President and Vice President that they may have the authority to choose when the right of choice has devolved upon them.

H.J. Res. 16—Introduced by Rep. Charles E. Bennett (D.-Fla.)

The electoral college system is hereby abolished. The President and the Vice President shall be elected by the people of the several States. Qualifications requisite for electors shall be the same as those for the electors of the most numerous branch of the State legislature. Each State shall be entitled to a number of electors equal to its total number of Senators and Representatives in Congress. Congress shall determine a uniform time for the election. The State's official custodian shall transmit to the seat of the Government of the United States the election results of his State. The President of the Senate in the presence of both houses shall count the votes. Each person who received votes for President in each State shall receive such proportion of the electoral votes thereof as he received of the total vote of the electors therein for President. The person having the greatest number of electoral votes for President shall be President if such number is a majority of the total number of electoral votes. If no person has a majority then from the persons having the two highest numbers of electoral votes for President, the members of both houses in a joint session shall choose the President by ballot. A majority of the votes of the total number of both houses is necessary for a choice. The Vice President shall be elected at the same time and in the same manner.

Congress may provide by law for the death of any person for President or Vice President that they may have the authority to choose when the right of choice has devolved upon them.

H.J. Res. 40—Introduced by Rep. Glenn R. Davis (R.-Wis.)

The electoral college system is hereby abolished. The President and Vice President shall be elected by the people of the several States and the District of Columbia. The electors shall have the qualifications requisite for the electors of the most numerous branch of the State legislature. Congress shall determine by law the time of such election which shall be the same throughout the States. Each State shall have a number of electoral votes equal to its total number of Senators and Representatives in Congress. The District shall be entitled to a number of electoral votes equal to the number it would receive if it were a state but in no instance may it be greater than that of the least populous State.

The official custodian of each State and the District shall transmit the lists of all persons voted for as President and the number of votes each receive to the seat of the Government of the United States. The President of the Senate in the presence of both houses shall count the votes. Each person who received votes as President in each State and the District shall be credited with such proportion thereof as he received of the total vote of the electors therein for President. Fractional numbers less than one one-thousandth shall be disregarded in making computations unless a more detailed calculation would change the outcome. The person having the greatest number of electoral votes for President shall be President. If two or more persons have an equal and highest number of electoral votes then the one with the greatest number of popular votes shall be President. The Vice President shall be elected at the same time and in the same manner.

H.J. Res. 101—Introduced by Rep. Olin E. Teague (D.-Texas)

The electoral college system of electing the President and Vice President is hereby abolished. They shall be elected by the people of the several States. The electors shall have qualifications requisite for electors of the most numerous branch of the State legislature. Congress shall determine a uniform time for the election throughout the States. Each State shall be entitled to a number of electoral votes equal to its whole number of Senators and Representatives to which such State is entitled to in Congress.

The official custodian of each State shall make distinct lists of all persons who received votes for President and the number of votes and he shall transmit them to the seat of Government of the United States. The President of the Senate in the presence of both houses shall count the votes. Each person in each State who received votes for President shall be credited with such proportion of the electoral votes thereof as he received of the total vote of the electors therein for President. Fractional numbers of less than one one-thousandth shall be disregarded in the calculations. The person having the largest number of votes shall be President, if such number is at least 40% of the whole number of electoral votes. If two persons have an equal and highest number of votes, or if no person has at least 40%, then from the persons having the two highest numbers of electoral votes both houses sitting in joint session and voting as a single body shall choose the President by ballot. A majority of the votes of the total number of both houses is necessary for choice. The Vice President shall be elected at the same time and in the same manner.

Congress may provide by law for the death of any person for President or Vice President that they may have the authority to choose whenever the right of choice has devolved upon them.

H.J. Res. 157—Introduced by Rep. John Dowdy (D.-Texas)

The office of elector of the President and Vice President is hereby abolished. The President and Vice President shall be elected by the people of the several States and the District of Columbia. The electors shall have the qualifications requisite for electors of the most numerous branch of the State legislature, except for any lesser restrictions concerning residence requirements prescribed by the State. Each State shall determine the place and manner of such election; Congress shall determine it for the District.

Congress shall also determine the time of such election and it shall be uniform throughout the States. Each State is entitled to a number of electoral votes equal to its total number of Senators and Representatives in Congress. The District shall be entitled to a number of electoral votes equal to the total numer of Senators and Representatives in Congress to which it would receive if it were a State, but in no case more than the least populous State.

The official custodian shall make distinct lists of all persons receiving votes for President and their number and transmit them to the seat of Government of the United States. The President of the Senate in the presence of both houses shall count the votes. Each person who received votes for President shall be credited with such proportion of the electoral votes thereof as he received of the total vote of the electors therein. Fractional numbers less than one one-thousandth shall be disregarded in making computations. The person receiving the greatest number of electoral votes for President shall be President, if such number is at least 40% of the total number of electoral votes. If no person has the required 40%, then from the persons having the three highest numbers of votes, both houses in joint session shall choose the President by ballot. A majority of the total number of both houses is necessary for choice. The Vice President shall be elected at the same time and in the same manner.

Congress may provide by law for the death of any person for President or Vice President that they may have the authority to choose whenever the right of choice has devolved upon them.

H.J. Res. 347—Introduced by Rep. Eligio de la Garza (D.-Texas)

The electoral college system of electing the President and Vice President is hereby abolished; they shall be elected by the people of the several States. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature. Congress shall determine the time of the election and it will be uniform throughout the States. Each State shall be entitled to a number of electoral votes equal to its total number of Senators and Representatives in Congress.

The official custodian shall make distinct lists of all persons voted for as President and the number of votes each received; these lists shall be transmitted to the seat of Government of the United States. The President of the Senate in the presence of both houses shall count the votes. Each person who was voted for as President shall be credited with such proportion of the electoral votes thereof as he received of the total vote of the electors therein for President. Fractional numbers of less than one one-thousandth shall be disregarded when making computations. The person having the greatest number of electoral votes for President shall be President, if such number is at least 40% of the total number of electoral votes. If no person has the required 40%, then from the persons having the two highest numbers of electoral votes both houses sitting in joint session shall choose the President. A majority of the votes of the total membership of both houses is necessary for choice. The Vice President shall be elected at the same time and in the same manner.

Congress may provide by law for the death of any person for President or Vice President that they may have the authority to choose

whenever the right of choice has devolved upon them.

Arguments in favor [37]

(1) Proportionate distribution is the nearest approach to electing a President by direct popular vote while retaining and preserving the present strength of each state in the election of the President.

(2) For all practical purposes it would be virtually impossible to have a President that received less votes than his chief opponent.

(3) Voter participation would be encouraged because the proportional plan would tend to equate the power and importance of individual votes in large and small states.

(4) The voters would have a more direct voice in the election of the President since only the electoral votes of the states and not the electors would be used.

(5) Proportional distribution of each state's electoral votes would tend to reflect the popular strength of the candidates and conform more closely to the results of the popular vote within the State.

(6) There would be a more equal balance of power among the states because the unit-vote system would be abolished.

(7) The proportional plan would strengthen the two-party system; the opposition party would be encouraged in one-party states because every vote would have some effect in the national election.

(8) The influence of organized minority groups would be diminished because their influence would be measured by their numbers rather than their bargaining power.

(9) Unfavorable weather conditions, fraudulent voting practices, and accidental circumstances would be unlikely to defeat the choice of the people under the proportional system.

(10) The proportional plan would not infringe upon each state's right to establish voter qualifications and regulations.

(11) The abolition of the office of elector would no longer permit the state legislatures to determine how electors were appointed.

(12) Minority party votes would no longer go uncounted but they would not be encouraged to multiply and attempt to capture electoral votes because of the forty percent requirement that is necessary to elect.

(13) The election of the President would no longer devolve upon the House of Representatives but on both Houses if a candidate failed to receive a sufficient percentage of electoral votes. Even with the election in Congress, the large and small states would retain the same relative strength that they possess in electoral votes.

(14) Presidential and Vice Presidential candidates could be selected from a broader base because the necessity of a candidate coming from a large state would be diminished.

Comments on pros

"The fact that so little progress has been made over a period of so many years has not diminished the need for legislation one whit. This year, however, there are hopeful indications that indifference has been overcome and that a concentrated effort will be made to rectify the inequities and shortcomings of our present system." [38]

Senator George A. Smathers (D.-Fla.) believes this indifference will be surmounted and that some resolution, hopefully the proportional plan, will be adopted. We have seen resolutions initiated and heard about the heated committee hearings on this subject, but this is the only action that has been taken to correct the system. This is the first step to resolving our problem, but will Congress ever take the second—that of Constitutional Amendment?

Many advocates feel that the proportional plan is a compromise between the most drastic change—direct election and the most conservative change—the automatic system, or no change at all. Representative Glenn R. Davis of Wisconsin feels this way about his "compromise" plan:

"I consider this to be the most practical compromise solution between those who wish to keep the Electoral College as it is and those who wish direct national election for the Presidency.

"I oppose the direct national election suggestion because I fear it would result in competition among the states for the lowering of voting qualifications and would require federal supervision of elections."

It would be virtually impossible for a minority candidate to be elected President if this plan were adopted. A candidate with a large majority of the popular votes could not lose the Presidential election because he won his electoral votes by large majorities while his opponent won most of his electoral votes by slim majorities or even pluralities.

"Had there been proportionate distribution in 1876 and 1888, Hayes would have been defeated by Tilden, and Harrison by Cleveland." [39]

Both Hayes and Harrison were minority Presidents, that is, Presidents who not only had a smaller percentage of the popular vote than their chief opponent but also had less than fifty percent of the popular vote. (Refer to chart on minority Presidents in the section on the Direct Election Plan for figures.) The general rule would be that a minority President would not be elected but there are exceptions that we shall see later.

Because the unit vote system would be abolished, there would be a more equal balance of power among the states. A candidate would not receive the entire electoral vote of a large state simply because he carried that state. Each candidate would receive a number of electoral votes that was proportionate to his share of the popular vote of the state. However, the proportional method would preserve the relative strength of each state in Presidential elections because each state would retain its respective number of electoral votes. The large states would retain their large number of electoral votes while the small states would have their small number but would still possess their two electoral vote advantage for United States Senators.

The electoral vote would be retained but the office of Presidential elector would be abolished, thus giving the individual voter a greater voice in electing the President. This fact and the fact that the importance and power of individual votes in large and small states would be more nearly equated, would tend to encourage better voter participation. The American voter's voice through his vote would be heard and would have a direct effect on the total national result of the Presidential election.

The proportional plan would conform more closely and reflect more accurately the results of the popular vote than any other plan except direct national election. It would credit each candidate with a number of electoral votes that was proportionate to his share of the total popular vote. The exaggerated results produced under the present system by the electoral vote would no longer exist in the election of a President.

The two-party system would be strengthened in states where the dominant party was so strong that no other party could ever envisage victory. Now the second or opposition party in these one-party states would receive credit for electoral votes won under the proportional method. Just because credit is given for the votes of opposition parties, it does not necessarily mean that minority or "splinter" parties would multiply in number and increase in power. Minority parties could collect electoral votes without ever carrying a state, but it is unlikely that these parties would rapidly develop so long as a candidate had to have more electoral votes than any other candidate to be elected. The forty percent requirement included in most proportional plans would serve as a check to eliminate the weakening of the two-party system and the splintering of parties.

Under the unit vote system, a shift of a few thousand votes because of fraudulent voting practices or unfavorable weather conditions in a state could change the results of the election by swinging the entire electoral vote of the state from one candidate to another. The proportional plan would not permit this to happen. A shift of a few thousand votes would only result in a slight change in the percentage of the electoral votes that a candidate received.

"Furthermore, the current electoral system gives the legislatures the power to direct any method they wish of selecting Presidential electors, and the possibility of gross abuse of power by state legislatures is always evident."

This is the feeling of Olin E. Teague of Texas in his statement, "In Favor of Abrogation of Present Electoral College System." Mr. Teague has introduced H.J. Res. 101 in the 90th Congress to express his views. The plan would eliminate the office of elector and substitute the proportional plan for our present system.

Each state would still be able to establish voter qualifications and regulations within its own state. Only a constitutional amendment to that effect could authorize the Federal Government to alter or modify a state's voting standards. It is not probable that such an amendment would be introduced because it is highly improbable that the several states would be willing to give the Federal Government this authority.

"Whatever the virtues or disadvantages of leaving the control of voter qualifications to the states, there is reason to believe that no amendment opening the door to national control would be acceptable to the necessary two-thirds of the Congress and three-fourths of the State legislatures. Division of electoral votes in proportion to regular votes would not threaten the power of the States to regulate suffrage requirements. It would not alter existing State authority to determine who may vote." [40]

The proponents of the proportional plan recognize the need for a constitutional change and hope to correct the archaic and antiquated Electoral College system. Senator George A. Smathers in the Congressional Record of January 11, 1967, says that:

"If we are to assure that the results of a Presidential election truly reflects the will of the people we must eliminate the present winner-take-all system. It is in this spirit, in keeping with our democratic principles that I propose this constitutional amendment." [41]

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[37] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), pp. 101–110. "Electoral College Reform", Public Affairs Department, Chamber of Commerce of the United States (Washington, September 1963), pp. 17–18. "Referendum No. 98 On: Electoral College Reform", Chamber of Commerce of the United States of America (Washington, December 1965), p. 10.

[38] Senator George A. Smathers, "Proposed Amendment of Constitution Relating to the Election of President and Vice President", CONGRESSIONAL RECORD, vol. 113, pt. 1, p. 263.

[39] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), p. 103.

[40] Congressman Eligio de la Garza, "Legislation to Abolish Electoral College System", daily CONGRESSIONAL RECORD (February 22, 1967), p. A814.

[41] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), pp. 110–120. "Electoral

Arguments against

(1) Proportionate distribution of the electoral vote would weaken the power of the major parties because it would be easier for minority parties to win a number of the electoral votes.

(2) The proportional plan would encourage the splintering of political parties in the United States.

(3) The proportional plan would provide no positive assurance that the popular will of the people would prevail in every Presidential election.

(4) This plan would retain the advantage that the small states presently possess by the allocation of two electoral votes to each state for its two United States Senators, regardless of its population.

(5) Some proportional plans would permit a plurality candidate to be elected President, i.e., one who received only a plurality of the electoral vote; the present system requires a candidate to receive a majority of the electoral vote to become President.

(6) The abolition of the Presidential electors may create some problem by eliminating the flexibility that exists in our present system.

(7) States would no longer have importance as single units in the Presidential election if the proportional plan were adopted.

(8) Undue political importance might be given to states having the least population relative to electoral votes.

(9) Proportional division of electoral votes might lead to pressure for proportional representation in Congress and State legislatures.

(10) The Constitution should not be amended unless we are positive that the general welfare of the people will benefit from it.

Comments on cons

It is said that the proportional plan could have an undesirable effect on the Nation's political parties. The present system gives electoral votes only to the candidate that carries the State but the proportional plan would credit each candidate with a proportion of the electoral vote equivalent to his share of the popular vote. The forty percent electoral vote requirement would be only a partial deterrent to the rise of minority groups. These new groups would not have to win a Presidential election to exercise political influence; they would possess such influence by holding the balance of power.

"It would weaken the two-party system and encourage the development of splinter groups. At present, minor parties can have little effect on Presidential elections, since they must capture an entire State's electoral votes to have any impact on the final outcome. Under a proportional system, however, just as under a national plebiscite, each vote for any candidate would enter into the final tally, thus permitting a relatively small minority vote, distributed among a number of States, to block the election of either of the major candidates. Even were the requirement of an absolute majority of the electoral vote to be relaxed—as some have proposed—there would remain a much increased incentive for the development of splinter groups or a third party. In theory, of course, there may be arguments in favor of a multiparty system. Once again, however, I would take experience as our guide, and the experience of countries with multi-party systems can hardly be reassuring. The two-party system works and works well, and I would view with the greatest concern any change in the method of electing the President that would tend to weaken or undermine that system." [42]

The popular will may not always prevail in Presidential elections under the proportional plan. There would not be an equalization in the value of popular votes in large and small states—i.e., one vote in a large state, where the number of electoral votes relative to population was low, would have less influence than a single vote in a small state where the number of electoral votes in relation to population was great. In the 1960 Presidential election, one electoral vote in New York represented 80,789 popular votes. One electoral vote in New York represented the voice of twice as many voters than in Louisiana.

"In at least two elections since 1860, proportionate distribution would have given the Presidency to a minority candidate who was defeated under the present system. In 1880, Winfield S. Hancock had over 7,000 fewer votes than James A. Garfield, but he would have won by a margin of 6 to 8 electoral votes if proportionate distribution had been in effect. In 1896, William Jennings Bryan won less than 47 percent of the popular vote to William McKinley's nearly 51 percent, but proportionate distribution would have given him an electoral vote margin of 6." [43]

The small states would retain their present two electoral vote advantage for their United States Senators under this plan. The large states, however, would be given an advantage when the election of the President devolved upon Congress. Presently each state has only one vote when the Presidential election devolves upon the House of Representatives, but under the proportional method the election would devolve upon both Houses and sitting jointly and voting as individuals they would elect the President. The abolition of the unit vote system would greatly reduce the importance of states as entities in Presidential elections. No longer would a state be "carried" by one political party or another; state political organizations would be unable to win power and prestige on the strength of having delivered the state—their candidate could claim credit only to the electoral votes he actually won from his proportion of the popular vote. Former Attorney General Katzenbach in his March 8, 1966, statement on "Electoral College Reform" said:

"It would greatly reduce the importance of the States in the election and work a significant shift in political power from the States with large urban populations, where the two-party system is strongly competitive, to the rural States and perhaps to those few States with historically a one-party political structure. The extra two electoral votes given to each State regardless of population already gives the smaller States power disproportionate to population, but it is now counterbalanced somewhat by the effect of the unit rule. Were the unit rule to be abolished while retaining the present distribution of the electoral votes, the imbalance would be greatly magnified. Moreover, the small rural States now enjoy an advantage disproportionate to population in representation in the legislative branch, and depriving the large urban States of the power they exercise in Presidential elections would leave them with too little influence in our political system. Considering the legislative and executive branches together, the present system has produced a delicate balance of power among the States. Whatever its defects in theory, it has proved satisfactory in practice, and it can be tampered with only at a grave risk of seriously upsetting the balance with results we cannot foresee."

The Supreme Court's decision of "one-man, one-vote" has supposedly eliminated the advantage that the small rural states once possessed in Congress and in state legislatures. To what extent this elimination has alleviated their influence is still unclear.

Not only do we have "a delicate balance of power among the states" but we also operate under a system which provides flexibility in choosing a President. The electors are not bound—except by their own conscience and party loyalty—to vote for any particular candidate—their electoral vote is unpledged. These electors would be unable to bargain and compromise in order to have the best candidate elected President.

"In 1912, Theodore Roosevelt's electors could declare before the election that if Roosevelt could not win they would vote for Taft against Wilson. If electoral votes were retained purely for counting purposes, it would not be possible to make such commitments." [44]

The desirability of this type of bargaining power by the Presidential electors has been called both a virtue and a vice. It could lead to complete distortion of the popular will and this would be more undesirable than the fact that the electoral vote of the states would be fixed and inflexible under the proportional system.

The proportional plan could lead to pressure for proportional representation in Congress. Our present system makes elected representatives responsible to geographical groups of people. If proportional distribution were adopted small minority parties that were not capable of winning Congressional seats might demand that the member of Congress be divided proportionally to the number of popular votes each party received. Even though it is unlikely that this would occur—it is not impossible for such demands to be made.

The forty percent provision in most proportional plans would allow the election of a plurality candidate to the Presidency. The present system, even with its inequities, requires that a candidate have a majority of the electoral votes to become President. The election of a plurality candidate means that the newly elected President not only received less than fifty percent of the popular vote but also—and I emphasize—less than fifty percent of the electoral vote. The proportional plan, even with its forty percent provision, could give us a "hung" election—one that remained in doubt for a number of days or even weeks because of a close popular and electoral vote. The computations of such an election would be complex and intricate and the votes may be challenged and recounted several times. The proportional plan would give each candidate a number of electoral votes equal to his proportion of the total popular vote. These calculations would normally be carried to three decimal places but in a tight election fractional numbers of less than one one-thousandth would have to be computed because they might change the results of the election.

The Constitution should not be amended unless it can be guaranteed that the general welfare of the people will prevail and be enhanced. Can the proportional system of electing the President and Vice President insure the American people that their best interests will endure?

College Reform", Public Affairs Department, Chamber of Commerce of the United States (Washington, September 1963), p. 19. "Referendum No. 98 On: Electoral College Reform", Chamber of Commerce of the United States of America (Washington, December 1965), p. 10. Nicholas deB. Katzenbach, "Statement on Electoral College Reform", Department of Justice (Washington, March 8, 1966), pp. 4–5.

[43] Nicholas deB. Katzenbach, "Statement on Electoral College Reform", Department of Justice (Washington, March 8, 1966), p. 4–5.

[43] Robert L. Tienken, "Proposals to Reform Our Present Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), p. 113.

[44] Ibid., p. 115.

RESULTS OF 1960 PRESIDENTIAL ELECTION [45]

States	Proportional election plan**			
	Kennedy	Nixon	Unpledged	Minor
Alabama	2.842	4.592	*3.411	0.153
Alaska	1.471	1.528		
Arizona	1.774	2.220		.004
Arkansas	4.014	3.444		.540
California	15.855	16.030		.114
Colorado	2.694	3.278		.207
Connecticut	4.298	3.701		.000
Delaware	1.519	1.469		.010
Florida	4.848	5.151		.000
Georgia	7.504	4.491		.003
Hawaii	1.500	1.499		
Idaho	1.848	2.151		.000
Illinois	13.495	13.444		.059
Indiana	5.797	7.154		.047
Iowa	4.322	5.670		.006
Kansas	3.128	4.835		.035
Kentucky	4.640	5.359		
Louisiana	5.042	2.859	2.098	
Maine	2.147	2.852		
Maryland	4.825	4.174		.000
Massachusetts	9.635	6.328		.035
Michigan	10.170	9.767		.062
Minnesota	5.564	5.407		.028
Mississippi	2.907	1.973	3.118	
Missouri	6.530	6.463		.005
Montana	1.949	2.050		
Nebraska	2.275	3.724		
Nevada	1.534	1.465		
New Hampshire	1.863	2.136		
New Jersey	7.993	7.865		.140
New Mexico	2.006	1.977		.017
New York	23.638	21.271		.089
North Carolina	7.294	6.705		
North Dakota	1.780	2.216		.002
Ohio	11.678	13.321		
Oklahoma	3.278	4.721		
Oregon	2.842	3.157		
Pennsylvania	16.338	15.595		.065
Rhode Island	2.545	1.454		
South Carolina	4.099	3.900		
South Dakota	1.683	2.326		
Tennessee	5.035	5.820		.143
Texas	12.125	11.645		.228
Utah	1.805	2.190		.003
Vermont	1.240	1.759		.000
Virginia	5.636	6.292		.071
Washington	4.344	4.561		.094
West Virginia	4.218	3.781		
Wisconsin	5.765	6.212		.021
Wyoming	1.349	1.650		.000
Total	265.623	266.075	3.608	1.692

* Alabama is figured 2 ways, 1st the generally accepted way which counts most of the Alabama Democratic votes twice; 2d, by arbitrarily dividing the highest Democratic elector vote, giving 5/11 to Kennedy and 6/11 to unpledged. The 2d method is applied in figuring the hypothetical 1960 result under the proposed proportional system.

** Calculated under terms of Kefauver plan (S.J. Res. 17). Fractions smaller than 0.001 disregarded.

AUTOMATIC VOTE SYSTEM

The automatic system would provide by constitutional amendment for the automatic operation of the present system. The Electoral College and the electoral vote would be retained but the person and office of the elector would be abolished. Each State would be entitled to a number of electoral votes that is equal to its total number of Senators and Representatives in Congress. The electoral vote of each state would be credited to the candidate receiving the greatest number of popular votes—but must be at least a plurality of the popular votes—of that state.

If no candidate receives a majority of the electoral vote then both Houses sitting jointly and voting as individuals would choose the President from the candidates, not exceeding three, with the highest number of electoral votes. Three-fourths of the total number of Senators and Representatives shall constitute a quorum and the person receiving the greatest number of votes shall be declared President. The Vice President of the United States shall be elected at the same time and in the same manner.

A proposal, almost identical in nature and content to the automatic system, is the "pledged elector" proposal. The Electoral College would be entirely preserved but each elector would be required to pledge his electoral vote to his party's choice of President and Vice President. Assuming that such a pledge was enforceable, the advantages and disadvantages of these two plans would basically be the same. Both of these plans, then, will be discussed jointly and the advantages and disadvantages of the automatic system will, for all reasonable purposes and intent, apply to the "pledged elector" plan.

Senate and House resolution (joint)

The following resolutions were introduced in the 90th Congress. The content of these resolutions has been transferred from legal terms to laymen's language. (Note: Each translation was taken directly from the Senate or House Joint Resolution introduced by that Senator or Representative.)

H.J. Res. 109—Introduced by Rep. Clement J. Zablocki (D.-Wis.)

The electoral college system is hereby abolished and the President and Vice President shall be elected by the people. Qualifications for electors shall be those requisite for the electors of the most numerous branch of the State legislature. Congress may determine the time of the election, which shall be uniform throughout the States.

The electors shall vote by distinct ballots for President and Vice President, one of whom shall not be an inhabitant of the same State. Distinct lists of the election returns shall be transmitted to the seat of the Government of the United States and shall be counted in the presence of both houses by the President of the Senate.

Each State shall have a number of electoral votes equal to its total number of Senators and Representatives in Congress. In each State, the person receiving the largest number of votes for President and the person receiving the largest number of votes for Vice President shall receive the whole number of electoral votes of that State for such office. The person receiving the greatest number of electoral votes for President and the person receiving the greatest number of electoral votes for Vice President shall be President and Vice President respectively of the United States.

H.J. Res. 469—Introduced by Rep. Emanuel Celler (D., N.Y.)

Each State can cast for President and Vice President a number of electoral votes equal to its number of Senators and Representatives in Congress. The voters in each State must have the qualifications requisite for persons voting for members of the most numerous branch of the State legislature. Congress shall determine a uniform time of such election.

Each voter shall cast by one ballot his vote for President and Vice President. The name of any person may be placed on the ballot for President or Vice President but only with his consent. The State's electoral vote shall be cast for the person who receives the greatest number of votes for President and its electoral votes for Vice President shall be cast for the person who receives the greatest number of votes, but is not an inhabitant of the same State as the person for President.

The election returns shall be transmitted to the seat of the Government of the United States and the President of the Senate in the presence of both houses shall count the votes. The person receiving the greatest number of votes for President shall be President and the person receiving the greatest number of votes for Vice President shall be Vice President, providing such number is a majority of the whole number of electoral votes. If no person has a majority then both houses voting as a single body shall choose from the persons not exceeding three, having the highest number of electoral votes for such office. The vote of each member shall be publicly announced and recorded. A quorum shall be three-fourths of the whole number of both houses and the person receiving the greatest number of votes shall be chosen President or Vice President.

If the presidential candidate entitled to receive a majority of the electoral votes for President has died, the Vice Presidential candidate who is entitled to receive the majority of electoral votes for Vice President shall become President-elect. Congress may provide for the death of either or both the Presidential and Vice Presidential candidate when the right of choice has devolved upon them.

S.J. Res. 86—Introduced by Sen. Ernest Gruening (D., Alaska)

Each State shall choose a number of electors equal to its total number of Senators and Representatives in Congress. Two electors are to be elected by the people at large and one elector from each congressional district. The elected elector will be pledged to his party's choice of the Presidential and Vice Presidential candidates that are paired together. In the event of the death of an elector, a substitute shall be appointed and shall honor the pledge of the original elector. Electors shall have the qualifications requisite for electors of the most numerous branch of the State legislature. In the event of the death of a candidate for President or Vice President, a committee of seven established at the convention for that purpose shall make the necessary substitution. The electors shall each vote by separate and signed ballots for President and Vice President who are paired together, one of whom shall not be an inhabitant of the same State.

The results shall be transmitted to the President of the Senate and in the presence of the members of both houses the votes shall be counted. The persons receiving the greatest number of votes for President and Vice President paired together shall be the President and Vice President. In the event of a tie, the President of the Senate in the presence of both houses shall select the President and Vice President by drawing between the pairs of persons tied for the highest number of votes for President and Vice President.

The people of the District of Columbia shall elect its electors in the manner directed by Congress and the electors shall perform the duties prescribed in this resolution.

Arguments in favor [46]

(1) The automatic system would insure that the electoral votes of each state went to the candidate who carried that state.

(2) The automatic vote plan would eliminate the "independent" elector.

(3) It would give constitutional backing to the system we presently use—the general ticket system.

(4) It would maintain and strengthen our two party system.

(5) The automatic method would provide that the election of the President, whenever necessary, would devolve upon Congress and not upon the House of Representatives.

(6) This plan would preserve the unit-rule system and change it from a matter of custom to constitutional statute.

[45] "1960 Presidential Election Results Computed Four Ways", Congressional Quarterly Fact Sheet (February 13, 1961), p. 9.

[46] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), pp. 132–133. "Electoral College Reform", Public Affairs Department, Chamber of Commerce of the United States (Washington, September 1963), pp. 20–21. "Referendum No. 98 On: Electoral College Reform", Chamber of Commerce of the United States of America (Washington, December 1965), p. 10. Nicholas deB. Katzenbach, "Statement of Electoral College Reform", Department of Justice (Washington, March 8, 1966), pp. 3, 7–15. "Reform the Electoral College System", Message from The President of The United States, 89th Congress, 1st Session, House Document No. 64, p. 4. "Reform of the Electoral College System", Message from the President of the United States, CONGRESSIONAL RECORD, vol. 112, pt. 1, pp. 702–703.

(7) The automatic plan is a minimal change, preserving the basic nature of our present system and the principle of federalism.

(8) The political balance between urban and rural influence would be preserved.

Comments on pros

"It would remedy that defect in the existing Constitution by abolishing the office of elector and requiring the electoral votes of each State to be cast automatically for the candidates receiving the greatest number of votes in that State. Thus it would do no more than write into the Constitution the system that now exists in practice but without constitutional protection. The electoral votes given to each State would be unchanged and, as now, they would be cast as a unit for the candidates winning a plurality of that State's popular vote. The only effect would be to eliminate the latent power of a State or of an individual elector to depart from the customary practice. The need for that change is, I think, almost universally conceded, and it is the very minimum that is required to protect Presidential elections from the grave risks to which they are now exposed." [47]

According to Mr. Katzenbach, this system would insure that the popular will of the people prevailed, at least to the extent that the candidate who carried each state in popular vote received that state's electoral vote. The "unpledged" elector would no longer be able to put his will before the will of the people.

The general ticket system would now have constitutional support. It would become an integral part of the Constitution and would not be dependent on custom and tradition for its authorization. There would be a very slim chance—if one exists at all—of electing a President and Vice President from different parties.

Both the Senate and the House of Representatives would be authorized to elect a President and/or Vice President if neither candidate received a number of electoral votes necessary to elect. Once in Congress, the large states would be able to voice their choice for President with emphasis in direct relation to their numbers. Each state would have as many votes as they have Senators and Representatives instead of the previous one vote per state.

"It would preserve the political 'balance' in the existing system between urban influence in the populous States and the 'three minimum electors' advantage and the low voter turnout of small and/or safe States." [48]

President Johnson in a message to Congress dated January 28, 1965, officially endorsed and urged the adoption of a constitutional amendment substituting the automatic vote system for our present Electoral College system. (This was taken from House Document No. 64, of the 89th Congress, 1st Session, page 4 of Message from The President of the United States.)

"ELECTION OF THE PRESIDENT AND VICE PRESIDENT

"III. REFORM OF THE ELECTORAL COLLEGE SYSTEM

"We believe that the people should elect their President and Vice President. One of the earliest amendments to our Constitution was submitted and ratified in response to the unhappy experience of an electoral college stalemate which jeopardized this principle. Today there lurks in the electoral college system the ever-present possibility that electors may substitute their own will for the will of the people. I believe that possibility should be foreclosed.

"Our present system of computing and awarding electoral votes by States is an essential counterpart of our Federal system and the provisions of our Constitution which recognize and maintain our Nation as a union of States. It supports the two-party system which has served our Nation well. I believe this system should be retained. But it is imperative that the electoral votes of a State be cast for those persons who receive the greatest number of votes for President and Vice President—and for no one else.

"At the same time, I believe we should eliminate the omission in our present system which leaves the continuity of the offices of President and Vice President unprotected if the persons receiving a majority of the electoral votes for either or both of these offices should die after the election in November and before the inauguration of the President.

"Electors are now legally free to choose the President without regard to the outcome of the election. I believe that if the President-elect dies under these circumstances, our laws should provide that the Vice-President-elect should become President when the new term begins. Conversely, if death should come to the Vice-President-elect during this interim, I believe that the President-elect should, upon taking office, be required to follow the procedures otherwise prescribed for filling the unexpired term of the Vice President. If both should die or become unable to serve in this interim, I believe the Congress should be made responsible for providing the method of selecting officials for both positions. I am transmitting herewith a draft amendment to the Constitution to resolve these problems.

"Favorable action by the Congress on the measures here recommended will, I believe, assure the orderly continuity in the Presidency that is imperative to the success and stability of our system. Action on these measures now will allay future anxiety among our own people—and among the peoples of the world—in the event senseless tragedy or unforeseeable disability should strike again at either or both of the principal offices of our constitutional system. If we act now, without undue delay, we shall have moved closer to achieving perfection of the great constitutional document on which the strength and success of our system have rested for nearly two centuries.

"LYNDON B. JOHNSON.

"THE WHITE HOUSE, *January 28, 1965.*"

The Congressional Record of January 20, 1966, on pages 656–657 contains another message to Congress by President Johnson reemphasizing his feelings and views relating to the automatic system:

"REFORM OF THE ELECTORAL COLLEGE SYSTEM

"In my special message to the Congress last January, I urged an amendment to the Constitution to reform the electoral college system. I renew this recommendation and strongly reaffirm the need to reform the electoral college system.

"There are several major defects in the existing system. They should be eliminated in order to assure that the people's will shall not be frustrated in the choice of their President and Vice President.

"First, there presently exists the possibility that the constitutional independence of unpledged electors will be exploited, and that their votes will be manipulated in a close presidential race to block the election of a major candidate in order to throw the election into the House of Representatives. This grave risk should be removed.

"Second, if the election is thrown into the House of Representatives, the existing system suffers from other fundamental defects. In such an election, the House of Representatives would be empowered to elect a President from the three highest candidates. However, each State casts only one vote, with the result that the least populous States have the same vote in the election of the President as the most populous States.

"As early as 1823, Madison reached the conclusion that—

" 'The present rule of voting for President by the House of Representatives is so great a departure from the republican principle of numerical equality, and even from the Federal rule, which qualifies the numerical by a State equality, and is so pregnant also, with a mischievous tendency in practice, that an amendment to the Constitution on this point is justly called for by all its considerate and best friends.'

"I firmly believe that we should put an end to this undemocratic procedure.

"Third, if the electoral vote is indecisive under the existing system, the President is elected by the House of Representatives, but the Vice President is elected by the Senate. This creates the possibility of the election of a President and a Vice President from different parties. That possibility should not exist. To prevent its realization, the President and the Vice President should both be elected by the same body.

"Fourth, the 23d amendment makes no provision for participation by the District of Columbia in an election of the President by the House of Representatives, or of the Vice President by the Senate.

"I firmly believe that we should extend to the District of Columbia all the rights of participation in the election of a President and Vice President which the 50 States may exercise.

"Fifth, existing law fails to provide for the death of the President-elect or Vice-President-elect between election day and the counting of the electoral votes in December. There is also no provision in the Constitution to cover the contingency presented by the death of a candidate for President or Vice President shortly before the popular election in November. These gaps should now be filled.

"Elimination of these defects in our Constitution are long overdue. Our concepts of self-government and sound government require it.

"Congress can now, in the words of Daniel Webster, 'perform something worthy to be remembered,' by uprooting the more objectionable features in the system of electing a President and Vice President, and thereby helping to preserve representative government and the two-party system."

The minimal change offered by the automatic vote system would be more acceptable because it does not abolish the essense of the system that has functioned—at least adequately—for almost two centuries. Nicholas deB. Katzenbach concludes that we should use these guidelines when pondering constitutional change.

"I should like to reemphasize the point that any change in so delicate a matter is likely to have influence, for good or ill, that cannot wholly be foreseen. That alone is enough to counsel against any such change until the demonstrated need for it has become overwhelming, which surely is not the case today. I would add one practical point: Whatever their theoretical merits, I think it clear that there is not now, nor is there likely to be, any consensus in favor of any one of the competing plans for fundamental changes." [49]

Arguments against [50]

(1) The automatic system does not achieve reform in depth.

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[47] Nicholas deB. Katzenbach, "Statement on Electoral College Reform", Department of Justice (Washington, March 8, 1966), p. 3.

[48] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), p. 133.

[49] Nicholas deB. Katzenbach, "Statement on Electoral College Reform", Department of Justice (Washington, March 8, 1966), p. 7.

[50] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), pp. 133–134.

(2) This method would preserve the unit-rule system with all of its inequities and dangers into the Constitution.

(3) The adoption of the automatic system would serve as an obstacle to any meaningful reform in the near and possibly distant future.

(4) The possibility of having a "minority" President would not be eliminated under the automatic system.

(5) The results of the Presidential election could still be affected by fraud and weather conditions.

(6) An automatic vote was not the intent of the "founding fathers"; they did not foresee that the state would automatically cast its electoral vote for the candidate that carried it.

(7) The automatic system would not eliminate the inequities that exist under our present system relating to voting qualifications and requirements established by state laws.

Comments on cons

The automatic vote system may be the best solution to the problem, even if it does not achieve reform in depth. It may be called a "compromise" solution because it alleviates some of the inequities of the present system while preserving its basic nature. It could be the answer for those who want a change but not one that is revolutionary. However, if this method were adopted it is very unlikely that we would see any other reforms initiated; the automatic vote plan may be an impediment to any future revisional legislation of the Electoral College. Some advocate that if we are going to clean house, we should sweep every room—not just a few of them. Others argue that only a minimal change will be acceptable; their attitude is that something is better than nothing.

The retention of the unit-rule system would foster the same dangers that are present in the Electoral College system. The popular vote of the American people would not be clearly—and more important—accurately—reflected in the election results. The possibility of having a "minority" President in the White House would not have diminished, and this inequity is one that all people want rectified.

Once again, weather conditions and fraudulent practices would drift into the election picture. It would be possible in some circumstances for either or both of these conditions to swing the election from one candidate to another. It is not impossible to eliminate every defect in each plan, but it is not only desirable but also advisable to eliminate those that radically distort the election results.

The disparity which exists in the voting qualifications and requirements in the several states would not be eliminated by the automatic vote system. But to abrogate such differences would constitute a violation of our federal principle. Each state has the authority to establish its voter qualifications as long as they are not contrary to the 14th and 19th Amendments. Should the Federal Government under any of these plans be permitted to deny this right to the states?

The "founding fathers" never anticipated that the individual judgment and choice of the electors would be superseded by an automatic vote. They created the Electoral College with its independent electors to have a President who is elected by men of good conscience and sound reputation and to avoid any corruption by and interference from outsiders.

"They have not made the appointment of the President to depend on any pre-existing bodies of men, who might be tampered with beforehand to prostitute their votes, but they have referred it in the first instance to an immediate act of the people of America, to be exerted in the choice of persons for the temporary and sole purpose of making the appointment." [51]

However, contrary to the functions and duties of the Presidential electors, it logically seems that the automatic vote system could achieve better than any other plan the original intent of our forefathers—that of preventing the manipulation of the electors.

RESULTS OF 1960 PRESIDENTIAL ELECTION*

States	Automatic vote system	
	Kennedy	Nixon
Alabama	11	
Alaska		3
Arizona		4
Arkansas	8	
California		32
Colorado		6
Connecticut	8	
Delaware	3	
Florida		10
Georgia	12	
Hawaii	3	
Idaho		4
Illinois	27	
Indiana		13
Iowa		10
Kansas		8
Kentucky		10
Louisiana	10	
Maine		5
Maryland	9	
Massachusetts	16	
Michigan	20	
Minnesota	11	
Mississippi	8	
Missouri	13	
Montana		4
Nebraska		6
Nevada	3	
New Hampshire		4
New Jersey	16	
New Mexico	4	
New York	45	
North Carolina	14	
North Dakota		4
Ohio		25
Oklahoma		8
Oregon		6
Pennsylvania	32	
Rhode Island	4	
South Carolina	8	
South Dakota		4
Tennessee		11
Texas	24	
Utah		4
Vermont		3
Virginia		12
Washington		9
West Virginia	8	
Wisconsin		12
Wyoming		3
Total	317	220

*The automatic vote system guarantees to a candidate all of the electoral votes of each State that he carries in the presidential election. Therefore, the unpledged electoral votes given on p. 14 are credited to the candidate that carried that State. (Note: The source of the results of the presidential election on p. 14; the only difference is that the unpledged electoral votes are now included under the columns headed Kennedy or Nixon.)

COMMENTS

The following individuals have stated their views in response to my letter concerning *"The Electoral College: Retention or Abolition."* I wish to use this medium to express my gratitude to them for their effort in composing their statement.

Senator MARK O. HATFIELD: "It seems to me that the electoral college has outlived its usefulness. Certainly the reasons which were used in support of its adoption in 1787 at the Constitutional Convention are no longer valid. If our colonial citizens were unfamiliar with their candidates, our electorate today is brought into a nearly face-to-face familiarity with its political aspirants through a sophisticated and vast communications system. The fear that larger states would dominate elections has been replaced by the fact of disproportionate representation resulting from the electoral college system itself.

"For these reasons, I am presently supporting Senate Joint Resolution 2, which will amend the Constitution to allow for the direct election of the President and the Vice President. As this legislation is designed, each voter in such an election would cast a single ballot for two persons who have previously joined their names on the ballot for these offices.

"The system of direct popular election of the President seems to me an equitable and reasonable modernization of our electoral system, an adaptation to our modern times complementing our previous reform in the election of members of the Senate."

Senator EVERETT M. DIRKSEN, minority leader: "On April 14, 1967, I introduced for appropriate reference a proposed Constitutional Amendment providing for the Direct Election of a president."

Senator KARL E. MUNDT: "In view of the fact that I am the author of the so-called district plan, I believe my views are well known."

Senator ERNEST GRUENING: "I believe the Electoral College is dangerously outmoded and precludes the guarantee of one man equaling one vote as it is now established. If we can work out the technicalities for a direct one man one vote procedure in our Presidential Elections with the support of the individual states, I hope we can make use of this more modern method by no later than 1972, and, hopefully, in 1968."

Senator MARGARET CHASE SMITH: "I introduced in the 87th Congress and then reintroduced in the 88th and 89th Congress legislation to abolish the Electoral College and replace it with direct primaries and elections for the nominations and elections of President and Vice President."

Representative JOHN W. MCCORMACK, Speaker of the House of Representatives: "In reply to your letter of recent date in relation to the Electoral College system, I will say that while I feel that a change in the Electoral College as established under the Constitution is necessary, that I have not formed a definite opinion as to what provisions of the Constitution I would substitute. My strong inclination would not be to favor a popular election throughout the entire country. So you can see from this that my inclination, without binding myself, would be something along the lines of the proportional plan—or the 'district plan'."

Representative CARL ALBERT, Majority Leader: "From the time of the Constitutional Convention, the method of electing our President has been the subject of much debate and discussion. Hardly a session of Congress has passed without the introduction of resolutions concerning this election. In fact, in the last three-quarters of a century, almost 300 amendments have been introduced. I would imagine that more amendments have been proposed concerning the Presidential election than concerning any other single provision of the Constitution.

"There is no question that there are problems and disadvantages in using the Electoral College system. But a time-proven system should not be lightly discarded, especially when there is no certainty as to what is a better method. I feel we would only increase the problem if we were to change our present system without first knowing with a great degree of certainty that the system we were changing to would be more advantageous in terms of nomination and election.

"I have studied this problem, but have not come to any conclusion as to which proposal, if any, would be better than the other. I want to re-emphasize that if there is to be a change, that change should be made only after due consideration of all the facts and alternatives available."

[51] Sherman F. Mittell, "Federalist Papers: No. 68", The Federalist, National Home Library Foundation (Washington, D.C.), p. 443. (Editor)

Representative OLIN E. TEAGUE: "The three step election system—popular vote in November, the electoral vote in December, Congressional Canvass in January—is a cumbersome and confusing procedure. In the history of our country, the present system has permitted the election of at least fourteen 'majority' Presidents, three of whom actually trailed their opponents in the popular vote.

"The present system of 'winner take all' gives the large states excessive leverage in our Presidential elections, and I do not believe that our Founding Fathers ever intended that the individual states would cast their electoral votes en bloc. Under the present system, it is possible for the 12 large states to carry Presidential elections over the remaining 38.

"An elector is not bound by anything except custom, personal honor and party affiliation to vote for the candidate to whom he pledged himself before the election. The system permits the appointment of unpledged electors and in close elections, a few electors, being unobligated, might simply choose to change their candidate, thereby altering the choice of President.

"The present method permits and invites undue influence by minority groups in all states, but especially in large pivotal states, thereby perpetuating the continuation and political solidification of economic, racial and religious groups. In addition, it places excessive pressure on the candidate for office to favor the minority groups whose help he hopes will bring about his election.

"The unit vote system has tended to limit the choice of Presidential candidates to men from the large states who have the likelihood of capturing the large bloc of electoral votes in those states. It also puts a premium on fraud because the juggling of a few votes can swing the electoral votes of the entire state. Furthermore, the current electoral system gives the legislatures the power to direct any method they wish of selecting Presidential electors, and the possibility of gross abuse of power by state legislatures is always present.

"Because of some of the reasons outlined above, I introduced in the 1st session of the 90th Congress, on January 10, 1967, H.J. Res. 101 which would abolish the present electoral college system and substitute therefor a nationwide popular vote method on a proportional basis. Each state's electoral vote would be equivalent to the number of Senators and Representatives from that State and each Presidential candidate would receive the same proportion of the electoral votes as his share of the state's popular vote, with fractional votes being carried out to three decimals. High man would win, provided that if no candidate received at least 40% of the electoral vote nationwide, the new Senators and Representatives, sitting jointly and voting as individuals, would pick the President from the two candidates having the largest electoral vote. A majority of the combined votes of the House and Senate would be needed to elect.

"Such a system would be the nearest possible approach to electing a President by direct popular vote of the people and at the same time retain and preserve the present relative strength of each state in the election of a President as well as equate the power and importance of individual votes in the large and small states. Individual electors and/or state legislatures would no longer have the power to frustrate the will of the people. The influence of organized minorities in pivotal states would be reduced because such influence would be measured by their numbers rather than by their bargaining power in swing marginal states. It would also broaden the base for the selection of a Presidential and Vice Presidential nominee."

Representative ALBERT H. QUIE: "As you probably realize, I have introduced H.J. Res. 388, to amend the Constitution as it provides for the election of the President and Vice President. My resolution basically endorses what has been referred to as the District Plan, and I personally believe that this would not only be the most equitable reform of the Electoral College, but also one in keeping, as closely as possible, with the original intent of the Framers of our Constitution.

"To me, the automatic electoral vote system would solve little, and I believe that the direct election of the President would be difficult to legislate in light of our traditional position of allowing each State to determine the qualifications of its voters. In other words, such a law as direct election of the President may well require a Federal standard for voter qualification, and I do not believe that the Congress is willing to take that constitutional prerogative completely away from the States.

"The most important aspect of any reform bill is that every vote should count. Under our present system, if a majority of a State's voters cast their ballots for the Republican candidate for President, every Democratic vote for that same office is meaningless, and vice versa. Under the District Plan, as with proportional electoral votes, every vote does count, and no longer would many of our citizens be subtly disenfranchised."

Representative CLEMENT J. ZABLOCKI: "I appreciate hearing from you in this regard and am happy to send along to you a copy of legislation which I have introduced which would change the electoral system in order to preclude any future presidential contest from being thrown into the House of Representatives."

Representative ELIGIO DE LA GARZA: "As you will see . . . I introduced legislation to amend the Constitution to abolish the present system of electing our President and Vice President, I favor legislation which would provide that the electoral vote in each state be apportioned among the presidential candidates in accordance with the number of popular votes they receive, so that each candidate who received a plurality of the popular vote will not receive the state's entire electoral vote as he would under the present system."

Representative A. SYDNEY HERLONG, Jr.: "This report concerns the inadequacy of our Electoral College System. As it now stands, the Electoral College is badly outdated. What was probably necessary in 1789 is now just a useless, cumbersome piece of machinery which generally does nothing, but potentially can cause much harm. The Electoral College provides only for an indirect method for the people to elect the two highest officials of the nation—the President and Vice President. Rather than voting directly, they actually cast their ballot for a slate of electors of whom they have no knowledge. The electors do the actual voting of electoral votes, but are not bound by any pledge to vote for the candidate they were supposedly committed to. In theory, they can easily throw an election—and in fact have. (In the Hayes-Tilden election of 1876 a Floridian delegate voted for Hayes although he was supposedly pledged to Tilden. This vote caused the election of Hayes.)

"Each state is given one electoral vote each Senator and Congressman. (Florida, with 12 Congressmen and 2 Senators has 14 electoral votes.) The present system, however, does not accord at all with the Supreme Court decision of 'one man, one vote.' Each state has at least three electoral votes, regardless of size and this causes much discrepancy in the value of the Electoral vote among the states. Alaska, having a total population of only 250,000 people, still has three electoral votes. It has been estimated that one electoral vote in Alaska is worth 75,389 votes, while one electoral vote in California is worth 392,930 votes. A single vote cast in a presidential election in Alaska is worth five times as much as a California vote. As an outgrowth of this disproportioned system arises the problem of 'key areas.' California has 40 electoral votes to Alaska's 3. It becomes far more advantageous for a candidate to carry California than to carry Alaska, and his campaigning is centered around this knowledge. Certain areas in the country become more 'important' in that they control a large number of electoral votes. Candidates work especially hard in large urban areas where population is dense. Since electoral votes depend on population, these areas are natural campaign targets. Rural places with sparse population and little electoral strength tend to be brushed aside in importance. This development also runs contrary to the Supreme Court mandate, as a New York City resident's vote becomes more strategic than that of a farmer in Kansas. One of the most striking disadvantages of the present electoral system is that it gives all of a states electoral votes to the candidate who wins by one vote more than his opponent, he is the recipient of all the votes. This practice, needless to say, disenfranchises all the voters who voted for the other candidates. The minority voice remains unheard. Because the winner receives all the electoral votes, his electoral vote margin of victory can grossly inflate out of proportion his popular vote margin. Also, under this system if no candidate receives a majority of electoral votes, the House of Representatives elects the President and the Senate elects the Vice President. Both of these offices could possibly be filled by members of opposing parties.

"In view of the fact that the present Electoral College is filled with flaws, several changes have been suggested. To become law, one will have to be incorporated into a constitutional amendment. The proposals are as follows:

"1. Elimination of electors (Automatic Plan).

"2. District Plan.

"3. Proportional Plan.

"4. Direct Election Plan.

"(1) The Automatic Plan as proposed provides for the elimination of electors, but retains the electoral votes tehmselves. The people vote directly and cast their votes by state units of electoral votes. The winner of a plurality of the popular vote receives all of the states' electoral votes. Although this plan abolishes the nameless electors, it does not alter the problems that electoral votes produce. 'Key states,' unequal value of electoral votes in different areas, disenfranchisement of the minority votes still remain. It does provide a change for the method of election if no candidate receives a majority of electoral votes. In that case, rather than have the House and Senate elect respectively a President and Vice President the Senate and House will meet in joint session and choose both President and Vice President with each Member voting individually, a plurality being sufficient to elect. I do not feel, however, that an adaption of the Automatic Plan would produce any worthwhile effects.

"(2) The District Plan retains both electors and electoral votes. Each voter votes for three electors. Two of the electors are chosen at large and represent the electoral votes granted because of its two Senators. Then the voter elects one local elector who represents the vote granted for its House member. The basic change which distinguishes the District Plan from the present procedure is that the local electors are elected by the voters of a single electoral district established by the state legislature. Separate and independent presidential electoral districts are employed rather than the already established congressional districts.

"This plan seems to me to have the potential of causing widespread confusion and problems concerning the size and shape of the districts. It is favored because it would

provide for a better acquaintance with the elector and would enable party strength to wield power on the local level. Also, several proposals have been raised to include the binding of electors by pledges. This system would enable the individual to have more power over the elector, but as it still gives all the electoral votes to the winner, does not solve any problems there. Also, battles over districting and gerrymandering would cause confusion and chaos as it does now in Congressional districts.

"(3) Proposal 3 is the Proportional System. This system abolishes electors but still keeps electoral votes. However, each state's electoral votes are divided among the candidates in proportion to their shares of the total popular vote within the State. This plan, also referred to as the Lodge-Gosset Plan, would carry the computation to the nearest one-thousandth of an electoral vote. 40% of the total number of electoral votes would be necessary for election. This system, seems to be quite favorable in that it eliminates the problem of the minority votes not being accounted for, but could get unwieldly when computing the number of electoral votes allotted to each candidate.

"(4) The 4th proposed system is that of direct national votes. In this case the electoral college system would be totally abolished. Neither electors or electoral votes would be retained. The winning candidate would be he who polled at least 40% of the popular vote. In the case of no candidate receiving this percent, a run off election between the two top candidates would be held.

"I strongly favor the direct election system. It provides for a simple, democratic method of electing the President and Vice President. The American people vote directly for these two officials as they now do for their Congressmen and Senators. Direct election seems to be the only practical method in a modern society. When the Constitutional Convention first convened and established the electoral system, the people were isolated and transportation and communication were poor. Candidates could not possibly reach all the voters and expose them to the issues. Today every voter is kept constantly aware of all the facts and can hear and see the candidates many times in person and always via T. V. or radio. There is no excuse for not being informed. The problems offered by electoral votes have already been stated. A direct popular election eliminates any of the chaos that could arise from unpledged electors changing their votes. It eliminates the problem of how to divide electoral votes, or if the unit rule is operating, of having a disenfranchised minority. Direct election clearly fulfills the one man, one vote Court decision. Each voter's vote is directly equal to that of the other voters. Furthermore, the 40% figure representing the percent of popular vote necessary for election is sound. Below 40% would increase the possibility of a minor party candidate becoming President. Also, if the percent were fixed lower, the winner would not really have a "mandate," and if the percent were higher, splinter parties would, by taking some of the vote, many times cause run off elections to be held.

"Direct popular election decreases the states' importance as a voting unit. The Nation as a whole becomes the electoral district. Supporters of state's rights balk at the prospect of states losing their influence over electors and electoral votes. But why should the states have the power to handle the election of President and Vice President? These two officials are responsible to the people and the people should be able to vote for them directly."

Representative JOHN JARMAN: "My own thinking is that the present Electoral College System is archaic and in need of change, and I have introduced H. J. Res. 461, proposing an amendment to the Constitution of the United States providing for the popular election of the President and Vice President."

Representative CHARLES S. GUBSER: "I believe the Electoral College, which was first conceived because of the difficulty in coordinating the vote of each state into a national total with the inadequate communication and transportation facilities which existed in our early history, has now outlived its usefulness.

"Furthermore, it is conceivable that a minority of voters can elect a President who has received less votes than his defeated opponent.

"Under these circumstances, I believe a straight popular vote for the office of President should be enacted and I have introduced legislation to accomplish this purpose."

Representative CHARLES E. BENNETT: "I have publicly stated my strong feeling for establishing the direct election of the President and Vice President of the United States."

Representative JAMES HARVEY: "I believe the enclosed copy of the House Joint Resolution which I introduced in April on this legislation clearly illustrates my position in calling for a direct election of the President and Vice President.

* * * * *

"In favoring abolition of the Electoral College and supporting direct election of the President and Vice President, I do so mainly because the reasons for which the Electoral College were originally created no longer exist."

Representative GLENN R. DAVIS (Wisconsin): "I am pleased to enclose a copy of H.J. Resolution 40 which represents my view, a view that I have held for many years and continue to hold, relating to the Electoral College.

"I consider this to be the most practical compromise solution between those who wish to keep the Electoral College as it is and those who wish direct national elections for the Presidency.

"I oppose the direct national election suggestion because I fear it would result in competition among the States for the lowering of voting qualifications and would require Federal supervision of elections.

"I believe the present Electoral College system which gives all of the electoral votes of the state to the candidate who gets the majority vote within that state should be changed because I believe this system causes concentration of campaigning and appeals of pressure groups within a few large pivotal states."

Mr. Kenneth E. Gray, legislative assistant to the Vice President: "The Vice President has made no public statement of this issue as Vice President. Elaboration of the program of the President is, of course, the responsibility of the President of the United States.

"As a Senator from Minnesota, the Vice President is on record as favoring direct election of the President and Vice President, and was willing to lend support to compromise proposals during Senate consideration of this matter in earlier years."

Professor Rene de Visme Williamson, Louisiana State University: "My general position is that we should not change the Electoral College. The reason is not that I feel it is a perfect institution but rather that I want to see the Constitution amended as little as possible. I think the Constitution is an admirable instrument of government and that we would not do nearly as well as our forefathers if we were to make one anew. Most of the amendments which have been proposed but not ratified over the years have, in my opinion, been bad or unnecessary. Every time we amend the Constitution, we make it easier to amend it the next time, so I would support an amendment only for the strongest reasons.

"If we had to change the Electoral College at all, I would favor the abolition of the electors and the retention of the electoral votes as they stand. This would eliminate possible shenanigans and deals whereby electors could (and in some instances have) broken faith by voting for some other candidate than the one to which they were pledged. It would also eliminate unpledged electors who are an anachronism. Thoroughly established practice has annulled the intent of the framers of the Constitution that the Electors should use their own judgment and decreed that the Electoral College should be nothing but a registering device for the will of the people. If we believe, as I do, that the people should choose their own Chief Executive, the abolition of the Electors would insure that our practice is also our law.

"I favor the retention of the Electoral College as a registering device for substantially the same reason that John C. Calhoun did, namely that there should be some geographic distribution of majorities. The present system gives greater weight to the West and South without, however, giving them the power to obstruct. I do not think it would be in the national interest to place control in the Northeast and East Central states as a straight popular majority would do. Furthermore, present electoral votes are based on population rather than on those who actually vote. I favor this also. Those who do not vote (e.g. minors) have as much of a stake in the Presidency as those who do. Finally, the present winner-take-all system has the salutary effect of discouraging third and fourth parties and encouraging minority groups to seek accommodation within one or the other of the two major parties."

Mr. Richard M. Nixon: "With regard to the Electoral College, I am on record as favoring a proposal whereby the Electoral College itself would be retained, but the electoral votes apportioned on the percentage of the vote a candidate received."

Mr. Barry Goldwater: "As you know, I was for many years a co-sponsor of the Mundt proposals to change the electoral system as I feel there is probably no other part of our Constitution so outdated and in need of change. I believe it has been since 1804 or thereabouts that it was last touched and in a democratic country, such as ours, it is wrong, in my opinion, to still be using such an old, outdated system.

"I believe the change suggested by the American Bar Association is a good one and I would certainly back it. However, I would also back the Mundt approach which I think gets at about the same results with a few more bits of action than would take place in the Dirksen proposal."

CONCLUDING REMARKS

The case—both pro and con—for each of the proposed election plans has been presented; the arguments in favor and the arguments against each proposal have been stated and analyzed. Now it is time for the lawmakers to reach a conclusion—a positive decision which will be followed by immediate action. The time is opportune, the public is ready, and Congress is—we hope—willing to end this era of confusion and uncertainty.

Each of the plans has been analyzed several times by people well versed in this subject. They have studied the chronological development and progression of the present system and of the proposed plans. Some have reached a conclusion—others still linger in the realm of uncertainty. The research and study that compose this paper were based on objectivity and impartiality and have led to a broader insight and deeper apprehension of this problem. The following proposal is one that I have developed as a method and a step toward improving the system of electing the President and Vice President of the United States.

RESOLUTION

Proposing an amendment to the Constitution of the United States providing for the election of President and Vice President.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds

of each House concurring therein), That an amendment is hereby proposed to the Constitution of the United States which shall be valid to all intents and purposes as part of the Constitution when ratified by three-fourths of the legislatures of the several States. Said amendment shall be as follows:

" 'ARTICLE —

" 'SECTION 1. The electoral college system of electing the President and Vice President of the United States is hereby abolished. The President and Vice President shall be elected by the people of the several States. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature, except that the legislature of any State may prescribe lesser qualifications with respect to residence therein. Congress shall determine the time of such election, which shall be the same throughout the United States. Until otherwise determined by the Congress, such election shall be held on the Tuesday next after the first Monday in November of the year preceding the year in which the regular term of the President is to begin. Each State shall be entitled to a number of electoral votes equal to the whole number of Senators and Representatives to which such State may be entitled in the Congress. The District of Columbia shall be entitled to a number of electoral votes equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State. The electors of the District shall have such qualifications as the Congress may prescribe.

" 'Within forty-five days after such election, or at such time as the Congress shall direct, the official custodian of the election returns of each State and of the District shall make distinct lists of all persons for whom votes were cast for President and the number of votes for each, and the total vote of the electors of the State for all persons for President, which lists he shall sign and certify and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate. On the 6th day of January following the election, unless the Congress by law appoints a different day not earlier than the 4th day of January and not later than the 10th day of January, the President of the Senate shall in the presence of the Senate and House of Representatives open all certificates and the votes shall then be counted. Each person for whom votes were cast for President in each State and in the District shall be credited with such proportion of the electoral votes thereof as he received of the total vote of the electors therein for President provided he received at least 10 per centum of the total vote cast in the Nation, if he did not receive the 10 per centum then these votes would be ignored in making computations. In making computations, fractional numbers less than one one-thousandth shall be disregarded. The person having the highest number of electoral votes for President shall be President, if such number be at least 40 percentum of the whole number of such electoral votes. If no person have at least 40 per centum of the whole number of electoral votes, or if two persons have an equal and the highest number of such votes, then from the persons having the two highest numbers of electoral votes for President the Senate and the House of Representatives sitting in joint session shall choose immediately, by ballot, the President. A quorum for such purpose shall be three-fourths of the whole number of the Senators and Representatives, and a majority of the whole number shall be necessary to a choice.

" 'The Vice President shall be likewise elected, at the same time and in the same manner and subject to the same provisions, as the President, but no person constitutionally ineligible for the office of President shall be eligible to that of Vice President of the United States.

" 'The Congress may by law provide for the case of the death of any of the persons from whom the Senate and the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate and the House of Representatives may choose a Vice President whenever the right of choice shall have devolved upon them.

" 'SEC. 2. Paragraphs 2 and 3 of section 1, article II, of the Constitution, the twelfth article of amendment to the Constitution, and section 4 of the twentieth article of amendment to the Constitution, are hereby repealed.

" 'SEC. 3. This article shall take effect on the 10th day of February following its ratification.

" 'SEC. 4. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within seven years from the date of its submission to the States by the Congress.' "

The proportional election plan is, to a certain extent, a "compromise" proposal. It retains the electoral vote and it clearly and accurately reflects the popular vote of the people. The preservation of the electoral vote retains the two vote advantage possessed by the small states which they would be unwilling to surrender. The popular vote is reflected as clearly as possible without succumbing to the weaknesses of direct election. The proportional plan would maintain the relative "balance of power" between the large populous states and the small, rural states.

The provision that requires a candidate to receive at least ten percent of the total popular vote of the Nation before he receives credit for any electoral votes from the states would discourage the growth of minority parties. If a third party candidate did enter the Presidential race then his campaign would have to be on a Nationwide basis rather than on a sectional basis. This candidate would have to appeal to the Nation as a whole and not to only a handful of states in one region.

Disregarding the third party candidate's popular vote if he did not meet the ten percent requirement would not be unfair or distort the reflection of the popular vote. The present system does not give any credit to a candidate if he fails to carry the state even if he receives 49 percent of that state's popular vote.

The dust and cobwebs are cluttering the house of our election process and the proportional plan is the best vacuum cleaner that has been developed. Let's vacuum every room until the entire house is clean and appealing to the American people. Without further delay we must initiate positive action before the Electoral College collapses on our Nation. Today—not tomorrow—is the time to act.

BIBLIOGRAPHY

Books

Aly, Bower, ed. Selecting the President: the twenty-seventh annual debate handbook. Columbia, Missouri, Artcraft Press, 1953. 2 vol.

Daugherty, John Hampden. The electoral system of the United States: its history, together with a study of the perils that have attended its operations, and analysis of the several efforts made by legislation to avert these perils, and a proposed remedy by amendment of the Constitution. New York, Putnam's, 1906. iv. 425 p.

Goldmand, Ralph M. Proposal for changing electoral college system of electing the President of the United States. Washington, Brookings Institution, 1956. 91 p.

MacBridge, Roger Lea. The American electoral college. Caldwell, Idaho, Caxton Printers, 1953. 89 p.

McKnight, David A. The electoral system of the United States: a critical and historical exposition of its fundamental principles . . . Philadephia, Lippincott, 1878. 433 p.

Mittell, Sherman F., ed. The Federalist. Washington, D.C., National Home Library Foundation.

Pamphlets

Eisenstein, Virginia and James. The Electoral College: How Does it Work? Should the System be Changed? Grass Roots Guides On Democracy and Practical Politics. 14 p.

Katzenbach, Nicholas deB., Statement on Electoral College Reform. Washington, D.C., Department of Justice, March 8, 1966. 15 p.

Tienken, Robert L. "Proposals to reform our electoral system". Washington, D.C., The Library of Congress Legislative Reference Service, April 1966. 149 p.

Message from the President Of The United States. 89th Congress 1st Session, House Document No. 64, February 1, 1965. 6 p.

Scott, Donald H., "Statement on Electoral College Reform before the Subcommittee On Constitutional Amendments Senate Judiciary Committee for the Chamber of Commerce of the United States." May 17, 1967.

Scott, Donald H., Bottler, Edgar O., Wilmerding, Lucius, Jr. "Testimony On Electoral College Reform before the Subcommittee on Constitutional Amendments Senate Committee of the Judiciary for the Chamber of Commerce of the United States". Mar. 9 1966.

Referendum No. 98 On: Electoral College Reform, Washington, D.C., Chamber of Commerce of the United States of America, December 1965. 10 p.

Electoral College Reform. Washington, D.C., Public Affairs Department, Chamber of Commerce of the United States, September, 1963. 24 p.

Electing the President: A Report of the Commission on Electoral College Reform. Chicago, Illinois, American Bar Association, January 1967. 51 p.

The United States Constitution (Presented by the Hon. Emanuel Celler on August 18, 1966). 89th Congress, 2nd Session, House Document No. 470. Washington, U.S. Government Printing Office, 1966. 72 p.

Electing the President: Should the Electoral College System Be Changed? Washington, Connecticut, Vital Issues, vol XVI, No. 8, 1967. 4 p.

Proposed Constitutional Amendment Abolishing Electoral College and Making Other Changes in Election of President and Vice President. New York, The Association of the Bar of the City of New York, Vol. 4, No. 3, July, 1965. pp. 121–133.

Reform the Electoral College. Virginia Commission on Constitutional Government, 98 p.

Statistics of the Presidential Congressional Election of November 8, 1960. Washington, United States Government Printing Office, 1961. 54 p.

Periodicals

Bickel, Alexander M. "The Case for the Electoral College." The New Republic, January 28, 1967. pp. 15–16.

Burns, James MacGregor. "A new course for the electoral college." New York Times Magazine, December 18, 1960. pp. 10, 22, 25–8.

Dewey, Donald O. "Madison's views on electoral reform." Western Political Quarterly. v. 15, (March 1962) 140–145.

Graham, Fred P. "Suits to Attack Electoral Vote System." The New York Times, June 29, 1965.

Johnson, Gerald W. "Leave the College Alone." The New Republic, January 9, 1961, p. 22.

Kefauver, Estes. "The electoral college: old reforms take on a new look." Law and Contemporary Problems, v. 27, (Spring 1962) 188–212.

Kilpatrick, James J. "Alternatives to the Electoral College." The Wall Street Journal, June 5, 1967.

Kilpatrick, Carroll. "Electoral Reform Plan Cuts Small State Vote." The Washington Post, January 30, 1965.

Lawrence, David. "Time to Change the

Presidential System." U.S. News & World Report, March 13, 1967.

Lewis, Anthony. "The Case against electoral reform." Reporter, v. 23, (December 8, 1960) 31–33.

Meyer, Donald H. "The Demise of the Independent Elector." American Bar Association Journal, June 1964, pp. 561–564.

Morley, Felix, "Time for Election Reform is Now." Nation's Business, December 1964, p. 25–26.

Morley, Felix. "Democracy and the Electoral College." Modern Age, Fall 1961.

O'Leary, J. A. "1960 Bolt of Oklahoma Elector Spurs Move for Election Reform." Washington Star, July 14, 1961.

Pierce, Neal R. "The Case Against the Electoral College." The New Republic, February 11, 1967. pp. 12–13.

Pusey, Merlo J. "Old and Dangerous, Our Presidential Electors." The Washington Post, May 28, 1967.

Strout, Richard L. "So You Think You Vote for a President." The Christian Science Monitor, January 19, 1967.

Strout, Richard L. "Next Year, a Funny Thing Could Happen on the Way to the White House." New York Times Magazine, July 23, 1967.

Welty, Richard C. "Who Really Elects Our Presidents?" Midwest Quarterly, v. 2, (Autumn 1960) 21–34.

"President Expected To Push for Electoral Changes." Congressional Quarterly, December 24, 1965. p. 2488.

"Strong Sentiments Voiced for Electoral College Reform." Congressional Quarterly, August 11, 1961. pp. 3–8.

"Proposals to Revise the Procedure for the Election of President and Vice President." Legislative Analysis, 87th Congress, 1st Session, Report No. 9, June 26, 1961.

"Electoral College Must Go." The Washington Post, December 26, 1965.

"Presidency Vote Attacked in Poll." The New York Times. January 1, 1966.

"'It's an Anachronism'—Senate Starts Another Battle to Abolish Electoral College." The Washington Daily News, January 19, 1966. p. 27.

"Reform the Electoral College." The New York Times, January 23, 1966.

"The Case for Direct Election." The Christian Science Monitor, January 24, 1967.

"Unpledged Votes Called Illegal." The New York Times, June 14, 1964.

"Electoral College Abolishment." Congressional Quarterly Weekly Report, May 20, 1966, pp. 1042–1043.

"The Direct Vote and the Electoral College." Saturday Review, Vol. 50, No. 7, (February 18, 1967) p. 24.

"State Legislators Favor Direct Vote for President." Congressional Quarterly, December, 1966. pp. 3030–3031.

"Federal Bar Joins Electoral College Foes." Washington Post, August 1, 1967.

"Moves to revise the electoral system." Congressional Digest, v. 35, (April 1956) 99–128.

"New interest shown in reform of electoral system." Congressional Quarterly Weekly Report, v. 19 (February 17, 1961) 279–288.

"'One man, one vote' theory threatens Electoral College." Congressional Quarterly, v. 21, (March 29, 1963) 442–443.

"The question of changing the electoral system." Congressional Digest (Washington), v. 32, (August–September 1953).

"State power to bind presidential electors." Columbia Law Review, v. 65, (April 1965) 696–709.

"Electoral College Reform." Here's the Issue. vol. 2, No. 24, November 25, 1963.

"Should the Electoral College Be Abolished." The American Legion Magazine, November, 1962. pp. 4–5.

"A State and District Analysis of the 1960 Vote For President, Governor, Senator, and Representatives" Congressional Quarterly Special Report: Complete Returns of the 1960 Election by Congressional Districts. Part II of CQ Weekly, Report No. 10, March 10, 1961.

"1960 Presidential Election Results Computed Four Ways." Congressional Quarterly Fact Sheet, February 13, 1961.

Congressional Record: 89th Congress

Bandstra, Bert A. "Statement on Electoral College". March 7, 1966. pp. A1250–1252.

Burdick, Quentin N. "Direct Popular Vote of the President & Vice President of the United States". March 15, 1966. pp. 5677–5678.

De la Garza, Eligio. "Legislation to Abolish Electoral College System". Feb. 22, 1967. pp. A813–814.

Ervin, Sam J., Jr. "Electoral College Reform". February 24, 1966. pp. 3764–3765.

Mundt, Karl E. "Electoral College-Reform or Retreat?". February 28, 1966. pp. S4082–4085.

Smith, Margaret Chase. "Statement in Support of Senate Joint Resolution 4, Relating to Proposed Amendment of Constitution Providing for Nomination Of Candidates for President & Vice President". March 1, 1966. pp. 4164–4168.

Younger, J. Arthur. "Should We Change Our Electoral College?" July 26, 1966. pp. 16339–16341.

"Reform of the Electoral College System". Message from the President of the United States. Congressional Record, January 20, 1966.

Daily Congressional Record: 90th Congress

Bayh, Birch. "Electoral Reform". May 15, 1967. pp. S6834–6836.

Bayh, Birch. "Direct Election of the President". May 9, 1967. pp. S6586–6588.

Bennett, Charles E. "Constitutional Amendment to Provide Direct Election of President & Vice President". March 20, 1967. pp. H2967–2968.

Gruening, Ernest. "A Constitutional Amendment for the Election of the President that would Safeguard the Position of the States with Small Population is Preferable to the Proposed Election by Popular Vote". May 19, 1967. p. S7151.

Hruska, Roman L. "Need for Study of Proposals for Electoral College Reform". March 13, 1967. pp. S3594–3596.

Mathias, Charles, Jr. "Electoral College Reform". February 1, 1967. p. H881.

Mundt, Karl E. "Electoral College Reform". January 16, 1967. p. S264.

Smathers, George A. "Proposed Amendment of Constitution Relating to Election of President & Vice President". January 11, 1967. pp. S92–93.

Tydings, Joseph D. "Sen Bayh Writes on the Electoral College". May 9, 1967. pp. S6525–6527.

Senate joint resolutions of the 90th Congress

S.J. Res. 2 Introduced by Senator Birch Bayh (D.-Ind.).

S.J. Res. 3 Introduced by Senator George A. Smathers (D.-Fla.).

S.J. Res. 6 Introduced by Senator Margaret Chase Smith (R.-Maine).

S.J. Res. 12 Introduced by Senator Karl E. Mundt (R.-S. Dak.).

S.J. Res. 15 Introduced by Senator Quentin N. Burdick (D.-N. Dak.).

S.J. Res. 86 Introduced by Senator Ernest Gruening (D.-Alaska).

House joint resolutions of the 90th Congress

H.J. Res. 7 Introduced by Representative Thomas G. Abernethy (D.-Miss.).

H.J. Res. 8 Introduced by Representative Thomas G. Abernethy (D.-Miss.).

H.J. Res. 9 Introduced by Representative Thomas G. Abernethy (D.-Miss.).

H.J. Res. 16 Introduced by Representative Charles E. Bennett (D.-Fla.).

H.J. Res. 40 Introduced by Representative Glenn R. Davis (R.-Wis.).

H.J. Res. 101 Introduced by Representative Olin E. Teague (D.-Tex.).

H.J. Res. 109 Introduced by Representative Clement J. Zablocki (D.-Wis.).

H.J. Res. 143 Introduced by Representative Jamie L. Whitten (D.-Miss.).

H.J. Res. 157 Introduced by Representative John Dowdy (D.-Tex.).

H.J. Res. 255 Introduced by Representative A. S. Herlong, Jr. (D.-Fla.).

H.J. Res. 347 Introduced by Representative Eligio de la Garza (D.-Tex.).

H.J. Res. 388 Introduced by Representative Albert H. Quie (R.-Minn.).

H.J. Res. 390 Introduced by Representative O. C. Fisher (D.-Tex.).

H.J. Res. 447 Introduced by Representative Charles E. Bennett (D.-Fla.).

H.J. Res. 461 Introduced by Representative John Jarman (D.-Okla.).

H.J. Res. 463 Introduced by Representative J. Edward Roush (D.-Ind.).

H.J. Res. 469 Introduced by Representative Emanuel Celler (D.-N.Y.).

H.J. Res. 470 Introduced by Representative Emanuel Celler (D.-N.Y.).

H.J. Res. 490 Introduced by Representative James Harvey (R.-Mich.).

H.J. Res. 545 Introduced by Representative Charles S. Gubser (R.-Calif.).

THE PRESIDENT IS STRANGLING THE SMALL WATERSHED PROGRAM

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. SCHERLE. Mr. Speaker, President Johnson has a stranglehold on the small watershed program established by Public Law 566. By virtue of a weird and belated interpretation of the Constitution, President Johnson is preventing the funding of 39 small watershed projects approved by the 90th Congress. Numerous others are being delayed in the process of final approval prior to transmittal to Congress.

Public Law 566, enacted in 1954, contains a provision for prior approval of watershed project plans by congressional committees. Basically, if a project has no single structure having a capacity of more than 4,000 acre-feet, it must be approved by the Agriculture Committees of the respective Houses. If there is a structure with a capacity in excess of 4,000 acre-feet, approval must come from the Public Works Committees.

The relevant provision of the Watershed Protection and Flood Prevention Act reads as follows:

> No appropriation shall be made for any plan involving an estimated Federal contribution to construction costs in excess of $250,000, or which includes any structure which provides more than twenty-five hundred acre-feet of total capacity unless such plan has been approved by resolutions adopted by the appropriate committees of the Senate and House of Representatives.

Once committee approval has been given, the Soil Conservation Service, using previously appropriated funds, allocates construction moneys to the approved projects.

This system has been in operation since 1954. However, 12 years later in 1966, President Johnson decided that the congressional approval provision was an insult to his authority. His objection is phrased in terms of a violation of the constitutional doctrine of "separation of

powers." In other words, he feels this procedure "dilutes and diminishes the authority and powers of the Presidency."

A careful and thorough analysis of this objection establishes the fact that the "no appropriation" provision is simply a rule of each House of Congress, written into law. It is directed at a working relationship between the Appropriations Committees and the substantive committees concerned with the watershed program, rather than at the President's authority.

In the second Session of the 89th Congress, and again last year, President Johnson asked Congress to give up the authority to "approve" work plans, in exchange for the authority to "review" them. Quite understandably, the administration has had great difficulty in finding congressional support for this proposal. In fact, it has not been able to find a sponsor.

President Johnson has indicated that it is his intention to prevent funding of approved projects until he has his way.

Mr. Speaker, we are not dealing here with an abstraction. For your benefit, I am setting forth a list of the small watershed projects approved by both Houses of the 90th Congress, but which are not receiving one nickel—although the law provides explicitly for their funding.

I invite you to review this list. If none of these projects are in your congressional districts, or States, who knows—you may be next.

The list follows:

PUBLIC LAW 566 WATERSHED PROJECTS—OPERATIONS APPROVAL PENDING

State and congressional district	County(s)	Watershed	Public Law 566 cost	Other cost	Total cost
Alabama:					
4th	Cleburne	Cahulga Creek	$253,400	$265,700	$519,100
3d	Bullock, Macon	Old Town Creek	3,848,500	2,891,900	6,740,400
Arkansas: 1st	Lawrence, Randolph	Big Running Water Ditch	1,215,600	990,700	2,206,300
California:					
38th	Riverside	Main Street Canyon	1,289,200	680,100	1,969,300
15th and 16th	Merced, Stanislaus	Mustang Creek	372,100	1,508,200	1,880,300
Florida: 1st	Santa Rosa	Pond Creek	492,200	1,436,900	1,929,100
Georgia:					
6th	Coweta, Meriwether, Troup	Yellowjacket Creek	995,000	521,700	1,516,700
9th	Lumpkin, White	Tesnatee Creek	1,116,200	534,900	1,651,100
Indiana: 6th and 7th	Boone, Hendricks, Montgomery, Park, Putnam	Big Raccoon Creek	1,835,600	2,765,700	4,601,300
Iowa: 7th	Pottawattamie	North Pigeon	543,400	174,700	718,100
Kansas: 2d	Jackson, Pottawatomie, Shawnee	Cross Creek	1,739,100	512,800	2,251,900
Kentucky: 1st	Carlisle, Graves	West Fork Mayfield Creek	2,066,500	1,321,500	3,388,000
Louisiana:					
7th	Cameron	Cameron-Creole	1,580,000	601,700	2,181,700
5th	Madison	Central Madison	648,700	1,590,200	2,238,900
7th	Jefferson Davis, Calcasieu	West Fork Bayou Lacassine	838,300	1,165,500	2,003,800
3d and 7th	St. Landry, St. Martin, Iberis	Upper Bayou Teche	1,725,500	2,838,800	4,564,300
Mississippi:					
4th and 5th	Jasper, Jones, Smith	Big Creek	2,103,300	1,518,600	3,621,900
4th	Rankin	Eutacutaches Creek	564,000	245,100	809,100
4th	Yazoo	Five Creeks	2,067,700	1,384,100	3,451,800
4th	Rankin	Richland Creek	2,531,100	1,114,400	3,645,500
2d	Coahoma, Tallahatchie, Quitman	Tri-County Hopson Bayou	594,800	584,500	1,179,300
Missouri: 4th	Lafayette	Little Sni-A-Bar	803,900	517,600	1,321,500
Nebraska:					
1st	Gage, Lancaster	Clatonia Creek	450,000	246,000	696,000
2d	Douglas, Sarpy, Washington	Papillion Creek	1,515,400	2,344,100	3,859,500
Oklahoma 2d, and Kansas 5th	Washington, Osage, Nowata, Okla., and Chautauqua, Kans.	Cotton-Coon-Mission Creek	2,185,800	2,280,300	4,466,100
Oklahoma:					
3d	Pushmatoha, Choctaw	Dumpling-Beaver Creeks	1,000,500	1,474,700	2,475,200
1st and 4th	Pawnee, Payne, Noble	Lower Black Bear Creek	2,668,300	1,299,400	3,967,700
2d	Sequoyah	Garrison Creek	696,200	337,300	1,033,500
Oregon: 2d	Union	Wolf Creek	2,401,600	1,928,000	4,329,600
South Dakota: 2d	Charles Mix	Spring-Bull Creek	634,900	395,500	1,030,400
Texas:					
17th and 21st	Mills, Hamilton, Lampasas	Bennett Creek	679,300	238,600	917,900
13th	Montague	Farmers Creek	1,386,800	577,300	1,964,100
4th	Van Zandt	Mill Creek	2,004,500	1,715,500	3,720,000
17th	Hamilton	Pecan Creek	447,500	190,400	637,900
15th	Cameron	Rancho Viejo	3,231,500	8,398,800	11,630,300
Virginia:					
7th	Culpeper	Mountain Run (supp.)	466,500	554,000	1,020,500
9th	Tazewell	Upper Clinch Valley	1,226,000	632,700	1,858,700
West Virginia: 3d	Kanawha	Elk Twomile Creek	1,164,200	968,900	2,133,100
Wisconsin:					
3d	Monroe	Tri-Creek	812,200	334,200	1,146,400
3d	Vernon, Crawford	Blackhawk-Kickapoo	1,136,200	402,800	1,539,000

TAX INCREASE SEEN AS A MUST

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. ULLMAN. Mr. Speaker, this week we will be considering one of the most important pieces of legislation presented in the 90th Congress. I am referring to the tax increase-expenditure reduction bill (H.R. 5414), which was recently approved by the full Ways and Means Committee, and by the joint House-Senate conferees.

I would like to share with my colleagues a column by Mr. Harold B. Dorsey which deals with this bill. I am sure his views on the possible effects of congressional approval or rejection of this legislation will be of great interest to everyone.

TAX INCREASE SEEN AS MUST

(By Harold B. Dorsey)

NEW YORK.—The uncertain outcome of the House of Representatives' action on the pending tax legislation Thursday presents a cliff-hanging problem for investment advisers and business forecasters.

If the bill is not passed:

Interest rates—some of which are already close to the highest in a hundred years—will go higher.

Deposits will probably flow out of thrift accounts into more attractive debt instruments.

Mortgage money will become less available and more expensive, which will have a negative impact on residential construction activity.

Small business people, in particular, will find it more difficult to borrow money and even the large corporations will have to pay higher interest rates for their borrowing.

The pace of inflation is likely to accelerate for a few months. The impact of higher prices on people in the lower income brackets will be particularly severe.

After a few months the adverse effects of tighter credit and higher prices will slow down consumption and production activity with a loss of jobs and purchasing power creation.

The exchange rate of the dollar and the pound sterling will weaken in the foreign exchange markets immediately and the price of gold in the free market should rise significantly.

The word "crisis" is likely to appear as a matter of course in the utterances of bankers, government officials and financial observers, because the avoidance of monetary disorders now hinges on the passage of the tax bill.

All of the foregoing consequences could have chain reactions that could easily lead to a serious business setback—both here and abroad.

If the tax bill is passed:

The fears of a financial crisis and international monetary disorder should subside at least temporarily.

The 10 per cent annual rate of Gross National Product being registered in the first half of this year will probably slacken to about 5 per cent annual rate in the second

half and even a little lower in the first part of next year.

The economy will initiate a course that might be categorized as "disinflation," i.e., a gradual slackening in the recent 4 per cent a year rate of inflation and an initial step toward the restoration of a sound economy.

Broadly speaking, failure to pass the pending tax legislation probably means a few months more of the inflationary boom and then a rather severe recession, with the immediate possibility of acute trouble in domestic and foreign financial markets.

If the legislation is passed there is a much better prospect of a more moderate adjustment in the economy from its present overheated and inflationary state. The amplitude of the adjustment which is now needed might not have become necessary at all if a more sensible fiscal policy had been adopted a year or so ago. There is a direct relation between the severity of the inevitable adjustment and the extent of the delay in the tax legislation.

BEST WISHES TO LEE MORSE

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. MINISH. Mr. Speaker, Mr. Lee Morse, counsel of the Banking and Currency Committee, is a shining example of the talented young men who in recent years have entered the Federal service from an acute sense of public responsibility. Often at great personal sacrifice, these men have devoted themselves to the public interest and have made a valuable contribution to the general welfare. After more than 4 years as committee counsel and 8 years in total Federal service, Lee is leaving us to engage in the private practice of law in Washington.

I have closely observed Lee Morse since February 1964 when he was appointed committee counsel, and I have formed the highest regard for his ability, integrity, and zeal. He combines enormous technical knowledge with a most attractive personality, and he has discharged the most exacting assignments in a manner that has merited the respect and esteem of the members of the committee. Mr. Morse was responsible for the preparation on the analysis, on "Acquisitions, Changes in Control, and Bank Stock Loans of Insured Banks," published by the Subcommittee on Domestic Finance, on which I am privileged to serve, in 1967. I particularly remember his tremendous help to me as staff aid to the Special Subcommittee on Currency Destruction which I chaired several years ago. I have found him most competent and knowledgeable in complex problems involving Federal supervision of financial institutions, bank and savings and loan holding companies, credit cards, credit data, small business financing, and so forth.

I know that all my colleagues on the committee, as well as his numerous other friends on Capitol Hill, will miss Lee and will join with me in wishing him every success in his new undertaking. Lee takes with him the appreciation of the Members whom he has served so well and faithfully and the satisfaction of having rendered valuable assistance in achieving the notable legislative history compiled by the Banking and Currency Committee under our distinguished chairman, the Honorable WRIGHT PATMAN.

MARVIN SMITH APPOINTED JUDGE

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. MORTON. Mr. Speaker, an outstanding American and a devoted Marylander was recently appointed a judge on the five-member Maryland Court of Appeals. Marvin H. Smith's record of service to his community, to the great Eastern Shore, and, above all, to his fellow man, is unsurpassable. In recognition of his appointment, I wish to insert in the CONGRESSIONAL RECORD the following editorial from the News & Farmer of May 15, 1968:

JUDGE MARVIN H. SMITH

The appointment of Marvin H. Smith of Caroline County as a Judge on the Court of Appeals in Annapolis, the highest Court in Maryland, comes as no surprise to his close friends. The announcement was made by Governor Spiro T. Agnew from the State Capitol Monday evening.

While a life long and loyal Republican the Governor surely has recognized Mr. Smith's leadership in the party. But it must be said that Marvin Smith's knowledge of law and his recognition by members of the bar all over Maryland as a man of letters, a good lawyer, well versed in the law, and his tremendous community spirit, must have been guiding factors in naming this good man to so important a post in Maryland jurisprudence.

As a boy in Federalsburg Marvin Smith was loyal, vocal and above all honorable. As a soldier in the service of his country he was loyal, efficient, animated and honorable. He has been able to speak out, and honorably speak above the din.

As a lawyer he has been loyal to his profession and to his clients, worrysome to opposing lawyers, scrupulously polite and in perfect order to and with the Courts, wherever he appeared. Never once was he rebuffed by any Court. In his court room presence he has emulated the world's great legal minds that preceded him.

Marvin Smith has played the game of life fairly, and now he has won a prize envied by most of the members of his profession. He is a family man with a splendid family, a church man with a long record of service. Recently he received the third highest honor the Boy Scouts of America can give a man for service to boys, the Beaver Scout Award.

Marvin Smith has always been loyal to the causes which became his badges of honor. Now the greatest of all challenges has come to him, to be a peer to judge the actions of his fellowmen. A man who has lived so closely with loyalty, with the issues of the day, honorably with his fellow citizens, he is ably fitted for the great and important work that lies ahead.

Whatever judgments he is called upon to make, the people, all the people, can be assured now that they will have been made without fear or favor by a man of great character, Maryland's Judge Marvin Hugh Smith.

Thank you, Governor Agnew, for the wisdom you have again displayed.

OHIO VILLAGE REFUSES OEO FUNDS

HON. CLARENCE J. BROWN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. BROWN of Ohio. Mr. Speaker, at a time when the fiscal situation of the U.S. Government is in such a desperate state, I am encouraged at the unselfish action taken by the Milford Center, Ohio, village council recently—in my congressional district—in refusing further funds from the Office of Economic Opportunity because they feel they have no need for them.

With the thought that this action by one small Ohio community should receive the publicity it deserves, I am inserting herewith a copy of a letter I have received from the Honorable Ross Ingram, mayor of Milford Center, and a newspaper clipping giving an account of the action of the Milford Center Council containing a statement made by Councilman Lloyd E. Nicol. I feel the points made by both Mayor Ingram and Councilman Nicol are very well taken.

Certainly, where local elected officials feel no need exists for the expenditure of Federal funds, a Federal program to spend such funds should not be forced on the community. Such expenditures could only be considered an unnecessary waste at a time when the administration and Congress are seeking areas where Federal spending can be reduced. This is especially true when Congress is being asked by the President to raise taxes.

If our Nation is to reduce its Federal spending by $6 billion, there will have to be many Milford Centers in the United States where local leaders have the courage to say, "We can get along without money from Uncle Sam." If the belt of Federal spending is going to be tightened in Washington, it will certainly have to be tightened at home. And the forthright appraisal of Milford Center will have to be made by many communities throughout the Nation.

The letter and clipping follow:

MILFORD CENTER, OHIO.

DEAR CONGRESSMAN BROWN: Enclosed find newspaper clipping from yesterday's local paper.

As we realize this is of no avail and feel that when small towns lose their integrity and self-control to the Federal government in Washington, then all is lost. I, as Mayor, feel the action taken by the village council needs and deserves much more than this small clipping in a small local newspaper. We know that we cannot stop the complete waste of our tax monies by this action but what is wrong with the rest of our so-called "great society" that the programs of the Federal government have to be propelled into areas which in no way need them. At least one negative vote can be counted. This is our response to Washington and the complete disregard for home rule.

When we need help in providing a safe and pure water system for our town, and apply for an F.H.A. long-term loan, what happens? The first time a comedy of errors and then the answer of no money. Will this happen again? We will have to apply for a long-term loan and the possibility of an

aid of a small grant. What answer will we get? Could we have the money that is needed for this out of the O.E.O. office? The answer here, of course, is "no."

If the money that is being wasted in the three-County area of Union, Delaware, and Madison Counties was put to use in giving the small towns in this area help in getting the things, such as water and sewage plants, that are needed so badly, then I feel this is a project that should be continued.

Yours truly,

ROSS INGRAM,
Mayor.

MILFORD CENTER COUNCILMAN SPEAKS OUT AGAINST OEO

Milford Center Council voted 4 to 1 Monday night against the Office of Economic Opportunity in Union County. "We are not in a region of economic stress and therefore such a political bureaucratic program as the CAO would be pouring federal funds down the drain and we don't want that kind of pollution in the drain of Milford Center." Councilman Lloyd Nicol said.

The action was taken on notification from the office of Economic Opportunity, Union, Delaware and Madison counties, that Milford Center would automatically continue to be included in the OEO program unless it requested withdrawal.

Nicol said it is "high time the community as well as individuals speak out on their own convictions of deficit spending by the federal government." He showed his concern for the overlapping of the program into such county departments as health and welfare. "The program is fine in areas in the country where poverty exists, but certainly we are possessed with resources." I understand there are more jobs available in the area then there are placements."

GATHERING LINE EXEMPTION

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. BUSH. Mr. Speaker, the Pipeline Safety Act is designed to prescribe and enforce minimum Federal safety standards for the transportation of natural and other gas by pipeline and for pipeline facilities. The exemption of gathering lines from the jurisdiction of this legislation has caused a great deal of concern from several Members of the House. As a former member of the oil industry, I would like to comment on this concern.

Gathering lines are the small lines that run from the wellhead to the transmission line; 98 percent of these lines are in rural areas and for all practical purposes there have been no time-lost accidents on these lines for the past 6 years.

I am not one who favors Government regulation of all industry. And, naturally, I abhor Government regulation where it is not necessary. The stated purpose of this bill is to prescribe and enforce minimum Federal safety standards for the transportation of natural and other gas by pipeline and for pipeline facilities.

No attempt is made in this legislation to regulate safety procedures at the wellhead. As these gathering lines are the vehicle that transmit gas from the wellhead to the pipeline, it seems entirely consistent to me that the committee should have exempted these lines. The inclusion of gathering lines would only be an extension of the authority of this act into an area where it is totally unnecessary and would only increase the costs of this program to the Government and to the industry.

DR. RAYMOND W. MILLER PRESENTS FOOTNOTE TO HISTORY

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. McFALL. Mr. Speaker, Dr. Raymond W. Miller, of Linden, Calif., a constituent of mine who heads World Trade Relations, Inc., and Public Relations Research Associates of Washington, D.C., recently agreed to prepare a series of articles for publication in the Linden Herald.

First of the series, entitled "Give It One More Turn," appeared in the May 30 issue of the Herald. It will be part of a book Dr. Miller plans to publish at a later time.

The initial article was of particular interest to me because of the footnote to history it contained—an account of an incident dealing with the appointment by President John F. Kennedy of Dean Rusk as Secretary of State.

Feeling that this vignette of history will be of equal interest to other Members, I am glad to call it to their attention.

The article follows:

[From the Linden (Calif.) Herald, May 30, 1968]

GIVE IT ONE MORE TURN

(By Dr. Raymond W. Miller)

In the early 1920's, when Mrs. Miller and I were developing our walnut grove in Linden, one of our first purchases was a disc harrow, a farm implement for semiplowing or stirring the soil.

Ours had four "gangs" of sharp discs, 20 inches in diameter, spaced seven inches apart by steel spools. Each four-foot gang was held together by a long, specially hardened gang bolt, and since they were delivered unassembled, the salesman and I had the job of putting the gangs together. When all were assembled and fastened to the heavy frame, we tightened each of the big bolts with a heavy wrench, using our combined strength on the two-foot handle. It was no easy task, and we strained at our labor.

When we had them as secure as I thought possible, I heaved a sigh of relief and said: "Well, that job's done!" "No," objected the salesman, "we have them pretty tight but even a little wobble will ruin the discs. Let's give it one more turn."

We found a 2-foot piece of pipe, put the handle of the wrench into one end of it and, with this added leverage, were able to make one more full turn on the bolt nut. That disc outlasted any similar tool I ever owned, and I give the credit to my persistent helper who insisted: "Give it one more turn."

That salesman, incidentally, was killed a few days later when he drove his car into the side of a fast-moving freight train. The accident happened at an open intersection on a good road, on a clear day with perfect visibility, and the driver was known to be a teetotaler. I have often wondered what caused him, a patient and careful person, not to take one more look at the road.

There is a lesson in this story that can be applied to many areas of activity.

Recently, for instance, I was scheduled to deliver a lecture on India, which I called "Men or Beasts?" and I was to accompany my talk with slides. Upon my arrival at the meeting hall in a distant city, I was greeted by my hosts with word that all was in readiness for my post-banquet speech. Everything pointed to a fine evening.

The meal was delicious, all at the head table where I was seated were most congenial, and the room was filled to capacity.

After dinner was over and the tables were cleared, I was presented to the audience, and there was rather extravagant comment about the pictures I had taken on my travels. I made some introductory remarks and then, as the lights dimmed, I asked for the first slide to be shown. It was not—nor was any other picture to be shown that evening because the projector turned out to be large-sized frames and mine were regular 35 mm. The committee chairman had forgotten that the owner of the projector used it for showing technical pictures and not my travelogue types.

The audience was understanding and, since I always enjoy hearing myself speak anyway, to me the evening was not a complete flop. I'll wager, however, that in the future the projector owner and the committee chairman will profit from the experience and will take that "one more turn."

On Sunday evening, December 11, 1960, I took a train from Washington, D.C., for Boston, where I was to lecture during the week to my seminar group at the Harvard Business School.

A friend and fellow member of the Harvard faculty, Professor William Y. Elliott, often traveled on the same train after spending the weekend at his farm in nearby Virginia, and this particular trip found us in adjacent bedrooms. We visited for a couple of hours and, as we parted for the night, Bill said: "Ray, I may not see you in the morning, I'll have to rush off the train at South Station in Boston to phone President-Elect Kennedy at nine o'clock, sharp. "Jack is a former student of mine and has asked me for advice as to who might best be able, willing and available to serve as his Secretary of State after the inauguration. I have recommended Dean Rusk, and have suggested that Jack check with Dean Acheson and Bob Lovett, who don't happen to be available for the job, and also Paul Nitze. I think they'll agree with me."

He went on: "I'm to talk to Jack or his aide in the morning to button things up and, naturally, I hope Rusk is acceptable as I think he's the American for the job. If the others agreed with my suggestion, I think he'll have a good chance, but I'll phone and make sure I've covered all the bases."

Leaving a 7:30 A.M. call with the porter, I prepared for bed. The last thing I recall about that night is that before I fell asleep I looked out of the window as we pulled out of Philadelphia. There was a terrific blizzard raging and snow was accumulating rapidly.

The next thing I knew it was morning and the train was standing still. Glancing at my watch, I saw it was already 8:45 A.M., so I assumed we'd reached Boston and the car would be switched into the yards. I rang for the porter and asked why I hadn't been called earlier as I'd requested. He explained: We're frozen up in New Haven, Mr. Miller. We've been here two hours already, and we won't be getting to Boston for a long time."

I immediately thought of my friend and his important telephone call, and soon found he, too, was just discovering our plight. After dressing hurriedly, we asked the porter to open the vestibule door so Bill could get to

the phone booth outside that we could see from our window. It was then about 8:50 A.M.

The porter told us he was sorry, but all the outer Pullman doors were frozen shut. He advised us to walk eight or nine cars forward to get to an open door and then walk back to the booth. We knew it would be slow going out there in the snow and we could see, too, that the phone booth door was ice-bound and would take precious time to open.

Bill Elliott took in the situation and decided to "take the extra turn." He said: "Ray, we will get to that phone!" The porter was willing to give us a hand so, with all our combined strength and some hot water from the washroom, we went to work on the frozen Pullman door. After precious minutes had ticked by, we finally managed to get it open enough to barely squeeze through. By now we had the problem licked, and we were able to jar open the door of the phone booth about halfway.

Aided somewhat by my pushing and exhortations, Bill, who stands six-foot-two or three, and at the time weighed too much for the health charts, edged himself inside. He dropped a coin in the slot, got the operator and, at exactly nine o'clock, I heard him ask: "Jack, is everything set about Rusk?" He made no mention of the storm, the stalled train or our difficulties.

He'd taken the "extra turn" and put his call through at exactly the appointed time. A few hours later it was announced that Dean Rusk was the choice of President-elect Kennedy to serve as his Secretary of State.

Professor Elliott never revealed his endorsement of Rusk to him nor to any public sources, but Rusk learned of it quickly from the President-elect and persuaded Bill to serve as a special consultant for an agreed-upon two years of the Secretary's "breaking-in" period in his new post.

For a fuller story of the Rusk nomination, I refer you to the book, "Facing the Brink." Its authors quoted the first part of Bill Elliott's letter recommending Dean Rusk, but they omitted Bill's advice to consult not only Acheson and Lovett, but Paul Nitze, who was, himself, a possible nominee for the post.

They do mention the favorable response received from the former Secretary and undersecretary of State, on which Kennedy acted at Bill's suggestion.

President Kennedy was marked by destiny to meet a tragic end at the hands of an assassin. We do not yet know whether "one more turn" on his part, or on the part of others responsible, could have changed this fate. We do know, however, that because of Bill Elliott's "one more turn," the late President will live longer and better in American memory, aided and abetted as he was during his brief administration by the work and support of Secretary Dean Rusk.

PFC. CARL M. MIDDLEBROOKS FATALLY SHOT

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. LONG of Maryland. Mr. Speaker, Pfc. Carl M. Middlebrooks, a fine young man from Maryland, was killed recently in Vietnam. I wish to commend his bravery and honor his memory by including the following article in the RECORD:

CITY MARINE DEAD IN WAR—PRIVATE FIRST CLASS MIDDLEBROOKS, 20, WAS FATALLY SHOT ON PATROL

A 20-year-old Baltimore marine has been killed in Vietnam, the Defense Department announced yesterday.

He is Pfc. Carl M. Middlebrooks, son of Mrs. Catharine L. Clark and stepson of Fred L. Clark, of 3008 Rosalind avenue.

Private Middlebrooks was killed June 7 by gunshot wounds of the head received while he was on patrol in Quang Tri province, where he had been stationed for the past several months.

He had enlisted in the Marines in March, 1967, and had been sent to Vietnam in September. During his first months in Vietnam, Private Middlebrooks participated in the successful assaults on Hills 881 and 950 near the Demilitarized Zone.

He graduated from Douglass High School in June, 1966, and according to his stepfather, planned to go to college after his discharge from the Marines.

In frequent letters to his parents, he wrote that the war was "not as bad as people say" and told them "not to worry."

He is survived by his stepfather and mother.

ECONOMIC ENVIRONMENT OF PREPAYMENT AND HEALTH INSURANCE

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. CURTIS. Mr. Speaker, I insert in the CONGRESSIONAL RECORD a most interesting analysis of the spread of group health insurance plans, and commentary on the financing of medical care. Dr. Rita Campbell, archivist and research associate, Hoover Institute of Stanford University, has prepared an article for the June 1967 issue of the Massachusetts Physician entitled "Economic Environment of Prepayment and Insurance." Dr. Campbell had also been an economist for the Social Security Subcommittee of the House Ways and Means Committee in 1953–54. Her article, which follows, contains many valuable insights which ought to be borne in mind when considering development of various forms of financing medical care programs in our society.

ECONOMIC ENVIRONMENT OF PREPAYMENT AND INSURANCE

(By Rita R. Campbell, Ph. D., archivist and research associate, the Hoover Institute, Stanford University)

Current economic discussion, as it pertains to my assigned topic, focuses on the central idea of a recent book, entitled *Goals, Priorities and Dollars.*[1] In three words this title poses the dilemma basic to understanding the economic environment relevant to all expenditures, private and governmental, and is especially pertinent to meaningful discussion of prepayment and insurance of health care.

There is nothing new in the juxtaposition of the world: "goals, priorities and dollars." They are a terse restatement of the classical economics doctrine that there are unlimited wants but only limited natural resources to supply these wants and that, therefore, choices must be made as to which goals are more important than other goals. Is it better to spend more on education, or on health, or on housing, or on national defense, or what you will?

RANGE OF CHOICE

The individual automatically makes such choices whenever he spends his income. Government taxation and government spending is also part of the decision-making process in attaining national economic goals. Since there are many ways to reach a given goal, hundreds of decisions are involved. If the choice made is to spend more on health, should this be in the form of private purchase of health insurance, or tax-supported medical research, or combined private and government-supported hospital construction or manpower training. The range of choices is great and can be even further extended by reflection that a dollar spent on eliminating air pollution or eradication of substandard housing may increase health more than a dollar spent directly on health facilities or providing health care.

Since the heyday of classical economic doctrine, the area of government expenditures has greatly widened to include many goals which were formerly met by the private consumer buying in the private market. The broader the area of government expenditures—and in 1965 United States governments, federal, state and local, spent $205 billion or nearly ⅓ of the $676 billion gross national product—the less explicit are directions by voters on where to spend their money. The political vote cannot be a precise tool to determine, for example, whether the Federal Government should or should not provide housing for the middle income group. People do not vote directly on specific programs, but rather on broad, general government policy which covers the gamut of expenditures from those on international affairs and military outlays through nondefense and welfare spending.

GUIDELINES NONEXISTENT

Specific guidelines for civil servants to determine allocations between more government expenditures on medical research or more on foreign aid or more on new health centers also do not and possibly cannot exist. Yet, these federal government programs, each of which may be socially desirable, compete not only with the private consumer's dollar but also for the same government dollar and even for labor from the same medical manpower pool. Today governmental expenditures for domestic purposes are about $150 billion or over ⅓ of our total private consumption expenditures.

STATISTICS

These rather general national income concepts have been stated as a frame of reference for the more narrow, but necessary, statistical picture which follows.

First, a few relevant figures. Total expenditures for health in the United States in 1964 were $36.8 billion or 5.8 percent of the gross national product. About ¾ of these expenditures were paid from private sources and ¼ by government, federal, state and local. This ratio between government and private sources of expenditures for health has remained more or less constant over the past 15 years despite a threefold dollar increase in national health expenditures from under $13 billion in 1950 or 4.5 percent of that year's gross national product in contrast to the current 6 percent.

Although the *real* gross national product has been rising in the United States since 1948 at an average annual rate of 3.7 percent, during 1966 until the last quarter the rate of rise has been falling. A falling rate of increase and possibly a leveling out of the real gross national product means there is less available for new forms of government programs, expanded national defense expenditures and also for private purchases of

[1] Lecht, Leonard: *Goals, Priorities and Dollars,* The Free Press, 1966.

goods. For over a year, the monetary policy of the federal government has been to force downwards private demand in order to permit greater federal government expenditures. If anyone has any doubt about this, they might ask what the interest rates are currently on home mortgages. The tight money market today is restraining housing starts which population and vacancy rate data indicate would otherwise be much higher.

THEORY OF GAMES

Basic to the game of forecasting the coming year, a game in which all economists like to indulge, is some guess as to national defense expenditures. To predict total national defense expenditures in 1967 is, however, hazardous. All types of defense expenditures can be suddenly changed to meet changing world conditions. Some components may increase, while others decrease. For example, Soviet aid to North Vietnam appears to be rising, and the outcome of the United States' response to the now public evidence that the Soviet Union is already producing and deploying an antiballistics missile system can not be firmly predicted. There will probably be a good deal of debate in next year's Congress as to whether the United States should or should not increase its military budget many billions of dollars by also producing and deploying an antiballistics missile system. On the other hand, the current issue of *Fortune Magazine's* "Roundup" predicts that total defense purchases will gradually level out because "the rise will surely slow down sharply, right away, since current draft calls are very low . . ." etc.[2]

The private economy is continuing to run at generally full utilization of its resources. The unemployment rate was 4.6 percent in 1965, the first year under 5 percent since 1957, and the current unemployment rate is just over 3 percent. The tight money policy of the Federal Reserve Board is still restricting private demand. Despite the offsetting deflationary factor of probable reduction of the currently high inventories held by business, the combination of continued high level of government purchases and relatively full employment of all resources means that if defense expenditures do continue to rise, there are tough decisions ahead.

RESTRICTION OF DEMAND

The choice appears to be among further restriction of private demand by increase in taxes, a politically unpopular move, or considerable further inflation—either way effective private demand will be reduced—or cutbacks in nondefense government expenditures. The latter appears politically unlikely.

It would be presumptuous of me to try to predict precisely how the current and immediate future economic environment, used in the broad general sense of national income and government budgetary policy, may affect purchase of private health insurance, either by individuals or groups, that is largely by union-management negotiated plans. However, the following may throw some light on the subject.

INCREASED EXPENDITURES

Per capital health expenditures have increased in current prices from $84.00 in 1950 to $191.00 in 1964. Correction for changes in the price level shows that at least 75 percent of this is a real increase, reflecting greater utilization of health services.

Per capital expenditures for health insurance have increased proportionately more than total expenditures for health, from roughly $6.00 in 1948, to $26.00 in 1958 and to $52.00 in 1965. The percentage of national income spent for health insurance has risen from ½ of 1 percent in 1948, to 1.4 percent in 1958 and to 2.1 percent in 1965. If national income continues to rise, dollar expenditure for health insurance will also rise, and if the upward trend in the percentage share of health insurance continues, as seems likely, the dollar expenditure will rise even more. Even if disposable income of consumers, that is income after taxes, is reduced in 1967, indications are that consumers will spend more on health in 1967 than they spent in 1966. There is a general long-run upward trend in health expenditures, reflecting higher educational levels and increased awareness of health needs and the great scientific advances of medicine and its increased curative powers.

EMPLOYEE HEALTH INSURANCE

The bulk of health insurance purchases is made by groups, not by individuals, and an increase in corporate tax rates could, if profits are not too adversely affected, stimulate greater contributions by corporations to their employee health insurance plans. This is because these insurance premiums are accepted by the Bureau of Internal Revenue as labor costs.

Almost ⅔ of health insurance coverage is negotiated by union-management collective bargaining contracts. By the end of 1964, 73 percent of all wage and salary workers had hospitalization, 70 percent surgical and 25 percent major medical coverage. (The latter does not include Blue Cross-Blue Shield coverage of this nature.) These figures can be compared to percentages for the civilian population with some health insurance as follows: 74 to 81 percent with hospitalization coverage; 69 to 78 percent with surgical coverage and over 30 percent with major medical.

FUTURE PROGRAM

In line with past pronouncements, the AFL–CIO continue editorially to support for the future "a medically advanced and economically sound national health care program—a public program which will replace our fragmented, costly, inefficient and inadequate arrangements for health care with an acceptable nationwide program of comprehensive, high-quality health services which is accessible to all Americans."[3]

In practical day-to-day negotiations, labor unions generally follow a pragmatic course of pushing for greater employer contributions to support a widening coverage and greater range of health benefits. In September 1966, 2¾ million of United Auto Workers members and their families benefited from renegotiated plans which provide that the corporations pay the full cost of improved hospital-medical-surgical plans. These provide "outpatient mental health care, convalescent care up to 730 days, hospital care for mental and nervous disorders up to 45 days, prenatal and post-natal care, in-hospital laboratory and x-ray fees and other benefits."[4] In addition, the automobile companies agreed to pay the full cost of hospital-surgical-medical coverage for their present 175,000 retirees and dependents and similarly for future retirees.

MEDICARE SAVINGS

The trend in union negotiations is also to use whatever "savings" resulting from Medicare to extend health benefits.

Because of union pressure and tax stimulus, it is now usual for employers to pay *all* the premium costs for health insurance coverage of their employees and their dependents. In the past, although most plans provided that companies pay the whole premium for their employees, they generally contributed only half the premium for dependents of their employees. Employer contributions have increased from $2 billion in 1954 to $6.6 billion in 1964,[5] and it is anticipated that they will continue to rise.

TRENDS

Medicare does not appear to be slowing down the trend in union-management contracts to extend protection to employees after they retire. Studies indicate that about "60 percent of the employee group contracts protect the beneficiary after he retires, though usually at higher premium rates and/or lower benefits,"[6] and reports on recent negotiations show increases in this area and also additional benefits for protection of employees during lay off. The Health Insurance Association states as of November 1966 that the majority of people over 65 who had insurance are retaining or repurchasing private coverages of some type.

Despite union sponsorship and innumerable predictions that prepaid, group practice plans will be the solution to rising medical care costs in a society of rapid technological change and increasing demands by a better educated, more medically-aware consumer, membership in these plans still is only 4 to 7 percent of all those with insurance. Group practice vis-à-vis solo practice continues to increase, but prepayment plans offered by group practice are not increasing as fast.

The primary criticism of private health insurance as compared with prepaid comprehensive group plans is that the former is not comprehensive enough in coverage. An allied criticism is that sales have reached a saturation point and 80 percent of the civilian population is about the largest proportion which will be covered. Fifteen of the 50 states have health insurance enrollments estimated at 80 percent or above and four states at about 90 percent.[7]

Criticism of private health insurance is usually summarized by stating that only one-third of consumer expenditures for medical care are met by insurance benefits. This often quoted[8] HEW statistic appears in the same HEW article which states that in 1964, private insurance payments met 69 percent of consumer expenditures for hospital care and 36 percent of consumer expenditures for physicians' services, home and office calls.[9]

MONEY FOR CARE

How can these figures be reconciled? The matter is one of understanding statistics. Consumer expenditures for personal health care are defined to include not only expenditures for hospital care and physicians' services, but also expenditures for drugs, appliances and nursing-home care and "medical activities in Federal units other than hospitals, school-health services, and industrial and in-plant services." These total $25 billion, $25 billion including net cost of health insurance. Consumer personal expenditures for hospital care and physicians are only 59 percent of the $25 billion total, expenditures

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[2] *Fortune*, January 1967, p. 30.

[3] *AFL-CIO American Federationist*, January 1966, p. 24.

[4] *UAW Solidarity*, May 1966, p. 12.

[5] *Social Security Bulletin*, April 1966.

[6] H. B. Shaffer, "Preparation for Medicare," *Editorial Research Reports*, December 8, 1965, p. 915.

[7] *Social Security Bulletin*, November 1966, p. 13. The four states are New York, Pennsylvania, Indiana and Illinois. The article gives a range, *e.g.*, 91 to 83 percent for New York.

[8] One example, Roul Tunley, *The American Health Scandal*, Harper, 1966, p. 253. "Although almost three-quarters of the population has some form of insurance, it pays no more than 30 percent of the bill."

[9] See *Social Security Bulletin*, January 1966, "National Health Expenditures, 1950–64," pp. 15, 16. The percentage, 36 percent of expenditures for physicians' services met by insurance, also obscures the fact that in 1963–64, of those who actually were surgically treated in short stay hospitals, 68 percent (and this includes deliveries) had part or all of their surgical bill paid for by insurance and that of these, 60 percent had ¾ or more of their bill paid for by insurance.—U.S. HEW, Proportion of Surgical Bill Paid by Insurance, Ser. 10, No. 31, p. 3.

for drugs are 18 percent and expenditures for dentists 9 percent. Insurance offered in areas other than hospital and physician care is negligible and thus reduces the overall percentage well below the percentage for either hospital or physician care expenditures.

Coverage primarily via rapid growth of major medical commercial insurance policies and the comprehensive extended benefit contracts of the Blue Cross-Blue Shield is expanding into the heretofore less covered areas. The HEW reports that in 1965, 41 percent of the civilian population had some coverage for x-ray and laboratory services outside of the hospital, 33 percent some coverage for physician office and home visits, 31 percent for visiting nurse service, 29 percent for private duty, 28 percent for drug expenditures, but only 2 percent for dental services.[10]

Time permits only a brief discussion of the question of low income persons and financing of their medical care. The definition of poverty is a relative one. The standard demarcation line today appears to be $3,000 annual family income. Using constant dollars, in 1929, over 50 percent of U.S. population were poor on this standard; in 1962, 21 percent; today, about 18 percent.

HEW's poverty index for the number of families and individuals defined by them as poor declined during the 5-year period, 1959–1964, from 22 percent to 18 percent of the population or by nearly 5 million people.[11] This is a pretty good record for a nation that officially declared "war on poverty" as late as 1964.

MEDICAL CARE EXPENSIVE

That the number of poor is declining, however, does not eradicate the problem—medical care is expensive and aid, whether private or governmental, is needed. Some who are poor do have private health insurance. The wide prevalence of group health insurance plans rather than individual purchase partly accounts for what I personally feel is a surprising degree of insurance protection held by low-income persons. In 1963, 34 percent of those with family annual incomes under $2,000 and 52 percent of those under $4,000 had some hospital insurance while 29 percent and 47 percent respectively, had some surgical insurance.[12] Variation of income over the lifetime of an individual means that health insurance coverage can and should be obtained when the individual's level of income is high. Some individuals do not in the course of their life move out of the poverty level, and these are primarily those who never or rarely work. The financing of medical care for most people can be left to private mechanisms, but that of the latter group, those who are always in poverty, is largely a governmental problem.

AID POOR

The poor and the unfortunate in our society must be aided and in accordance with the American tradition generously so by both private and public means. But in doing this, there is no need to force the whole population into an ever-expanding web of compulsory governmental welfare programs for everyone.

The United States is now at a level of well-being where the individual can lead a much fuller life, both materially and spiritually, than he could a century or even a quarter century ago. The income of the average person in this country is now high enough so that he can buy his own health insurance policies, his own life insurance policies, his own retirement policies, not to mention his own cultural and recreational activities. This way he can obtain the things he desires and not what some bureaucrat feels is good for him.

This is the road to a truly Great Society, not the path of ever-proliferating federal programs which inevitably must interfere with individual liberty and weaken state and local governments and voluntary agencies.

[10] *Social Security Bulletin*, November 1966, pp. 6, 7.

[11] *Social Security Bulletin*, April 1966, pp. 24–25.

[12] *Social Security Bulletin*, November 1966, p. 7.

DICKEY-LINCOLN SCHOOL PROJECT

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. HATHAWAY. Mr. Speaker, I rise to respond to the statement and charges made by my distinguished colleague, the gentleman from Connecticut [Mr. GIAIMO], yesterday against the Dickey-Lincoln School hydroelectric power project.

It is with deep regret that I note my colleague's vow to attempt to delete the modest appropriation of $671,000 included in the public works bill to continue advance planning of the project.

Furthermore, I am greatly distressed that he should base his decision to continue opposing the project on arguments which have been clearly shown to be unsupported by fact.

In announcing that he will seek to prevent the appropriation of funds for the Dickey project when the public works bill is acted upon tomorrow, Mr. GIAIMO described it as an "obsolete powerplant," charged that it will cost in the neighborhood of $500 million to construct, and that it would produce high-cost power. Let us examine the facts.

Fact No. 1: Hydroelectric powerplants are not obsolete. They are an important part of balanced, integrated power systems, and have been proven the best and most efficient and economical means of furnishing peaking power to meet system demands during peak load periods.

The private utilities who have led the fight against Dickey in order to preserve their monopoly in the Northeastern United States have frequently charged that hydroplants such as Dickey are obsolete. They have used this argument when it served their ends, but have abandoned it when it threatened their own self-interest, as I shall show.

Testifying before the Senate Committee on Commerce during hearings on proposed amendments to the Federal Power Act on February 26 of this year, two private utility officials spoke quite differently about hydroelectric plants.

William H. Dunham, president of the Central Maine Power Co., testified:

Thermal plants are generally most economic when operated at full capacity around the clock. When they are used in combination with hydro-plants, which meet system peaks, maximum benefits are obtained.

He added that hydropower adds greatly to the reliability of an electric system.

The president of Alabama Power Co., Walter Bouldin, also spoke of the importance of hydroplants. He stated:

These hydro plants are a most substantial and essential component of generation and transmission resources now being used to provide reliable and economical electric services to consumers in the area served by the Southern System affiliates.

He also noted:

Hydro-electric plants are eminently better suited (as compared with other types of generating plants) for variable operating requirements since they can be kept synchronized with the system and ready to respond instantaneously to changes in load requirements.

So much for fact No. 1. Hydroplants are definitely not obsolete.

Fact No. 2: It will not cost $500 million to construct the Dickey project. The current estimate of construction costs submitted by the U.S. Army Corps of Engineers is $236.4 million, including $18 million for interest during construction.

All cost estimate factors have been treated in accordance with the standards prescribed in Senate Document No. 97, and the estimated total project construction cost is both sound and reliable.

The Corps of Engineers has an enviable record of reliability in preparing cost estimates. A Senate Appropriations Committee study of 51 Corps-constructed projects for which completion funds were requested in the 1968 public works appropriation bill showed this to be true. The 51 projects were estimated at the time of first construction funds to have a total cost of $734,637,000. Their estimated cost at the time completion funds were requested—and some of the projects had been under construction for 8 to 10 years—had risen to only $735,502,000.

This represents an increase over initial cost estimates of only one-tenth of 1 percent. Surely this record should instill confidence in the Corps of Engineers and settle fact No. 2.

Fact No. 3: The Dickey project will generate low-cost power, not high-cost power, as its opponents falsely charged.

The economic analysis of the Dickey project is sound. Not only does it meet the benefit-to-cost ratio test with a most favorable 1.9-to-1 ratio, but also meets the comparability test, which assumes comparable financing of the alternatives suggested to it.

Basically, the comparability or economic efficiency test provides for comparison of the costs of providing equivalent benefits from the most economical alternative likely to develop in the absence of the project under study.

The Corps of Engineers analysis on this basis indicates that the annual charge at market for Dickey power amounts to $11,002,000, while alternative equivalent power charges amount to $12,468,000. This results in a ratio of 1.13-to-1 in favor of the Dickey project.

This means that if the private utilities could obtain financing equivalent to the Federal Government rate, power could be provided by the Dickey project at 13 percent less cost than by the best alternative they offer. The economic efficiency test has undeniably established the fact that the Dickey project will provide the power at the lowest costs. Other studies by the Corps of Engineers, the Federal Power Commission, and the Department of the Interior have given further proof that Dickey power would cost consumers the least. So much for fact No. 3 and my

reply to my distinguished colleague, Mr. GIAIMO.

Mr. Speaker, opponents of the Dickey project have also, in recent days, implored Members of this body to oppose it in the interest of conservation. Letters sent to Members depict a grim picture of the impact of the project on Maine's natural and scenic resources.

If one were to take the letters literally, the Dickey project will denude the State of trees. A great wilderness area would be befouled, and great numbers of animals would be displaced from their natural habitat.

These charges are, of course, untrue or greatly exaggerated.

While construction of the Dickey project would result in the inundation of certain wilderness areas of value, it would not destroy an area that can be considered unique.

It would not, like the Glen Canyon project, threaten a natural wonder as magnificent as the Grand Canyon. It would not, like the Cross Rocks and Rankin Rapids projects considered before the Dickey project, destroy one of our great rivers. It would not, like the Con Edison project on the Hudson River, deplete a shrinking area of natural beauty adjacent to an urban metropolis.

Maine is 87 percent forested. There are more than 17 million acres of commercial forests in Maine. The Dickey-Lincoln project will flood approximately 88,000 acres of timber, much of which can be harvested before flooding. This represents less than one-half of 1 percent of the timber resource area of Maine.

The flooding will cover a number of deer yards. The Maine Department of Inland Fisheries and Game estimates that some 2,000 deer will be displaced. While some of these deer may be lost if they cannot adapt to new habitats, most should adapt and be saved. There are approximately 180,000 deer in Maine.

An extremely pessimistic estimate may be that 1 percent of the deer herd of Maine may be lost because of Dickey-Lincoln. Six major trout streams will be inundated. There are 3,600 streams in Maine. This represents a loss of one-sixth of 1 percent. In the lake that will be created by the Dickey project, a fishery for Togue or lake trout can definitely be created.

There will be wildlife losses and losses of esthetic value because of the creation of Dickey-Lincoln. This fact cannot be denied. But these losses must be seen in perspective and balanced against the loss in human terms of an undeveloped and underdeveloped economy, of a State that sees its northern counties denuded, not of trees, but of more than one-half of its younger age population in certain instances. Outmigration has created a human wilderness in many parts of Maine.

To the conservationists who oppose Dickey, I would say: "Yes, we know there will be some losses. We have measured the effects and we will do everything possible to keep these losses to a minimum."

Contrast this attitude to that of the Central Maine Power Co., which proposes to build a nuclear powerplant at Wiscasset, Maine, and to dump the thermal pollution of heated water into Montsweag Bay with unknown effect on the ecology of the entire midcoast. The president of Central Maine Power Co., William Dunham, when asked at a recent hearing whether the company should not provide cooling towers for this heated water, replied to the effect that he did not see any reason for taking precautions when he did not know if there would be any dangerous effects. At the same hearing, Dr. John Ryther, of the Woods Hole Oceanographic Institution, testifying for the Central Maine Power Co., admitted that the discharge of heated water could have a "disastrous effect" on marine life.

Mr. Speaker, I am deeply concerned about the environmental and ecological effects which will result from construction of the Dickey project. I regret that trees will be sacrificed, and by no means am I insensitive to effects on wildlife.

However, I am much more concerned with human need; with the thousands of families who live in poverty within the area to be served by the project, with the thousands of young people deprived of good education, adequate opportunities for development and growth, and job opportunities when they reach maturity.

I see in the Dickey project, great hope for the economic development of Maine and New England, and translate this into opportunity for better lives for many people who live there.

The Dickey project must be constructed. It has been proven to be deserving of support. I urge my colleagues to reject all efforts to defeat it and to vote to approve the modest appropriation recommended to continue advance planning for its construction.

MAIL-ORDER MURDER

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. NIX. Mr. Speaker, as chairman of the Postal Operations Subcommittee, I will introduce a bill which will bar all firearms, whether in condition to be used or not, and all destruction devices from the U.S. mails, with penalties for violation of up to 1 year in prison and/or $1,000 fine. In addition, the Postal Operations Subcommittee will hold hearings on this bill on the 24th of June, and I invite the Postmaster General to appear and ask all Members of this and the other body to submit testimony on this bill. The hearings will be held in room 210 of the Cannon House Office Building.

The United States of America is described in the last stanza of the "Star-Spangled Banner" as the home of the brave. With 100 million firearms unaccounted for in the United States, we are rapidly becoming a fearful nation when you consider that we only have 60 million households in the United States. That is one and a half firearms per household. In 1966 there was a major gun-connected crime every 5 minutes. Over 6,500 murders a year are committed by firearms in this country, 43,000 aggravated assaults connected with guns and 60,000 gun-connected robberies. Murder by gun in the United States is 55 times that of Great Britain, 25 times that of West Germany, and 90 times that of the Netherlands. Against this staggering record which gives our enemies the chance to say we are not a civilized nation, is balanced the convenience of hunters in obtaining mail-order weapons. This service to hunters was also a great convenience to Lee Harvey Oswald, who was able to kill a President of the United States with a long-range weapon at a total cost to himself of less than $20. John F. Kennedy was murdered through a service provided by the U.S. mails.

European nations have been dumping the deadly trash of war—army rifles—on our doorstep because they know that they can sell these weapons at cutrate prices through our mail service. There is no reason why an inherently dangerous object such as a firearm should be mailed. There is no reason why the U.S. Government should provide a mass distribution system for these things.

The ban on the sale and distribution of firearms through the mail will prevent the easy violation of State and Federal gun control laws. What is more, this prohibition will be applied against all weapons whether they are in a condition to be fired or not. Many weapons have had plugs inserted in their barrels or have the firing pin removed and then these weapons are sold as collectors items. There are cases where the plugs have been removed by merchants and the firing pins replaced, restoring the weapons to firing condition.

Postmaster General Marvin Watson took the first step in making State gun control laws effective last week by issuing postal regulations which require that packages containing firearms be labeled as such and that postmasters notify local police officials of the arrival of firearms in their communities. The journey begun by Postmaster General Watson will be completed by this bill in that firearms will not be forwarded by mail. One large distribution system will be dried up.

When Lee Harvey Oswald murdered President John F. Kennedy almost 5 years ago by use of a mail-order army rifle, I thought action would be taken. Nothing happened. The National Rifle Association is again fighting for time the way they did after John F. Kennedy's death. They are a powerful lobby, much too powerful for the good of the United States. I think we must act now to restore law and order and civilization to this country and gun control is the first step. Neither vicious lobbying nor the convenience of hunters should be allowed to stand in the way of restoring peace at home. If we want law and order, the arms traffic must be stopped.

At the conclusion of our hearings a clean bill will be introduced so that sponsors may be added to the subcommittee bill. I hope that many of you will find time to enter written statements in our hearing record. We must take action this time.

DICKEY-LINCOLN PROJECT

HON. FRANK M. CLARK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. CLARK. Mr. Speaker, it is my understanding that on Wednesday of this week we are to consider the public works appropriation bill. A close examination of this bill results in the discovery of an incredible request for funds for the Dickey-Lincoln School hydroelectric project in Maine.

I say an incredible request, Mr. Speaker, advisedly because this project has been defeated in this Chamber four times in the last 3 years, each time by an increasingly larger margin.

It has drawn the fire and wrath of a number of business organizations, organized labor, conservationists, and Members of all political persuasions in this Chamber. It has been actively opposed at one time or another by two-thirds of the Members from New England—the very area that the proponents of the project have attempted to establish that it would benefit.

It has been the subject of reams and reams of editorial opposing it all across the country and particularly in New England. It has been studied and restudied and each time that has been done it comes out more in the red.

It started out as a $200 million project and now a number of reliable sources maintain that it could run to a half billion before they ever got through with it.

The project is so clearly bad that it has united the conservationists and the electric utility people and it has been some time since they have agreed on anything. It has brought the equally unusual situation of successive visits to many of our offices by labor and then management people—both opposing it.

At a cost of hundreds of millions of taxpayers' dollars, it would constitute the most expensive of all possible methods the Federal Government could pursue for the production of electric power in New England.

The opposition of competent conservations groups like the Natural Resource Council of Maine, the Audubon Society and the Sierra Clubs has mushroomed all across the Nation as they call out in anguished despair at still another unnecessary intrusion of beautiful, natural settings that need not be desecrated.

Now, Mr. Speaker, I ask, in view of all the foregoing, whether or not I am correct in describing this request as incredible. I ask further whether or not this is a serious misuse of the time of this House to be called upon again—in point of fact required—to debate this clearly discredited project?

Last year I aptly described Dickey-Lincoln as a "solid gold turkey" and they are still trying to stuff that turkey down our throats and particularly the throats of the New England congressional delegation.

Now all of the foregoing is incredible enough, but add this year the factor of a monstrous Federal deficit and add the fact that this very week we are also to be asked for an increase in Federal taxes, and the proposition of Dickey-Lincoln becomes almost unbelievable. Can anyone in this Chamber vote for a half-billion-dollar unneeded, ineffective, uneconomic, discredited solid gold turkey?

MEMORIAL DAY ADDRESS BY COL. WALTER W. FADE

HON. CARLETON J. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. KING of New York. Mr. Speaker, the following address was made by Col. Walter W. Fade, professor of military science, Clarkson College of Technology, at the Memorial Day exercises held at Schuylerville, N.Y. Personally, I found Colonel Fade's remarks both thought provoking and inspirational and I would like to share them with my colleagues. At a time when our Nation's goals and purposes are sometimes questioned, I feel that it is proper as Colonal Fade has emphasized, that we remind ourselves that we have the responsibility to become involved in our Nation's policies and these responsibilities can not be dismissed.

Colonel Fade's Memorial Day address follows:

This morning our flag flies at half mast in memory of those who have given their lives in defense of our country. Throughout the nation similar ceremonies are being held, graves are being decorated, and words of eulogy are being spoken. We here recognize our solemn obligation to these men who died so that we may enjoy the fruits of freedom—that our Nation may endure. And so it is fitting that on this Memorial Day we should in turn rededicate ourselves to the cause of freedom. We, each one of us, must accept our individual responsibilities—to be involved in the preservation of our heritage.

You see, in truth, involvement is really how Memorial Day began—involvement by men and women helping to heal the wounds of the Civil War. We recognize that this basic ceremony began in Waterloo, New York, as a result of the efforts of General Murray and Mr. Harvey Wells. In 1867 in Columbus, Mississippi, men and women decorated the Confederate and Union graves. In 1868, one hundred years ago today, General Blackjack Logan, Commander of the Grand Army of the Republic, published General Order Number 11 which established May 30 as Decoration Day. Since then Decoration Day has grown to be Memorial Day—grown to be a salute to the Nation's dead in all of our wars.

If we as citizens are to be involved, then we have individual responsibilities that we must not discharge. We must defend our freedom from outside threats, we must help protect other free nations from aggression, and we must protect our freedom from within.

You may ask yourself, "How can national defense be an individual responsibility? The Minuteman Days are over. Now it is a government responsibility. A job for the serviceman, not the civilian." True, a soldier's role in national defense is more direct. However, what makes a soldier? His strength lies in the moral fiber of the Nation, his training at home, at school, and in church. It is indeed sad that it must be the country's youth who pays the high price in defense of the Nation. But this was so in your grandfather's time, your father's time, and now in your time.

The American citizen also pays for national defense. A real and tangible price is in the form of taxes, taxes that pay for the debts of past wars and support the present defense budget which buys the weapons and tools of warfare. Money, however, cannot be dedicated, weapons cannot be courageous, only the soldier, the ultimate weapon, the distinguishing mark of the U.S. Army can and does provide these qualities. Yes, the citizens' responsibility goes far beyond just paying taxes. A citizen must:

1. Be knowledgeable and interested in his Country's defense.
2. Respond to calls for assistance from other free nations.
3. Practice good citizenship by recognizing the equality of men and nations and respecting the laws of the land.

It is not the dissent or protest which we hear of so often today that could destroy our freedoms and perhaps even our Nation. Rather, it is indifference which can do the greatest harm. If the majority of Americans are too apathetic, too timid to stand up and speak for America—we would one day have little to praise. We could lose our freedom—the freedom that the men have died for—by mere default.

We have an inspiring heritage of freedom that has been wrought with the blood of men who died defending it. They gave their lives that we might live. They denied themselves a future so that we might have ours. They have given us the gift of freedom; and if we would keep that gift, we must use it wisely—defending it, cherishing it, sharing it. On Memorial Day, then, let us as individuals remember that we each have a stake in the future of this country. So it is written in the Preamble to the Constitution which states:

"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."

"We the people . . . ." "established these ideals." And "We the people . . ." must carry on this work. Let us therefore never forget our heritage. Noble men have given their lives in its defense. Let it not be said that they have died in vain.

PESTICIDES AND ENVIRONMENTAL POLLUTION

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. DINGELL. Mr. Speaker, the board of directors of the Michigan Association of Conservation Ecologists recently appointed a special committee, under the chairmanship of Dr. D. W. Douglass, to advise it on matters pertaining to pesticides and environmental pollution. The pesticide committee's report and recommendations were accepted by the association's members at a meeting held at Detroit on May 24, 1968. So that my colleagues may have an opportunity to be familiar with this excellent document and the recommendations it contains, I insert the text of the report of the MACE pesticide committee at this point in the RECORD:

Your committee, representing a wide range of interests and backgrounds, is naturally not unanimous in its thinking on all points

regarding pesticides, but is in essential agreement on what it regards as the basic issues:

Certain insecticides, both highly toxic and persistent, of which a number of chlorinated hydrocarbons are the principal examples, represent a serious threat to the ecosystem and welfare of many forms of wildlife. (We decry the popular term "hard" for these compounds, because of the implication that the remainder are "soft." In view of the extreme toxicity of certain nonpersistent pesticides, and the low toxicity of some persistent materials, "hard" and "soft" are unsuitable terms.)

We have examined in some detail the existing system of regulations, federal and state, which affect the use of persistent, highly toxic insecticides, and find encouragement therein. In particular, we believe that as regards wildlife there has been a marked improvement in registration limitations and labeling requirements in recent years, so that today a conscientious heeding of the warnings on the label usually provides reasonable safeguards for wildlife. Nevertheless, some of the persistent and highly toxic pesticides are widely misused in one or more of the following ways:

1. Used when safer alternatives exist.
2. Used in greater quantity than required.
3. Used more frequently than required.
4. Used in routine application, when no real need exists.
5. Used when a proper weighing of factors would indicate not to use.

In view of the existing accumulation of certain compounds, notably DDT, and their known or suspected effect on many components of the ecosystem, it is advisable to reduce drastically the amounts of these materials applied annually to permit a gradual reduction in the amounts available in the soils and waters of our environment.

The committee wishes to emphasize that it recognizes the need for chemical pesticides of many kinds. It does not anticipate that biological, biochemical, or cultural controls will supplant chemical controls to any large degree. It does feel that there is great room for improvement in our use of chemicals, so that the undesirable effects can be minimized while maintaining essential and economical production of food and fiber. We do not believe that cost alone should be the deciding factor in determining which of alternate methods should be used.

Specific recommendations are as follows:

1. The committee is in general agreement (with some reservation) that there is definite need for a policy-making board or committee at the state level to supplement the work of the federal Pest Control Committee. It should include technically qualified individuals from a variety of disciplines and should have sufficient authority to implement its policies. There appear to be several possible ways in which such a board might be created and made effective:

(a) The present advisory committee to the Director of Agriculture provided by Act 233, P.A. 1959 (which has no real authority) could be given requisite authority by amendment. Some modification and expansion of the specified membership would probably be advisable.

(b) Through written interagency agreement, perhaps with the guidance of the Executive Office, an inter-departmental committee could be formed which would review and approve or disapprove any or all pest control programs of state agencies, and could review the registration of pesticides by the Department of Agriculture. If so agreed, it could order changes in registration and labeling.

This method is essentially the same as that which created the Federal Pest Control Committee. We believe that it would be more appropriate to refer to a Michigan counterpart as a *Pesticide* Control Committee. The state constitution requires that any board, council, or committee having permanent official status must be attached to one of the duly established Departments.

(c) A new law could be enacted which would create a Pesticide Review Board made up of representatives of all state Departments concerned with pesticides. It should include the director of M.S.U.'s Pesticide Research Center and perhaps technically qualified representatives of one or more of the other universities having major research programs on pesticides and ecology. Our committee is somewhat divided as to whether a broader citizen representation is desirable. We assume that the Legislature could assign virtually complete regulatory powers to such a board if it saw fit; we believe that in any case the board's authority should go well beyond an advisory capacity.

2. We believe that the law (Act No. 233, P.A. 1959) which provides for licensing of commercial applicators of economic poisons should be made much more effective than at present, so that only persons having adequate knowledge of the various effects of the various common pesticides will be licensed. There should be provision for inspection and policing of the work of the licensed applicators to insure compliance with the letter and intent of regulations. Licenses of applicators who do not measure up to reasonable standards, both technical and ethical, should be revoked.

3. Michigan's Economic Poison Law, also known as "The insecticide, fungicide, and rodenticide act of 1949" (Act 297, P.A. 1949) now permits a person who has been refused state registration of an economic poison to demand and receive registration "under protest." The label of the material so registered must carry conspicuously the words "Warning: Registered under protest in Michigan."

Federal regulations no longer provide for registration under protest. Although there are probably few, if any, instances of such registrations in Michigan now, we recommend elimination of this loophole in Section 5, Act 297, P.A. 1949.

4. Our committee was charged specifically with the task of advising regarding "prescriptive use" regulations for certain pesticides. There appear to be two interpretations of this phrase. One envisions that certain pesticides would be so restricted that they could only be obtained on prescription, much as various drugs are restricted. However, there is no large and widely distributed group of qualified "Doctors of Pesticides" to write the prescriptions. It is scarcely conceivable that any state board or committee on pesticide control would be in position to handle individual prescriptions in any volume. Turning the responsibility over to any existing group, such as the agricultural extension service, would mean in effect no uniform restrictions at all.

We consider that the only practical system of "prescriptive use" is through established registration and labeling procedures. These could be invoked to prohibit the use of highly toxic and persistent pesticides except for prescribed essential uses for which no effective alternate material is known. However, there appears to be no feasible method of taking punitive action against any individual who uses a pesticide in ways not sanctioned by the label, provided no prohibited residues and no damage to private or public property or welfare can be shown. The mechanism to provide for any greater degree of enforcement seems prohibitively elaborate and costly.

We believe that any pesticide control committee or board that may be established should direct its first effort toward the proper restriction of the use of the relatively toxic and persistent chlorinated hydrocarbons, the group which appears to be causing the most harm to the ecosystem. It may be that none of these can be entirely dispensed with, but we believe that the use of most if not all can be greatly curtailed without serious reduction in essential crops or undue increase in production costs. Specifically, we recommend stringent restriction of the use of the following chlorinated hydrocarbons: DDT (and DDD=TDE), Dieldrin, Aldrin, Heptachlor, Chlordane, Lindane (and benene hexachloride), Endrin, and Toxaphene.

C. T. BLACK,
EUGENE KENAGA,
FRED B. KNIGHT,
EUGENE W. ROELOFS,
D. W. DOUGLASS,
Chairman.

SUPPORTS VETERANS LEGISLATION

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. HAMILTON. Mr. Speaker, the second session of the 90th Congress is steadily meeting its obligation to this Nation's 26 million veterans. That obligation, very simply, is to insure that veterans benefits and veterans programs will fully correspond to present-day needs and present-day responsibilities.

Already in this session, two major pieces of legislation, which are a part of that obligation, have been signed into law. And in the past month the House has passed and sent to the Senate three additional pieces of high-priority veterans legislation.

It is now public law that no veteran will suffer loss of income as a result of the recent increases in social security benefits.

It is now the law that the Federal Government will guarantee GI home loans up to the amount of $12,500. This change is the first increase in the maximum insurable amount since 1950 when the top level was set at $7,500. This same legislation also removed the 6-percent interest limitation on GI loans. The interest rate will now be set to correspond to local money markets.

These changes will not only stimulate the housing market and create more jobs, but more importantly, they will increase the opportunity for veterans to purchase a decent home because the financing protection this Nation has pledged to guarantee its veterans will now be competitive in a modern economy.

The House has now passed the administration-supported bill to provide increases in the rates of compensation for disabled veterans. This measure is now pending before the Senate Finance Committee.

The rate increases fully conform to the recommendations of the U.S. Veterans Advisory Commission by providing a $100 monthly increase for the service-connected, 100 percent disabled veterans, increasing their compensation from $300 to $400 monthly; and by increasing those rated less than totally disabled by 8 percent to meet the 7.66-percent increase in the cost-of-living which has occurred since Public Law 89–311 became effective on December 1, 1965. Increases

for the more severely disabled have been made consistent with the proposed $400 rate for the totally disabled.

This bill is to become effective, when passed by the Senate, on January 1, 1969.

Now pending in the Senate, after passage by the House, is a bill to allow veterans to receive benefits for part-time vocational training by removing the present restriction that such training be taken on a full-time basis. The amount of subsistence is to be reduced in proportion to the amount of training taken part-time. This legislation will allow veterans to retain their present employment and at the same time train for better jobs.

Finally, the House has passed and sent to the Senate a bill to extend educational benefits to widows of veterans, and to wives of totally disabled veterans. The bill also extends benefits to veterans eligible for educational assistance under both the War Orphan's Educational Assistance Act and the GI bill.

Mr. Speaker, I believe this is a worthy record. And I am proud to have supported all five of these bills on the floor of the House. But it is a record we should build on, rather than just be content with.

The 90th Congress should add the following legislation to the books before it adjourns.

First. Life insurance: Increase servicemen's group life insurance from a maximum of $10,000 to a maximum of $30,000. And any increase which is legislated should not be tied to salary, but to the desire of the individual for insurance.

Second. Veterans' Affairs Committee: Enact legislation to create a Veterans' Committee in the Senate which will give undivided attention to the writing and consideration of veterans' legislation.

Third. Newly returned veterans: Pass the President's Veterans in Public Service Act to provide returning veterans with incentives to enroll in job training programs which will enable them to become teachers, policemen, firemen and to prepare them to work in hospitals and various health, education, welfare and employment opportunity programs. These jobs are critically understaffed throughout the Nation.

Fourth. Cemeteries: Enact the necessary legislation to coordinate the administration of our national cemeteries and to study and investigate sites in each of the 50 States for use as national cemeteries. Every deceased veteran should be insured of the right to be buried in a national cemetery which is reasonably close to his home.

This list of legislation does not pretend to be a complete agenda of action for veterans. But it does represent those programs which, I believe, should be enacted in this session of Congress.

Mr. Speaker, in the fiscal 1969 budget, this country will spend approximately $7 billion to provide services and benefits for America's 26 million veterans and their families, who make up 46 percent of the Nation's population. I believe the legislation we have passed so far in this Congress, and the work that remains to be done, will insure that this country is living up to the responsibility it owes to its fighting men on whom we all must depend.

Let us do honor to them, and to ourselves, by enacting these remaining pieces of veterans' legislation.

REMARKS OF MR. FRED M. BISHOFF

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. DANIELS. Mr. Speaker, on Saturday, June 6, 1968, Mr. Fred M. Bishoff, Director of the Safety and Health Division of the Bureau of Personnel of the U.S. Post Office Department, made a very outstanding presentation at the 51st annual convention of the New Jersey State Association of Postal Supervisors which was held at the Colony Motel at Atlantic City, N.J.

I think all Members of this House and all persons who read the CONGRESSIONAL RECORD will be interested in his remarks. Under unanimous consent I include Mr. Bishoff's speech at this point in the RECORD:

SPEECH BY MR. FRED M. BISHOFF, DIRECTOR OF SAFETY AND HEALTH DIVISION, BUREAU OF PERSONNEL, U.S. POST OFFICE DEPARTMENT, TO THE 51ST ANNUAL CONVENTION, NEW JERSEY STATE ASSOCIATION OF POSTAL SUPERVISORS, ATLANTIC CITY N.J., JUNE 8, 1968

I am pleased to be here today representing Postmaster General W. Marvin Watson, President Johnson, and Vice President Humphrey to talk with you, managers of the most extensive, important business in the United States.

The problems that beset our civilization today . . . the population explosion, the business explosion, the education explosion, the revolution of rising expectations and the unrest around the world which causes our men to spend months on alien lands . . . these problems are everyone's burden. Significantly, they weigh especially heavy upon *your* shoulders.

Today's civilization is more complicated than man could have dreamed when most of us were in school.

The pressure cooker of our social environment is particularly intense for the postal system because we fulfill a long range, vastly important obligation. A promise to the public based on a proven tradition of service. *The mail will go through.* We are the writingest people in the history of mankind and the most dependent upon the mails.

The announcement of a birth or death has continuing impact. A letter to a man in Vietnam who just weeks ago was but a mere boy can rekindle his light of faith. The notice of sale can keep a store solvent, workers gainfully employed and a customer happy. News, culture, the lifeblood of our nation surges through the postal arteries. Moving the mail is hard work—vitally important work and often very trying work.

Granted, conditions are not ideal in many post offices. There is drudgery. Yet, there also is drudgery in an electronic assembly line along Route 128, circling Boston.

Granted, 14,000 employees seem to be herded together in Chicago's main post office . . . just as an equally imposing number toil side by side in Chicago's gargantuan Western Electric plant.

Carrying the mail under the searing sun and the soaring humidity of August in our Nation's Capitol is no worse than working at Gary's steel mills or a heat-treat machine in St. Louis.

Lugging mail sacks in Seattle is nowhere near as messy as carting carcasses in a Kansas City slaughtering plant.

Possibly, our employees yearn for greener pastures. Maybe this is a cause for some criticism. You must mold the employee. It is you the supervisor who must teach. You must motivate. You must explain.

For we cannot stand aside in these days and be untroubled by our great problems.

The postal service is not isolated in society, but it is a dynamic force. It cannot block with cement every chink and cranny through which light might pierce.

The postal service, more than virtually any other aspect of our environment needs *innovation* and *quality*. If these virtues do not continuously emerge we will be doing ourselves and our compatriots a treasonous disservice.

As our problems have become broader and more complex, the old tried and true ways no longer work. You the boss can no longer sit back and instinctively call the shots because you have gone that route before. More and more the boss must depend upon his people or he and they are lost in the shifting winds.

In a recent speech, C. A. Efferson, Manager of Organization Planning at Kaiser Aluminum & Chemical Corporation, outlined the difference between the supervisor who belongs to the "human *relations* school" versus the supervisor who subscribes to the "human *resources* discipline."

"The human relations school was probably at its peak during the first decade after World War II," he stated. "Essentially, this school said that employees require recognition, security and a feeling of belonging, and each supervisor should set out everyday from his superior position, to make sure that 'his people' are salved and anointed in some way to meet these ends. The viewpoint, if benevolent, was condescendingly paternalistic. A naive but not uncommon interpretation of this viewpoint was that the supervisor should know whether employee Joe's brother, cousin or aunt had a particularly sore toe that week, so he could stop by and see Joe each morning, put his hand on his shoulder and say, 'Joe, how is Aunt Mamie's sore toe today?' This plus a few other rituals, should meet the fundamental needs of these people who were not wise or strong as the boss. Thus production would roll out."

Mr. Efferson went on to say that at one time this attitude worked. "There was a time for it to be there, and there is a time for it to be gone, just as there was at one time in human evolution, a time for us to walk upon our knuckles as we came down out of the trees."

The idea of the human resources discipline is that you do such a good job at cultivating the potential of your employees that they are at least as smart and capable as you. There is no paternalism and there is added possibility for personal career growth.

The recently instituted requirement for promotion advisory boards in post offices having 25 employees or more has been a genuine attempt to breach the barriers to career growth and upward mobility in the postal service. Our employee organizations, as you well know, have continually complained about this problem. These complaints have been valid.

The promotion advisory boards for jobs above the first supervisory level bring a new objectivity to the area of promotion. The establishment of qualification requirements for most jobs should be a plus factor in terms of morale, service and opportunity. They are just one aspect of the Department's strong dedication to the proposition that promotions should be *merit* promotions. . . and I stress the word *merit*.

The Department also is committed to providing training for jobs to which our supervisors aspire. As an impetus to career development, the Department has organized the Postal Service Institute in Washington for our supervisory employees. The Department is equally committed to the role of the supervisor as a manager. Thus, the Institute, which we can call a post graduate course in the arts and sciences of postal management, is a partner to the technological change that is revolutionizing mail processing. New methods and sophisticated equipment are being developed, and highly skilled supervisors and employees are needed to operate an increasingly complex mail system.

The postmaster of a major city recently was quoted in a newspaper about the Postal Source Data System installation in his office. "The supervisors are going to have to be more alert," he said. This largest of all source data systems in the world will cost over $30 million, hook together 75 post offices and their branches and stations, to give officials instant knowledge on personnel staffing and mail volumes. The supervisor and his handling of this information is the key to its success.

The Postal Service Institute is clearly a step in the direction of giving our supervisors the tools needed for their "more alert" status.

From the nucleus in the nation's capital, we hope to ultimately offer the services of the Institute through correspondence and extension courses to over 60,000 supervisors and postmasters. We envision about ten branches located throughout the country, with several thousand in attendance for a period each year.

A staff and temporary facility are already in operation and a number of courses have been held.

Of course, there's more to career development than education and experience. In today's society, we cannot forget that it takes money to survive.

The postal pay bill that passed last year was the first one in recent history providing a higher percentage increase in the supervisory category than in the lower levels. President Johnson, Vice President Humphrey, Postmaster General Watson, even while he was working at the White House, and the full Administration team working on this bill realize the importance of the supervisor to the Post Office Department. Supervisors can make or break a pattern of service, and with that position of responsibility they reasoned, should go the proper monetary rewards. As you know, the President personally recommended the policy of higher percentages in the higher categories.

In these turbulent times, we can no longer expect that every problem can be solved by guess and by gosh. We do need the background to handle the day-to-day situations.

We are a nation of volunteers, rich with talented people, ready, willing and able to serve the vital needs of our communities. In post office leadership, among whom supervisors are conspicuously included, there lies tremendous potential to meet the challenges facing our troubled nation at the local level. There is a need to seek out and get to know and understand those community leaders actively engaged in meeting the disadvantaged half way.

The phrase "meeting the disadvantaged half way" has been quoted and requoted. In fact, last Fall, 424 supervisors and other middle and top management postal employees from headquarters and across the country met in Washington to ponder the question of equal employment opportunity in the postal service. One recommendation they put forward was the following, directed essentially toward themselves:

"That a crash program in human relations, personnel procedures, the EEO Program and labor agreements, as it pertains to local and national conditions, be given to all supervisors and that this program be given on a recurring basis."

That injunction has become a part of Departmental Equal Employment Opportunity policy. For most employees, the only evidences of Departmental policy are those found in the workroom atmosphere. Therefore, it is most important that supervisors be trained and counseled periodically in methods whereby all employees regardless of race or sex may consider themselves to be a part of the common team, and be made to feel that the contribution of each is important to all.

Individual supervisors should not find anything prejudicial to themselves in requests for written statements on how they have advanced or are advancing the EEO Program. This is a managerial function as important as moving the mail, and its growth should be measured with the same care.

Women, thank Heaven, are here to stay, and while, in stature they continue to be smaller than the male, their contribution to the postal service is growing rapidly. Chairman John W. Macy, Jr. of the Civil Service Commission said recently that the program of equal employment opportunity for women, as enunciated by President Johnson, must be "given the support of your leadership." He said there must be the same regulatory backups as for other managerial activities, and that specific attention must be directed to those occupations which, in the past, have generally been restricted to men.

How to deal with women, both at home and at work, requires luck, skill and forethought.

They bring with them the obvious problems of working relationships with men and other women, plus the problems of working nights and being away from their children. At latest count, there are about 1,000 women classified as mail handlers who spend most of their time working among and lifting dusty, heavy sacks weighing as much as 80 pounds. The problems inherent in this type of work are apparent.

To solve these vexing problems, the Department has been in intensive discussions with the Civil Service Commission, the Department of Health, Education and Welfare and the Department of Labor. Interestingly, with that agency, we have been discussing, among other things, the pregnant employee.

We are looking into imaginative programs to lessen the hardships created by maternity leave, for example . . . trying to answer the question, "What happens when the woman runs out of sick and annual leave?" This may take some special legislation.

For those of you in the audience who happen, by the chance of birth, to be males, we must warn you that there is absolutely no thought being given to seeking legislation to enable a liberal policy on paternity leave.

The last subject I would like to cover briefly is employee conduct, appearance and discipline.

It is obvious that all personnel should observe standards of appearances and conduct which will promote the best interests of the postal service and which are in keeping with the code of ethical conduct. The supervisor must always exercise a high degree of common sense, good judgment and fair play. This you know.

Recent regional instructions along this line should be studied carefully. They cover such specifics as a prohibition of barefoot postmen and the need for our employees to divest themselves of occasionally offensive jewelry, gadgets and footwear. The hippie type letter carrier that delivers his mail with the salutation "Like here's your mail . . . man," does not do the service justice.

The maintenance of discipline is both vital and not always the easiest task of the supervisor. But, without discipline there is anarchy. Constructive discipline, in order to be effective, must be timely.

Legislation has been introduced which will make the act of physical violence against an employee of the postal service on official business a Federal offense. You will be hearing more of this later.

As I have discussed, the role of the supervisor in the postal service is changing rapidly. This is an exciting and encouraging time. A time for creativity, innovation, common sense and downright hard work.

I know that one and all will strive to meet that challenge.

Thank you.

A MODEL BUSINESS EDUCATION IN HIGH SCHOOL

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. PATTEN. Mr. Speaker, few high school programs throughout the Nation have been as successful as the Carteret High School—of New Jersey—school management program, which provides business education that is more in conjunction with the fast-changing technical employment needs of business today. This diversification and training, I am sure, is indeed welcomed by the business community—the only problem is that it is not widely implemented in the various high schools throughout the country in order to provide a visible substantial benefit.

This worthwhile program has been made possible by appropriate action by the Congress and the necessary funding of this constructive program of business education. Let us continue this fine program throughout the country—the dividends are worth the initial investment.

The appropriate articles follow which set forth in detail the operation of this program:

[From the Baltimore (Md.) Sun, May 21, 1968]

A NEW CURRICULUM

(By Barry Robinson)

On a recent afternoon, Larry Lurker was compiling a sales patter survey using a "402" data processing machine; Barbara Ravenbuhler and Josiane Richards were setting up a payroll survey for the home office; Lois Stefanow was tallying a pile of checks on a ten-punch calculator; Stephen Lukaszewski and Burt Clark were running a series of punchcards through an electronic sorter, and Elaine Harsa was taking dictation from a recording.

A typical day in an average office?

Not quite. All of the "workers" are Carteret, N.J., High School seniors participating in the school's pioneering clerical office practice and business machines programs. Now in its third year, the comparatively sophisticated curriculum is designed to prepare students for immediate entrance into the high-powered world of contemporary commerce.

BASIC SMATTERING

It wasn't so long ago that the most anyone pursuing a high school commercial curriculum could expect was a strong emphasis on typing skills and a pretty basic smattering of stenography and bookkeeping. All of which tended to leave the graduate some-

what unprepared for the competitive demands made upon him in the workaday world.

If he needed to learn about the complex machines that dominate most business offices or to familiarize himself with the complicated processes of commerce, he had to do so either on the job or after work in a so-called business college. Advancement, if and when it came, was slow because lack of adequate training forced him to start his career at a fairly low level.

While business education has matured a great deal in recent years, few programs are as far-reaching and successful as those of Carteret High which School Management magazine describes as one of "the relatively few schools in the nation that have taken significant steps to bring their business education curriculums more in line with fast-changing employment needs."

SUBSTANTIALLY HIGHER

One indication of the program's success is the graduates' average weekly starting salary of $67.47 and subsequent rate of advancement, both of which are substantially higher than for graduates of less sophisticated curricula.

A key factor weighing heavily in favor of the program's students is that by graduation time they have had vital experience working in a simulated office environment. Each student progresses according to his ability. For instance, when he has invoicing down pat, he moves onto accounting or programming.

The acquired skills never are left far behind. Students frequently are handed problems involving techniques mastered months ago. If they've got rusty, intensive practice and polish are in order.

"Business today is looking for a graduate who can adapt his skills to any number of different situations," says the department chairman, Howard Rozzelle.

COMMERCIAL VERSATILITY

Consequently, the theory behind office operations is stressed, and students are given a wide enough range of assignments to assure commercial versatility.

Perhaps Elaine will be told to stop taking dictation and move over to the calculator to cover for Lois who was called away to another problem, or Larry will be asked to interrupt his sales pattern compilation to process the payroll survey material collected by Barbara and Josiane.

"If someone is equipped only to handle a bookkeeping machine, then his advancement potential and value to his employer is limited," explains Rozzelle. "If he's a business machine operator and the use of his type of machine is discontinued, so is his usefulness to the firm. That's why we stress understanding of process. The student who understands how a payroll system should be laid out can apply his knowledge to whatever is needed to implement the system."

In order to keep pace with the ever-changing world of commerce, Rozzelle annually talks to former students and their employers about the program's strengths and weaknesses. So far the strengths are ahead by a mile.

POTENTIAL EMPLOYEES

Graduates claim to be thoroughly happy with the training. Employers are pleased enough to ask Rozzelle to send more potential employees.

Training in a simulated office environment obviously has its advantages for later on. After all, except or the two 45-minute back-to-back periods of simulated office work, the difference between school and the usual workday aren't so very great.

As soon as the bell rings to mark the end of the first period, students workers casually drop around to the water fountain. Typical office workers, you might say, taking the equivalent of a "coffee break."

[From School Management, March 1968]

LOOK HOW THEY'RE BEEFING UP BUSINESS EDUCATION

To survive in today's job market, business education students must learn two things in high school:

1. *Specific skills that enable them to get jobs.*

2. *Broad knowledge of the total business operation that enables them to* keep *jobs.*

The average business education graduate may or may not meet the first prerequisite. He almost never meets the second.

Not unless he attends Carteret, N.J., high school or Ingraham high school in Seattle. These are two of the relatively few schools in the nation that have taken significant steps to bring their business education curriculums more in line with fast-changing employment needs. The key: Total exposure to a business operation.

Here's a quick run-down of high schoolmen in Carteret and Seattle are making business education less of an artificial classroom situation and more of a realistic, exacting, in-office experience.

TOTAL EXPOSURE 1: CARTERET

It's one of the busiest offices in the booming industrial section of New Jersey. And one of the most unusual. The hum and buzz of work activity is continuous: Adding machines, calculators, accounting machines, keypunch units and typewriters speed the preparation of payrolls, percentage distribution of payrolls, percentage distribution of sales, invoices and occupational opportunity reports, while the bell of a time clock relentlessly signals time limits for each job.

Morale is high. So is motivation. People are on their own. If there is a seemingly disorganized moving about, from one work station to another—if the payroll clerk suddenly moves from the accounting machine to a calculator, where she immediately plunges into a sales analysis report—it's because everyone in this office needs to know every job equally well. The moves, far from being haphazard, are all part of a carefully detailed plan.

The product of this dynamic enterprise is a highly marketable one: Graduates who can walk into the world of modern business without batting an eyelash.

And the "office" is the 12th grade business education class in Carteret high school. It's one reason why the school has become one of the prime employee sources of local companies like Prudential Life Insurance.

Understanding processes

"Business today is looking for a graduate who can adapt his skills to any number of different situations," says business department chairman Howard Rozzelle. "If he's equipped only to handle a bookkeeping machine, then his advancement potential and value to his company is limited. If he's a business machine operator, and the use of his type of machine is discontinued, so is his usefulness to the firm. That's why we stress understanding of processes. The student who understands how a payroll system should be laid out can apply his knowledge to whatever is needed to implement the system."

Thus the course set up by Principal Douglas King and Rozzelle reproduces conditions that students will actually encounter on the job. This means building into the course interruptions, arbitrary deadlines ("These invoices must be ready today"), absences ("The bookkeeper is absent today; you'll have to take over"), innovations ("We're introducing a new machine to speed sales analysis").

Some students start off in the course with exercises on a 10-key calculator to develop accuracy and speed (up to 100 strokes a minute). But from there, most of them swiftly advance into working with sample office problems provided in an instruction book. In addition, problems gathered from the local business community are utilized.

Other students start off with introductory training sessions on an accounting machine and are moved into simulation situations, such as posting sales and payments, with shipping charges and discounts, at the earliest possible moment.

"Involvement with the business process—that's what we're after," emphasize Rozzelle. Thus even the role of the electronic computer in today's office is *fully* studied—not just physical processes, like key-punching, sorting and tabulating, but the logic behind computer programing as well.

In all, Carteret probably exposes students to 90% of the types of equipment and systems that are standard in present-day business. As King points out, the availability of federal funds is now enabling schools to equip business equipment laboratories in a manner that was impossible a few years ago.

Students on their own

Instead of moving all students—45 seniors took the course last year—in orderly progression from one subject to another, each student advances at his own pace. When he has mastered invoicing, for example, he moves into accounting or simulated programing, as the case may be.

This requires close observation of each student by Rozzelle and a fluid deployment of equipment.

Frequently, a student will complete his project during a study period; at other times, students will be required to work out their own equipment schedules. Thus one student, with an invoicing job to complete by the following day, will check with students using calculating equipment and work out a time schedule when the machines will be available—just as he would in a real office.

Business equipment has been purchased with total exposure and individual job responsibility in mind. Students are prepared for operation of *any* calculator, for example, through the training they receive on Classmate calculators, the simulation and training machines used to teach the basic calculation processes.

"We use this equipment to give the student a grasp of functions," says Rozzelle. "Once he understands the basic processes of this calculator, he can apply this knowledge to virtually any calculator."

A usable product

Production of a usable end product is the goal of this program. Thus, the student preparing statements on an accounting machine is "on his own" as far as the job is concerned. His "performance" on the machine is not evaluated, just the end product—a statement that is (or should be) completely ready for mailing.

"We want to get across to the student that he is being judged on the basis of what he achieves," says Rozzelle. "The statement he produces must be a document that any regular business office would judge acceptable for mailing: correct, itemized, neat and prepared on time."

If the statement does not stand up under these criteria, the student starts all over again.

It's the same with tapes that are prepared for bank deposit, to take another example. The student doesn't just submit a "correct answer"; he delivers the actual tape from the calculator which, in office practice, would routinely accompany the deposit slip.

Staying in shape

There's another reason for moving the students from one work station to another and

that's to maintain the skill "banks" they have accumulated. Bookkeeping engages the students at several intervals throughout the course, not just the one time when it's studied. Thus the student engaged in a sales analysis project may be asked to "take over" the bookkeeper's job during a "peak load" period. In this way, his skills are maintained and he is alerted to the fact that all skills must be "on call" all of the time.

This kind of confrontation also serves to guide the student in his choice of employment. He knows just what to expect in a bookkeeping job or as a programer in the electronic data processing department. His exposure to the wide spectrum of activities in the classroom serves to alert him to those areas where he feels he would be most happy and productive.

But does it work?

As educational dynamics, it sounds fine, but does it work—*really* work—for the student out looking for a job?

The mean starting salary for Carteret business education graduates is $67.47—an excellent salary for the area. And students receive an increase of $5 after the first six months. The top firms in the area compete for them.

These facts and figures are taken from a continuing survey of graduates carried out by Rozzelle. A follow-up study questionnaire is sent to all business department graduates after they have been on the job six months. The purpose of the survey is to find out if the school program works, why some parts work better than others and what can be done to improve it in light of constantly changing business needs.

Job holders are also asked in this survey what kind of tests they took for the job so that current students can be prepared when applying at that company.

A complete breakdown of clerical, secretarial and bookkeeping jobs is arranged in check-off form, on the survey, so respondents can indicate in detail just where more preparation would have been desirable, where it was adequate, and where it was more than adequate.

By this keeping its finger on the pulse of the business community, Carteret high school finds that is can shift pace, attitude, or training methods to conform realistically and usefully to current business demands.

PREJUDICING THE CASE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. ASHBROOK. Mr. Speaker, if my calculations are correct, 5 years to the day have transpired since mutilated documents were found in the burn bag of Otto F. Otepka, the State Department security officer, according to a statement by three State officials. Otepka, several months later, was accused by the State Department of mutilating the documents, a Federal offense. The statute of limitations on this particular violation is 5 years, a period of time which has now expired. As I have noted before, these mutilation charges against Otepka were dropped by the State Department just as Otepka's hearing was about to begin. Later, Otepka, who flatly denied the charges, asked the Civil Service Commission to investigate the issue of the mutilations, but the CSC declined on the grounds that only the first three charges, which did not cover the mutilations, were within their mandate to review.

Why was the period of 5 years allowed to transpire without prosecution being brought against Otepka or whoever was guilty? Several months before State made its accusation of Otepka, agents of the FBI on orders from the Justice Department, had questioned Otepka and other State Department employees concerning the Otepka case. Therefore, the Justice Department was quite familiar with the case, and when State made its formal accusation against Otepka, why was he not tried for violation of a Federal statute? According to the Washington Post, of June 7, 1967, the Justice Department attorney representing the State Department at Otepka's hearing, Irving Jaffe, was quoted as saying that the dismissal of the "mutilation" charges, "had nothing to do with problems of proof." Also, according to the Post article, Jaffe declined to elaborate. Therefore, if the Post account is correct, the State and Justice Departments had the proof necessary for the prosecution of Otepka but decided to drop the mutilation charges for "technical, legal reasons," according to Jaffe.

What has the Justice Department been doing for the last 5 years? As stated, they entered the case in the very beginning, yet to this date nothing has been done. This is the second instance in the Otepka cases in which a possible Federal violation has been ignored, the other being the charges of possible perjury against the State employees, Reilly, Belisle, and Hill.

The more one learns of this case, the more infuriating it becomes. I do not mind repeating what I have stated before that justice and fair play for Otto Otepka should be an issue in the presidential campaign this year. If this case of vicious intrigue is allowed to be swept under the rug, every Federal employee will be tempted to become a mere automaton under the whip of vindictive superiors. If the possible violation of Federal statutes by Federal officials are ignored, what chance has any Federal worker to secure justice in his pursuit of service to his country?

One device that has been used by Federal officials to dodge discussion of the Otepka case has been the plea that they do not want to prejudice the case while it is in the appeals stage. It is my understanding that Otto Otepka welcomes all discussion and investigation concerning any aspect of the issue. As far as he is concerned, his case will most certainly be prejudiced if all the facts are not brought to light. The case of the mutilation of documents is an excellent case in point. He categorically denies that he had anything to do with the mutilations and claims that they were planted in his burn bag. He was so anxious to have certain State Department employees questioned about this issue that he asked the Civil Service Commission to investigate. Part of his defense centers around his contention that there was a concerted campaign by various State employees to oust him from the Office of Security. Involved were some of those employees who, Otepka claims, can throw considerable light on the mutilation of documents. Yet, to date this issue has been ignored.

In the coming months of the presidential campaign, there will be ample opportunity to discuss this case more fully in public. To allow any facet of the Otepka affair to go unexplored will be prejudicing the case against Otepka. Those who are interested in seeing justice done should write to their elected officials and presidential candidates and demand that this mess be cleaned up once and for all—and do not take "Prejudicing the case" for an answer.

GUN LEGISLATION

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. ZWACH. Mr. Speaker, in light of the great countrywide discussion which is developing about the issue of gun-control laws, the following editorial is called to your attention.

Mr. Richard Olson, editor and publisher of the weekly Canby News, argues the value of H.R. 6067 as the model gun-control bill to be adopted. As the author of this article points out, my bill gets to the basic element in that it should be an automatic sentence and fine if a gun is used in any act of crime.

GUN LEGISLATION

We presume that we'll see a watered-down version of President Lyndon Johnson's gun registration bill in the near future. The rash of assassinations has brought a "do something quick" response from many persons who have never owned a gun nor gone hunting and again, we presume, these folks are well within their rights to ask for such a bill, but it is not going to be the panacea of this illness. The only things we would go along with (and these are not necessarily in the bill) would be prohibiting the mail order of guns and the necessity of having a permit to carry a concealed handgun. I don't know many hunters or target shooters who would buy a rifle or shotgun without seeing it, handling it and fondly throwing it to their shoulder to see how it fits. And, we can see no reason for a person carrying a concealed handgun. If they are hunting, undoubtedly they would carry it in a holster within easy reach and then it wouldn't be concealed. If it were concealed, it would be so because they have devious reasons for hiding it. There are persons who have a legitimate purpose for carrying a concealed weapon—those who take large sums of money to a bank, carry important papers, etc., and in these cases, they should have no objection to having a permit.

A recent District of Columbia Grand Jury found that only one-quarter of the guns used in homicides were obtained legally, inferring that laws restraining the legal purchase of firearms would affect only about 25 percent of the offenders. We believe it was one eastern city which has recently enacted an ordinance on the registration of guns and the proponents of this ordinance stated that this ordinance has stopped the purchase of guns by "x-number" of murderers, burglars, parolees, mentally incompetent persons and so on. We believe that if a law were enacted, these above mentioned persons would not even attempt to legally purchase a gun. If they have a reason to have one, they would steal it to prevent the law enforcement people

from even knowing their whereabouts. It just isn't logical to think that with a foolproof * * * will be far more beneficial than roaming the streets, etc., looking for something to do.

We still think that the best proposal presented yet was one by Congressman John Zwach. This proposes that anyone caught in the act of any crime, regardless of its seriousness, in which a gun is used would automatically receive a jail or prison sentence and stiff fine.

Registration of guns and restriction upon the sale of them will only result in black market sales and another "sickness" which will increase the work-load of our law enforcement officials even more.

COMMENCEMENT ADDRESS DELIVERED AT LOUDOUN COUNTY HIGH SCHOOL, LEESBURG, VA., JUNE 12, 1968, BY HARRY A. FINNEY

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. SCOTT. Mr. Speaker, a constituent of mine, Mr. Harry A. Finney, recently delivered the commencement address at Loudoun County High School in Leesburg, Va. In his address Mr. Finney told the students that, according to the law of civilization and decay, there are two kinds of society: a society of dispersion and a society of centralization. He told them that we are now living in a society of centralization and that we are on the verge of reversing the trend toward centralization to the trend of dispersion—to a society of individualism once again. He believes the revolt of youth of today is a repeat of history, and that it will subside with new generations. Mr. Finney told the students youth is committed "to embarkation upon the road of individual responsibility." Mr. Speaker, I think his speech is inspiring and worthwhile and I submit it to my colleagues for their perusal:

A very brave man once said these words: "If I knew that the world would be coming to an end in exactly five minutes, I still would plant a tree."

There has been postulated a law known as The Law of Civilization and Decay. Respectable observers say that it is alarming and erosively at work in the land today and there is much evidence to support the assertion.

According to the law of civilization and decay, there are cyclic alternations between dispersion and centralization. At the beginning of a civilization, in a dispersed society, there is considerable freedom fostered by individualism with reverence for the unknown; there is virility; there is imagination. As the society prospers the nonproductive speculator and the usurer assert themselves and inevitably there develops a trend to centralization, with resultant economy of power, economy of production, and inferiority of quality. The ethics of the market place supersede those of the herdsman, the farmer and the artisan. The problems of debt and debtors, as well as those of creditors, intensify as money is manipulated and the coinage is debased. The individual is lost in the crowd and humanity falls into a new dark age from which there is emergence only with the infusion of new blood; new spirit, new virility to create a new dispersion to calm the passion for conformity and restore to the individual a new sense of pride and responsibility.

Rome, in a dispersed society in the early days of the Republic, was chiefly concerned with the maintenance of a population of strong freemen. Under the Empire, after centralization, she had but one anxiety: How to levy and collect more and still more taxes. In the time of Nero the silver content of the denarius was reduced from 1/84th to 1/96th of a pound, with copper alloy making up the difference. Later, under Trajan, the alloy was increased to twenty per cent. Under Septimus Severus it went to sixty per cent, and by the year 220 A.D. the coin had degenerated to base metal and it was repudiated. The once free farmers and artisans were reduced to slavery or piled up in the cities to beg for sustenance.

Undeniably, today's civilization is too tightly centralized and unhealthy forces are at work. But the God of creation is not dead and there is an area for abundant hope.

Without time to trace all the causes for all of the ailments of society and without genius to prescribe specific remedies, enumeration of the symptoms would avail no good and would serve only to acidulate the sweetness of your last hour together.

It was Oscar Wilde who told us that we, in order to judge reality and test the verities, must see them on the tight rope. The verities, that is, the beliefs heretofore accepted as truths, the ideals, the principles to which strong men adhered, indeed, are on the tight rope and today is a time of testing. And youth is in revolt.

Youth in normal revolt is no cause for excitation. Youth in madcap rampage is cause for earnest examination, sober discussion and peremptory remedial action.

Youth in normal revolt is youth reluctantly discarding the cherished illusions of childhood; it is youth in observation; youth in awareness; youth compassionate; youth unsatisfied with fastidious answers to its urgent questions. It is youth finding society in failure to practice its own preachments. It is youth with face set hard against compromise.

In relatively similar circumstantial settings youth has always been in revolt. Hear this quatrain of lamentation from the incomparably haunting cadences of Omar Khayyam:

"Ah Love, could you and I with Him conspire
To grasp this sorry scheme of things entire,
Would we not shatter it to bits and then
Re-mold it nearer to the heart's desire?"

Those lines were written in the Twelfth Century. Successive revolutions, upsetting old regimes, have brought us to this moment.

But there is outcry that never before has there been such great disorder. An historian will disprove that statement. Still, Youth seems to be inquiring: "If our elders contrived this great disorder, why should we hearken to their advice; why should we take instruction from them?" And there is talk of a communication gap.

Take this assurance. Your elders have not deliberately created unwholesome conditions. There has been no evil conspiracy. The preceding generation has not inordinately indulged in sin.

Much of what you look upon is the inevitable result of the supplantation of an agricultural economy by the industrial which, with overwhelming impact, coincided with and fomented centralization in its latest cycle. A terrible fratricidal war for the preservation of a dispersed society was fought in this land. With the loss of that war the rush to centralization was further accelerated. Today the continent is filled up and exploited. The ugly, festering tentacles of the megalopolis continues to creep, despoiling the countryside and replacing beauty with pollution because there are more and more people competing for shares in the available shrinking space. Wherefore, it might be said that there cannot be a new dispersion; that men, if they cannot move, cannot disperse.

Well, there can be and there must be, if not a physical, then an in place dispersion; a dispersion of power and of greed and clamor for power; a dispersion of responsibility; a discard of the idea that all problems can be settled by the central government, and a diminution of the demands made upon that government. This means that there must be a spiritual re-birth; a renewal of self reliance, energy, resolution and courage in the individual.

There is about to be cast before your generation a prodigious task which you will have to perform with resurrected tools or with better tools of your own invention. You will seek answers to well nigh imponderable questions. You will not find those answers by tossing borrowed money to the winds, or by passing laws which serve only to irritate one segment of society while disappointing another; especially since the disappointed ones are so plaintively and so clearly saying that they want from life something more than the bread of charity.

The challenge is magnificent and challenge assures an interesting future.

Competition enforces compromise. When you have finished your collegiate endeavors, you, if you take with you into the world a demand for absolute perfection and good order, will find where'er you turn capable, competitive adversaries determined as you are determined to stand upon their principles and to insist upon trial for their ideas. If you would accomplish, you will compromise. This is not to suggest that you will renounce any part of that which you hold good, but rather that you will accept and merge with your own good whatever good is proffered by your adversaries.

You will encounter men who are stupid and lazy and they will become vociferous and obstructive and you will have to take account of them. You will meet with men who are greedy and sordidly ambitious. They will overwhelm you if you, with gaze too firmly fixed upon a distant utopian ideal, refuse to look upon and act within the immediate prospect. Again, this is not to say that you will play dishonest games with furtive gamesters. Only that you will have to fight today's battle today.

And all of it means simply that each of you, with careful regard for the rights and claims of others, must dare to be yourself.

While men compete, not only for primal lusts as in the past, but now for each last inch of standing room, you will find that order is less than perfect. If perfect order and nothing less will do, go then and look into an ant hill or a bee hive. Your study of the ant and of the bee will convince you that for man in his present state of spiritual development perfect order and absolute freedom are not compatible. For sake of freedom men have tolerated conditions in which order is less than perfect. But that tolerance was never intended for and should never be extended to licentious disregard of decent human conduct or unrestrained mob violence.

There is one and only one condition in which perfect order and absolute freedom can subsist together. That is in a state of conservative christian anarchy. By conservative christian anarchy is meant a state in which each last individual is so noble and so just, so truthful and so peaceful and so dedicated to concern for the rights of others that no laws are necessary. Man as he is today would find existence in that state extremely dull. He would not enjoy it. He is not ready for it.

Christians profess their love for Jesus, but do not always follow his precepts. Frenzied Buddhists immolate themselves in the name of their religion, but in their lives stray far from the path which Gautama

traced for them. The Chinese sing of Lao tze and of Confucius, but neglect the instructions those sweet old teachers gave to them. Arabs invoke the name of Allah and Israelis that of Yawveh, but they fight for territory. Man is only four hundred generations removed from the caves. Try to love the bewildered fellow. It has been said that history is only the record of the various stages through which man passes while trying to humanize himself. More and more human ought to be the motto for an ideal life. You do have a superb challenge and challenge does assure an interesting future.

If your elders are to be charged with fault, the indictment should say that they too generously took upon themselves responsibility for the accumulated guilt of all the ages and that they tried too hard, in too short time, with too little understanding, to satisfy all of the complaints of which all men make clamor. Too suddenly and too indiscriminately they gave freedom for exercise of personal prerogatives without first making certain that those to whom they gave it were willing to assume and prepare for the assumption of concommitant responsibilities. Your elders, in their own compassion, have gone deeply into their resources for the improvement of conditions and, all of the noisy publicity to the contrary, they have seen to it that no one of necessity goes hungry. They have reversed the old mercantile laws which favored the few against the many. They have softened, perhaps too softly, the criminal laws. They have ameliorated conditions in the institutions for the mentally ill. They have made available educational facilities which furnish vast opportunities for anyone who is sincerely in quest of knowledge.

It seems that your elders, when they assumed the blame for all the sins with which the face of man is scarred and precipitously went about atonement, expected of those for whom they labored adjustable proficiencies which those beneficiaries do not at once exhibit. In the rush for the abolishment of peasantry, they overlooked the fact that the transplanted person might not know how to perform in a new environment and might not try to learn. In this process they made discontented many who formerly had lived contentedly.

Mistakes must be acknowledged, not for assignment of blame, but for study and correction. You were told that revolutions of the past have uprooted customs of the past, but the sociological impacts of those revolutions, when sharply and immediately impressed as we have felt impressment, were terribly impressed by chopping block, guillotine, firing squad and gas chamber. In our land today, with centralization begetting more centralization and new demands piling high upon demands already high, there is no opportunity for appraisal or for adjustment and readjustment. There are complexities which no man and no congress of elected men can quickly comprehend and simplify. This much seems certain: It is time to stop the handout and give a hand up.

Regarding then the great disorder as consequence of industrialization and centralization, you may correlate your elders' well meant efforts; their too hasty and too haphazard efforts to right all wrongs for all time to come; their too sharp infliction of theory on practice.

Let it not be said that yours is a disinherited generation. Cry not that there is no future. Is youth's remonstrance honest? Is youth's professed compassion sincere? Affirmative answers commit youth to embarkation upon the road of individual responsibility.

Take the social and economic inaugurations and see to it that the benefits are more sensibly distributed. In that process reestablish discipline, including self discipline, which as the one real sin has been disestablished. Take your faltering brother's hand, but let your walk with him be one that will sustain him to walk alone and thereby to gain the pride of independence. Test whether you, even if it be the eleventh hour, can arrest decay.

Earlier it was said that there is an area of hope. You will control that area and the hope is that you will keep viable the verities. Honor, truth, self reliance, thrift, pride in endeavor, pride in achievement, humility of spirit, practical enlightened unselfishness . . . these are the verities. If you accept your challenge and respect and uphold them, they will be maintained in balance and you will not fail to make your progress. Neglect and dishonor them and you will complete the operation of that insidious law of decay and will leave to your posterity fresh and awful and unimaginable vicissitudes.

You are gloriously equipped for your course which we cannot chart for you. You have healthy minds in healthy bodies. You are loaded with untested courage. You have energy, that marvelous attribute of youth, and you have hope. You do have hope, else you would not have come thus far and would not be in preparation for onward going.

If an individual's aspirations reach higher than the everyday activities of the market place and acquisition of luxurious accommodations, then he must learn, and be content in the knowledge, that he will never see the full fruition of the trees that he has planted. He must come to know the magnitude of knowledge and to realize that he has not time to gain more than a little of it. His quest for the end of the rainbow must provide its own reward, for the end of the rainbow is not to be discouraged. His courage he must not vaunt in idle showmanship, nor his energies dissipate in pursuit of trivia. He must walk in humble pride and proud humility.

In words borrowed from sturdy old Justice Holmes, this charge is yours: Have faith! Have faith and pursue the unknown end.

I congratulate you and earnestly wish for you success in the work which you will find to do.

BETTY FURNESS CAPTIVATES NATIONAL PRESS CLUB AUDIENCE

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mrs. SULLIVAN. Mr. Speaker, it was my pleasure today, and indeed it was a great pleasure, to be a guest of the officers of the National Press Club when Betty Furness, Special Assistant to the President for Consumer Affairs, made a luncheon address summing up her first year in office.

Miss Furness is a delightful person and she made a delightful and witty speech, which I am sure all of the Members of Congress who are interested in consumer affairs will want to read. She completely captivated the audience of newsmen and newswomen.

Unfortunately, I do not have a transcript of the questions asked from the audience, and her poised, incisive, spontaneous replies. Her performance reminded me of her appearance before the Subcommittee on Consumer Affairs of the House Committee on Banking and Currency at the opening day of our hearings last year on the Consumer Credit Protection Act when she demonstrated the same remarkable facility for responsive reply to difficult questions. I think she has done a wonderful job and has been a most worthy successor to Assistant Secretary of Labor Esther Petersen. We are fortunate to have had two such outstanding women in this demanding and difficult and challenging position.

Miss Furness' prepared remarks were as follows:

REMARKS BY BETTY FURNESS, SPECIAL ASSISTANT TO THE PRESIDENT FOR CONSUMER AFFAIRS, BEFORE THE NATIONAL PRESS CLUB, NATIONAL PRESS BUILDING, WASHINGTON, D.C., JUNE 18, 1968

Last fall, I was in the middle of a speaking tour when I noticed a cartoon in Look. It showed a portly gentleman about to make a dinner speech, and he was saying:

"I am now going to deliver a long and boring harangue, full of cliches and not containing a single worthwhile or original thought. That's what you've paid $100 a plate for, and that's what you're going to get."

I was told that you would be paying $3.60 a plate today, so I could feel free to economize, too—at least on length.

As for subject matter, I knew that I could try to thrill you with dramatic tales from the marketplace, or arouse your reportorial fervor with an analysis of consumer credit.

But then it occurred to me that this would be the first time, really, that I'd had a chance to speak to the national press in one collective room.

My romance with the national press has had all the elements of a soap opera. Boy meets girl. Boy decides he'd rather kiss his sister than be seen with this disaster. Boy dates girl, but no hand-holding. Second date looks a little better. And tune in tomorrow to see if they're still speaking.

This romance began the day after I was appointed by the President. I turned to the papers the next morning, blushing and apprehensive, and pow!

I almost wished I was back getting slapped around by Bruce Cabot in "Midshipman Jack."

As the clipping service began sending in their goodies, I could see this was going to be a rocky romance.

"Incredible!" said Women's Wear. "Who's kidding whom?" I was described as "a kind of Saturday Review version of Consumer Reports."

In St. Louis, the Post-Dispatch said the President must have been playing the role of a casting director, quote "as we have not seen it before, since Tyrone Power, Jr., was signed to play Ferdinand de Lesseps." They said mine was a story Horatio Alger would have hesitated to write.

In Michigan, the Ann Arbor News said that quote "A more likely appointment would have been the housewife who keeps seeing that dove flying into Sarah Schlumpf's kitchen."

In Hackensack, New Jersey, the Record asked the poignant question: "If an actor with no experience in government can become a Governor of California or a United States Senator, why can't an underemployed actress from the East Side of Manhattan find a successful, useful life in the White House?"

The appointment did excite one man, Don Maclean, who said that he hadn't been so enthused about something since the invention of the self-loading waffle iron.

I got one flattering—well sort of flattering—comparison from the Chicago American, which said it could think of "nobody less qualified for the job of representing consumers, unless it might be Elizabeth Taylor."

But the other comparisons I could have done without. The Rochester Times-Union said the President was going to use my appointment for a springboard "to get Batman for the aviation agency and Ed Sullivan for graves registration."

And Art Buchwald kindly pointed out that my appointment was only natural, since Lassie was to be named head of the beautification program.

Connecticut was split in two—not on the merits of the appointment, but for the reason it was terrible. The Bridgeport Post attacked it because I had "never been a consumer," and the Stamford Advocate because I had always been "a consumer rather than a bureaucrat."

I was getting a roster of nicknames almost as colorful as those the New York Daily News assigns to murder suspects. I was quote The Ice Box Girl and The Chilling Huckster.

I was also told that I was being called a plumber, which I didn't understand until I read the item from the LaPorte, Indiana, Herald-Argus: quote, "It will be said of course, 'give the lady a chance', but such an admonition still flounders on the fact that 'a plumber has been sent to paint an oil masterpiece'."

All those appeared in March. I started work on May 1, and it took two more months until I found my first friend—a lady whom I will adore till I die. In July, a columnist named Erma Bombeck helped me start on the long road back from depressive to manic.

"Any woman whose approach to a kitchen is 'to stay out of it as much as possible' can't be all bad," she wrote. "Besides, as my old grandmother used to say, 'You don't have to give milk to know about cows.' . . . The late General MacArthur headed the Remington Rand Corporation, and it is rumored that he couldn't even type. And I'm fairly certain the research men dealing with 'the pill' have never been mothers in their lives."

As the months went by, our affair, yours and mine, mellowed a little, though we still had our spats. The Wheeling, West Virginia, News-Register was the first paper to suggest, or, rather, demand—in August—that I be fired outright for admitting that I didn't used to be able to understand the small print in contracts.

We even went pretty steady for a few months. But that had to end, and it did—last week, when Chet Huntley accused me of singlehandedly trying to destroy the meat industry in the United States and all its territories and possessions.

Mr. Huntley told the radio-listening nation that I was bad news down on the farm. Like some other investors in the meat packing business, he argues now and has before that the meat inspection act was unnecessary.

Well, I can tell you, gentlemen, that he's wrong. In the short time it's been on the books, the Wholesome Meat Act has already gone a long way toward insuring that the meat consumed at American tables will be clean and healthful.

Already, a good number of plants deemed hazardous to public health have been closed.

Even more have voluntarily closed themselves because they couldn't meet basic health standards they could ignore before the act was passed.

And countless numbers of slaughter houses, processing plants, boners and cutters, have made vital corrections in their plants, their products, their processes—corrections that weren't required before the act but certainly were needed.

The Wholesome Meat Act is an urgently needed piece of landmark legislation, no two ways about it.

On the whole, I think the press and I have come to terms. I'm glad of that. When I took this job, I asked that I be given a year. If by then housewives still wanted to march against me, then I'd march with them. I was relieved when there were no marchers on my first anniversary.

Even if I say it, but shouldn't, I think we have accomplished a good deal in the past year. And that "we" does not mean just my office. The public has been aroused and moved to make themselves heard—by the President, and by the press.

It's probably going too far to say that we wouldn't have gotten a meat bill without Nick Kotz. But I think it's safe to say that we wouldn't have gotten a bill as good—or as soon—without his series of articles.

Senator Douglas and Congresswoman Sullivan had been fighting for a good Truth-in-Lending bill for years. But this year the press helped take up the crusade and showed the public what it was paying in interest and service charges.

I won't hang out a laundry list of bills that have been passed to help the consumer. You know them as well as I do—from Flammable Fabrics legislation to product safety and clinical laboratory laws. There were eight in all.

There are a lot more needed, before we can say that a balance of trust has been established.

In answer to a loud and repeated complaint from consumers, we are studying the matter of warranties and guarantees in home appliances. I think it is essential that a person who buys a washing machine know exactly what the company is willing to do to back up the integrity of the product, I think the buyer should and must know who is responsible; the manufacturer, the wholesaler or the retailer, and at what point in the life of the product is he, the consumer, the lucky one who holds full responsibility.

We have had some encouraging response from manufacturers. The Whirlpool Corporation used the press to announce—in an open letter to Betty Furness—that it was simplifying its warranty process. And it did a good job. Its warranties are three paragraphs long. The paragraphs contain simple declarative sentences. The whole message contains eleven adjectives, one "but" and one "except." And the print is legible.

We are looking into the possibility of encouraging manufacturers to give some information to their customers about the life expectency of the products they buy.

The way some products are advertised, you'd think they were going to last until the millenium. Sometimes they barely make it until a week from Tuesday.

But of all my priorities, the vital need for good programs of consumer education comes first. The goal of American education has always been to prepare our youth to earn a living.

And you can't knock a knack for making money.

But it has become critically necessary for us to teach the ways of spending and managing money as well as earning it. So consumer education is simply teaching an individual how to make intelligent choices based on knowledge and information.

It teaches him to differentiate between his wants and his needs.

Home economic courses do not go far enough. Far too often boys avoid these classes thinking they are something for the girls. And to a large extent they have been right. Girls are taught skills but not necessarily how to spend their money wisely or how to shop for better values. They have not taught youngsters the facts of life on credit, installment buying or how to analyze a purchase. This is changing now in many schools.

Many schools are now beginning consumer education programs, and they can be quite ingenious. David Schoenfeld, who is now the head of my consumer education department, ran one such program at Lincoln High School in Yonkers, New York.

He dramatized consumer purchases by bringing used-car salesmen in to talk to his classes, by having bank or loan company executives talk on savings and credit. It wasn't long before the parents of his students were asking for lessons of their own.

Community groups and others are getting on the education bandwagon, I'm happy to say. But I am not so happy about some of the programs that are well meaning but self-serving—or others that don't face up to the problem. For instance one group in particular purported to deal with warranties, saying "If any of your members have had an unhappy warranty experience remind them that only a few years ago, a 30-day warranty was most unusual." They are saying in effect if you feel you've been had by a bad warranty just be happy you got any warranty at all. Apathy is better than action. That's soothing syrup. It's not consumer education.

Many programs claim to speak to the public at large, but make no allowances for the very special problems of the poor. And it is the poor who need education the most.

The same group I mentioned above endeavored to describe the sources of income of the average consumer. It listed wages, interest and dividends, gifts, inheritances, bonuses and commissions, subsidies from relatives, proprietorships and rentals, and prizes.

Prizes for what? Playing Double Dino Dollars at your gas station?

Its solutions for an overburdened budget included the following: if baby-sitting costs are high, can you exchange sitter services with a neighbor to enable you both to get out oftener? Can the doctor be persuaded to give cold treatments in exchange for yard work?

This kind of simplistic lunacy isn't consumer education. It's consumer fraud. It doesn't attack the problem. It nibbles around the edges in the tacit assumption that good fellowship and yard work will make it go away.

Consumer education can take place anywhere—not just in schools, but at home, at the YMCA, and any other gathering place you can name.

This Administration is doing everything it can to see that the consumer is taught how to get the best value for his money. It's that simple.

I don't want to anticipate any of the questions you will be asking, but in case no one does ask whether I think this has been a successful year, I can say this:

It has been a year of successes—the bills I mentioned are, of course, the major ones. But there have been other successes too.

Industry for the most part has shown an engaging desire to cooperate. Many leaders have called me and have visited me and my staff to see what they might do in their special fields to help further consumer protection. Many states have adopted protection programs and some cities. The idea of consumer protection is even reaching county level as in the case of Nassau County in New York. So there is progress—But.

It has also been a year of failures. Frankly, I have not been able to help the woman who wrote to demand that all artichokes henceforth have 15 leaves.

I haven't been able to help the woman who suffered from arthritis until she discovered that with five or six beers under her belt she could do her housework. Her complaint was the high price of beer.

And I'm sorry to say that I haven't been able to help the woman who wrote to the President and me earlier this month. If I may, I'll read you her short note, because it sums up the job I've been trying to do, as well as the problems we face.

"Please adjust the cost of living," she wrote, "like lowering prices, or whatever, so that I personally can have all the space and things and help that I want and need for myself and my sons to grow and develop. The last request I made to an official took two years in its fulfillment, but I'm getting tired of waiting and I'd like this request fulfilled right away."

Thank you.

A WEST POINT FOR DOCTORS

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. HÉBERT. Mr. Speaker, I have been proposing the establishment of a Uniformed Services Military Academy for 16 years. I call it a West Point for Doctors.

To be operated along the lines of the other three military academies, this institution would give a complete medical education to an individual who would in turn serve a prescribed number of years in the Armed Forces.

In order to keep the Members of the House informed, I am inserting at this point a copy of the letter which I sent to Secretary of Defense Clark M. Clifford on this subject:

U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., June 6, 1968.

HON. CLARK M. CLIFFORD,
The Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: I wish to call to your personal attention an acute national problem which is of direct and immediate concern to our Armed Forces.

I have reference to the existing serious national shortage of physicians and undisputed evidence that this shortage will worsen in the years to come unless constructive action is taken immediately to increase the number of physicians available to satisfy both our civilian and military health care requirements.

The President's National Advisory Commission on Health Manpower has conducted a comprehensive study of the health manpower requirements of our nation and in its report in November 1967, expressed grave concern over this problem and therefore strongly recommended that—

"The production of physicians should be increased beyond presently planned levels by a substantial expansion in the capacity of existing medical schools, and *by continued development of new schools.*"

Despite this unequivocal recommendation by the Commission and the growing alarm of the medical community, no significant action has been initiated either in or out of government to stimulate the development of a program which will result in a massive increase in the production of physicians.

As you know, we have today approximately 280,000 physicians in our nation. Yet, our medical schools have only a marginal capacity for maintaining this physician strength with a production of approximately 8,800 physicians each year and no capability, in my view, of meeting the expanding physician requirements for health care required by our burgeoning society.

The President's Commission pointed out that little progress has been made in the past decade to increase physician production. For example, graduates of U.S. medical schools only increased from 7,000 in 1955 to 7,400 in 1965. The most optimistic estimates on present plans to expand medical school production indicate that the annual production of physicians in 1975 will not exceed 10,000. Every medical expert to whom I have spoken on this subject agrees that this projected production of physicians will be woefully inadequate to meet the growing needs of our expanding population.

Unfortunately, in the past some medical educators have contended that there are not a sufficient number of qualified young men capable of meeting the high standards required by our medical schools. However, the President's Commission has effectively dispelled this view by pointing out that there are at least two qualified applicants for each of the roughly 8,800 places that now exist in the entering classes of established medical schools.

It is evident from the foregoing circumstances that the major roadblock preventing increased physician production is essentially the lack of physical facilities. Because of the national implications of this problem, I therefore believe that action must be initiated on the Federal government level to overcome this roadblock to enable qualified applicants to obtain the medical education necessary for the future wellbeing of our nation.

Since our Armed Forces represent one of the major users of physician services, it is evident that any action that the Congress can take to meet physician requirements of the Armed Services without further depriving the civilian community of physicians services will be a major constructive step towards solving this problem.

Heretofore, the Department of Defense has urged the Congress to enact various statutory incentives which would encourage young physicians to enter and remain in our Armed Forces. Historically, it has been demonstrated that these incentives are of very questionable and limited value.

The Armed Services have now initiated a program of full scholarship assistance to commissioned officers who desire to become physicians. This new program, in my view, is not only illegal but an absolute waste of government money since it in no way will increase the total number of physicians available to our nation.

I can, however, appreciate the concern of the Armed Forces over their failure to retain adequate numbers of career physicians in the Military Departments. Today, fewer than 18% of our physician population in the Armed Forces are career officers, and every evidence indicates that this statistic will not improve. Obviously, this is an intolerable condition and reflects a dangerous degradation of the quality and experience of the medical services required by our Armed Forces personnel.

I strongly believe that this condition can only be corrected, for both the Armed Forces and our nation as a whole, by the establishment of a Uniformed Services Medical Academy. This medical academy would be established for the purpose of providing qualified applicants with a complete medical education with a requirement that they become career officers in the Uniformed Services with a stipulated obligated period of service commensurate with the Government's investment in their education.

I am well aware of the fact that the creation of a medical school *de novo* is ordinarily a long and arduous process covering a span of from 5 to 10 years. A dean and faculty of medicine, and associated medical disciplines, must be laboriously recruited and assembled. In addition, costly capital outlays must be forthcoming to build facilities such as an administrative center, basic science buildings, laboratory, research facilities for the basic and clinical sciences, housing for faculty and students, and teaching hospitals with an adequate patient census.

Fortunately, much of these resources are already in being and available in the Washington metropolitan area. There are in the Washington metropolitan area, military and Federal medical resources whose full potential in contributing an increased production of physicians has never been fully utilized. Within the environs of the Nation's Capital, for example, may be found the National Institutes of Health, the Armed Forces Institute of Pathology, the Armed Forces Radiobiology Research Institute, the National Library of Medicine, Walter Reed Army Institute of Research, Walter Reed Hospital, the Naval Medical School and Research Institute, the Naval Hospital at Bethesda, Andrews Air Force Base Hospital, the Walter Reed Army Institute of Nursing, and the Hospital of the Veterans Administration. These facilities, with their staffs, their patient population, their clinics, laboratories, libraries and classrooms form major assets for the creation of a medical education center.

These elements represent an enormous capital investment, all national assets, all currently operational, all mature institutions, many of which have national and international reputations. It would appear to be no longer justifiable, in the face of the urgent requirements for expansion of our medical education system, to leave these resources untapped. It is time for the Federal Government to capitalize on them by the creation of a medical school which will meet at least a portion of the medical needs of our Armed Forces and thus serve the nation as a whole.

I, therefore, propose to introduce legislation on the first day of the 91st Congress similar to H.R. 4240 of the 90th Congress, which will establish a Uniformed Services Medical Academy. The medical academy would be a new school of medicine which would utilize existing Federal resources within metropolitan Washington for the purpose of initially training physicians for the Uniformed Services.

It is my hope that whatever facilities are authorized by the Congress for this medical academy that planning be based upon an initial graduating class of 100 students with a gradual increase in the size of subsequent entering classes so that an annual ultimate production of 300 graduates per year can be achieved.

The establishment of this Uniformed Services Medical Academy could well be the forerunner to increased Federal effort in this area designed to combat the growing shortage of trained personnel in the health sciences in both the civilian economy as well as in the Federal-civilian career area.

I have been given assurances by many medical educators that this concept would be given the active support of both civilian medical educators as well as the Surgeons General of the Military Departments and the Public Health Service.

Details concerning the composition of the faculty, which I believe should essentially be civilian, as well as the opportunity for physicians in the Armed Forces to also be utilized in teaching and research capacities, are essentially matters which can be developed during Congressional hearings on this proposal.

I have discussed this matter with many of my Congressional colleagues who have indicated an unqualified support for my proposal. Therefore, with a view towards preparing for meaningful Congressional hearings on this subject, it is requested that you immediately appoint an inter-departmental study group for the purposes of examining this legislative proposal in detail, including consultation with appropriate civilian professional groups, and for the further purpose of making such meaningful recommendations as you deem appropriate on the subject with the requirement that the study group's efforts be concluded in sufficient time to enable the Department to provide the Committee on Armed Services with a report on this subject no later than December 15, 1968.

I might add as a footnote to this request, that I have personally pursued this subject with representatives of the various Military Services for more than 16 years, and with the assured support of the Chairman of the Armed Services Committee, Congressman L. Mendel Rivers, have every hope of bringing this matter to a happy conclusion during the 91st Congress.

With best wishes and warmest personal regards, I remain

Sincerely,

F. EDWARD HÉBERT,
Member of Congress.

In connection with this, I would also like to call to the attention of the Members a resolution passed by the Air Force Association Medical Advisory Council. I am most pleased to have this organization's support.

The resolution follows:

RESOLUTION: MILITARY MEDICAL ACADEMY

Whereas, the various Armed Forces Academies show a good officer retention history, and it can be projected in an analogous sense that an Armed Force Medical Academy would result in a similar medical officer retention, providing the solution to one of the most pressing problems in the Military Services; and

Whereas, creation of a medical school in the Washington, D.C., area which could utilize existing capabilities, such as the Armed Forces Institute of Pathology, Walter Reed Hospital and the National Institutes of Health, would provide unparalleled clinical and research facilities, and would also lower the initial cost of creating such a medical school; and

Whereas, the existence of a military medical school would enhance the post graduate training programs in the various Services; and

Whereas, this new medical school would provide an opportunity to integrate the various health sciences with the new field of medical engineering; and

Whereas, there is already a precedent for Federal support of most medical schools, and it is therefore not illogical for the Government to support its own medical school to meet specific governmental needs; and

Whereas, it would add to the total medical graduate output for the country, which would benefit the entire nation;

Now, therefore, be it resolved that the Medical Advisory Council of the Air Force Association unanimously endorses the formation of an Armed Forces Medical Academy.

GUN CONTROL: NO ARGUMENT AGAINST IT

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. BROWN of California. Mr. Speaker, since the opening of this session of Congress, I have consistently expressed my concern for the growing problem of crime in America. I have been particularly concerned with preserving fundamental constitutional protections for the law-abiding citizen while permitting effective means of control over law-breaking citizens. The people of this nation are now asking for strong gun control legislation. I feel that reasonable regulation over the sale and distribution of guns is timely and necessary, and I feel that sportsman and gun collectors will graciously accept any small inconvenience.

Both sides in this controversy have presented lucid and valid arguments. Mr. Ron McGrath of the San Gabriel Valley, Calif., Daily Tribune, June 12, 1968, has written in his straightforward manner a rather refreshing article on the subject. I commend this article to my colleagues for their consideration:

GUN CONTROL: NO ARGUMENT AGAINST IT

(By Ron McGrath)

Mention the phrase "stricter gun control legislation" and you have all sorts of people running around screaming that their "rights" have been infringed upon.

The shouting and the carrying on, however, is strictly from the Mickey Mouse School of Acting. The people who really get excited when you talk about the control of guns are the people who make guns, the people who sell guns, and those people who want to own a gun without anyone, including the local police, knowing about it. But it's a sham. Their excuses about their so-called rights make you sick.

Just as it was inevitable that some hippier-than-hippy character would come out with a new bumper sticker "Make Love and War," it is now, more than ever before, evident that we need a really valid bumper sticker: "Register Communists and Firearms."

The odd point about all this gun business, and something that is rarely pointed out, is this: nobody is asking citizens to give up their guns. Hunters may still hunt, trapshooters can still shoot, collectors can still collect.

What new legislation should mean is that all gun owners must be required to register their weapons with local police. Sportsmen can have no objections to this. Collectors would likely be more than happy to comply, and the average resident should be delighted that all registered guns are legal, all unregistered guns are not.

NOTHING TO FEAR FROM LAW

Just what, then, is the objection to the registration of firearms? Unless you've got something to hide, unless you want to own a gun that isn't in the records, unless you mistakenly feel that you are "protecting" some foggy inalienable right, you have nothing to fear from a local ordinance that makes the ownership of unregistered firearms illegal.

People have a funny way of confusing even the simplest of issues. It is not because Senator Robert F. Kennedy was gunned down that new gun control legislation must be passed. It is not just because President John F. Kennedy was murdered with a rifle that mail-order and inter-state sales must be stopped.

It's simply because violence and crime is running rampant today all over this country. Guns, sold legally or otherwise, are easy to get, much, much too easy to get, and far, far too hard to trace. The fact that too many crimes go unpunished, even if the criminal is caught, is another critical factor.

You never hear about half the crimes that are committed with guns. When a man robs a liquor store or a gas station or a little grocery market he doesn't do with a yo-yo. When a weasel "cases" a bank branch one busy Friday then returns to rob it the next Friday he doesn't perform the stick-up with a knife.

IT WILL NOT DISARM PUBLIC

It is not the intention of gun laws to "disarm" the public, as you may have been told. Does licensing of automobiles mean we are a nation without cars? Many of the facets of the proposed watered-down legislation, in fact, have no meaning whatsoever for the average law-abiding citizen. Buying guns out-of-state, buying guns under 21 years of age, and so on.

The distinction between hand guns and rifles or shortguns is another factor that hampers any effective regulations. It makes little difference to a hold-up man if he shoots the guy at the cash register with a pistol or a sawed-off shot gun.

Let us not be misled by any mass of statistics which show that many crimes are committed without guns. They are used by people who want to confuse a simple terrifying situation.

The assassination of a President cannot be stopped by gun control laws, nor can riots or organized crime. By pointing to a lethal weapon and saying that it must be registered, however, we at least get a start in the right direction. We get a start on cutting down crime in the streets, in the asphalt jungles of America's cities. The small-time hoodlum would be undermined by gun laws which would aid all law enforcement agencies in the prevention of some crimes and the solution of others.

NO SANE ARGUMENT AGAINST IT

There cannot be one single valid argument in this nation today against the passing of a gun control law that would demand the registration of firearms. Still, we hear the protests. The sick, sick protests. "It's in the Bill of Rights" we hear. "It's in the Constitution" we hear, "Don't hurt the poor sportsman."

These people should read a little more of the Constitution. They should look around them and they'd see their nation with so many inalienable rights dying a little more every day. The citizen with anti-gun law views should say over and over to himself: "Just who am I trying to protect?"

Those against gun laws really needn't worry however. They'll never have to wonder about such things as the serial number of that old gun in some forgotten drawer.

Chances are good there will never be any effective gun control legislation because this is a nation of patsies. It is a nation afraid to punish its own criminals, afraid to offend the rights of evil people, afraid to convict the guilty no matter how obvious their guilt.

In this atmosphere, how could anyone dare bother the poor, poor citizen with little things like the registration of a gun?

WORKINGMAN'S PARTY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. DERWINSKI. Mr. Speaker, a very fascinating commentary on the failure of the Democratic Party to properly serve citizens who have supported it was carried in the Thursday, June 13, Harvey, Ill., Tribune.

I deem this editorial to be of special interest since I can well imagine the Democratic Party plank making great promises to the workingman which it will then disregard or fail to produce.

WORKINGMAN'S PARTY

One of the ironies of the present money market is that a Democratic administration's policies have forced interest rates to an all-time high and forced a surtax in efforts to cope with growing inflation.

Since the Democratic party has traditionally favored low interest rates, presumably to help the working man who must buy on credit, the situation today is just the reverse of what former Democratic administrations sought to achieve.

The primary reason for this jump in interest rates is, of course, traceable to the high cost of the war in Viet Nam, but it is accomplishing its purpose, a slowdown in home, appliance, car and the buying of other things that have become a part of American life.

Again, it is ironic that interest charges hit

the "little man" and the situation has been brought on by the party which he has considered his champion in the past.

"THE PEOPLE'S PRESIDENT," BY NEAL R. PEIRCE

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. MATHIAS of Maryland. Mr. Speaker, during the past few years many informed individuals and groups have called for reforms of our cumbersome, antiquated electoral colleges system, to insure that the Nation will be governed by a President who is really the popular choice.

This spring the electoral college reform movement has been further strengthened by the publication of "The People's President," a thoughtful and thorough book by Mr. Neal R. Peirce, the very able political editor of Congressional Quarterly.

In an editorial on April 26, the Washington Post summarized some of Mr. Peirce's findings, and called his book "must reading for Members of Congress, the press, and great numbers of citizens who are concerned about this critical weakness in our system."

I would like to second that recommendation, and to include the Post editorial in the RECORD at this point:

DANGEROUS SYSTEM

The publication this week of Neal R. Peirce's *The People's President*—a title borrowed, incidentally, from an editorial in *The Washington Post*—may be an event in our political history. It is essentially a plea for abolition of the obsolete and mischievous electoral college and direct election of the President of the United States by popular vote. It comes at a time when the issue is actively before Congress and when the public mood appears to be favorable.

Mr. Peirce is the political editor of *Congressional Quarterly*. Though he has kept his volume for the most part in low key, it is a thorough and scholarly study of our highly complex system of electing the President. All the risks and perils of that system are explained in detail in their historical setting. A careful reader is likely to put the volume down with a feeling of wonder that our system of government has survived with so little impairment under so crude a method of choosing its Chief Executive.

Estes Kefauver once said that "every four years the electoral college is a loaded pistol aimed at our system of government. Its continued existence is a game of Russian roulette. Once its antiquated procedures trigger a loaded cylinder, it may be too late for the needed corrections." It may send to the White House a candidate who has lost in the popular vote because a strange counting device gives him an "electoral vote" majority. It may throw the election of the President into the House of Representatives where the absurd one-state-one-vote rule makes a mockery of democratic principle. It enables manipulating politicians in some states to defeat the will of their voters by keeping the presidential electors unpledged and then casting their votes for someone who is not even a candidate.

All these and other critical defects in the system are fully outlined by Mr. Peirce. "Through our entire national experience," he concludes, "we have learned that there is no safer, no better way to elect our public officials than by the choice of the people, with the man who wins the most votes being awarded the office." The book ought to be must reading for members of Congress, the press and great numbers of citizens who are concerned about this critical weakness in our system.

THE RIGHT OF THE PEOPLE TO KEEP AND BEAR ARMS SHALL NOT BE INFRINGED

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. RARICK. Mr. Speaker, overlooked in the promoted emotionalism of the hour is the reason for our citizens arming themselves. The gunbuying is not a cause in itself. It is an effect—a reaction to fear. The effect is brought on from fear as a result of the breakdown in law and order.

The reaction of the average citizen—the family man or property owner—to announcements of no arrests and no convictions, is that if our leaders are not going to lead the way to peace and security, and our police are prohibited from defending them, then the individual citizen must and will defend himself.

Possibly, this is a desired reaction by some to force public reaction to create the gun-snatching hysteria now before us.

But the solution for lawmakers is not that of registering firearms and thus setting the stage for further antigun laws—laws to deny the law-abiding citizen the right of self-defense.

Rather, the solution seems clear that to prevent murders, violence, and criminal acts, we must remove the barriers, the stumbling blocks, that are preventing effective enforcement of existing laws.

Let us not blame the people. Put the blame where it belongs—not on the American citizen, but on leaders who are afraid or refuse to lead. And on communications people who emphasize the negative with half-truths and emotion-packed appeals.

There are an estimated 50 million Americans who now keep arms. Of this number, an estimated 100,000—one in every 500—are criminals or potential criminals with access to weapons for commission of crime.

The enactment of additional laws to infringe on the right of the 49.9 million law-abiding citizens to reach the criminal element, which is two-tenths of 1 percent of the firearms owners, is but another classic example of the retrogressive philosophy of punishing the majority because of a minute minority.

Nor should we be swayed by the so-called polls, unless the hysterical gun confiscation lobby wants to submit passage of the anticonstitutional measure to the people for a vote. Our people are upset and concerned over violence and the criminal degeneracy rampant in our country. The only thing the polls reflect is the public attitude that something must be done. Those in responsible positions, perhaps to divert attention from their own inadequacy, are misdirecting public opinion by not pointing out the true cause—lack of effective law enforcement, and, instead, are making the people think antigun legislation is the only answer.

Should the communications and public affairs propaganda be directed toward enforcement of the law, backing up our police and courts, the problem would be solved under the constitutional system in the traditional American manner.

The gun registration law without enforcement will solve no problem—and with law enforcement, new laws are unnecessary.

I cannot, in good conscience, be a party to denying our people the right of self-defense.

I insert the Alert No. 39; the Fulton Lewis newscast for the week of June 10; the news release of Gen. Thomas A. Lane, retired; the Sports Front column from the Baton Rouge Morning Advocate of June 16, 1968; and "Rules for Revolution":

ALERT NO. 39: CALLING ALL PATRIOTS—YOUR GUN IS THEIR TARGET

(By P. A. Del Valle, President, Defenders of the American Constitution)

Facts: (1) In May, 1919, military intelligence uncovered a document in Dusseldorf, Germany, entitled, "Rules for Bringing About a Revolution". Paragraph "C" of that document read, "Cause the registration of all firearms on some pretext, with a view to confiscating them and leaving the population helpless."

In WW II military intelligence uncovered gun registration lists in Germany that provided name, address, make of weapon and serial number. The civilian owners, or possessors, were quickly arrested and all weapons confiscated. More recently, in Red China, the people had to give up all the arms they possessed so that only the members of the Communist Party and the regular and irregular troops would be armed. As for the USSR, only a counter-revolutionary would ever think of arming the slaves. The Constitution of the USSR makes no mention of firearms. All weapons were registered and confiscated long ago, and today, aside from the military and police, only a handful of people may use, but not own, a firearm by special permission of the KGB (Committee of State Security) and under strict police supervision.

(2) Anti-gun laws aid the criminal, whether he be a traitor to his country or a common sneak-thief. A criminal has no respect for any law, including gun laws, and he will always steal or "capture" a gun or guns if he is so inclined.

(3) The President's Crime Commission has recommended the enactment of state laws that would require the registration of all privately owned handguns, rifles and shotguns, and the enactment of a similar law by the Congress if any state failed to comply within five years.

(4) Congressional "leaders" are not waiting "five years" but are today driving hard to persuade foot dragging Congressmen to enact a gun registration law during the life of the present 90th Congress.

(5) The American public is now being saturated with "gray" (false in part) propaganda appearing in such seemingly respectable media as The Readers Digest and CBS-TV for the purpose of breaking down their natural resistance to any gun legislation that encroaches upon their constitutional rights and in the hope of nullifying

their pressure on their congressional representative.

(6) The United States annually witnesses between 9,000 and 10,000 murders. One half of the murders are caused by handguns, rifles and shotguns, and the other half by knives, baseball bats, poison, etc. At the same time, in 1966, 52,000 Americans were killed and 1,900,000 hospitalized by licensed drivers of registered automobiles.

Significance: (1) Communism has captured and destroyed country after country—not by military force, but by political subversion from within the country. To assure the success of the subversives and traitors, they must be guaranteed immunity by the registration and confiscation of privately owned weapons that might be used against them and such military forces as would remain loyal.

(2) More than half of the states have constitutions that specify the rights of the citizens of the state to, "keep and bear arms in defense of his home, person and property." (Art. 1, Sect. 23, Missouri). This language is much more specific than the "right to bear arms" recorded in the Federal Constitution. Any gun legislation enacted by the federal government which usurps the intent of a state constitution and the laws of the state is void. By legal definition this simply means that such a federal law does not exist, and has never existed because the sovereignty of the state is superior to that of the Federal government in every matter except where the state has delegated certain specific powers through a contract, called The Constitution, to one of its three agents, called the Federal government. The power to regulate or control handguns, rifles and shotguns in the hands of citizens is not one of the powers delegated to the Federal government by any of the states, and won't be for so long as the citizens keep telling their representatives in the Congress to vote "NO" on any and all gun legislation, and to tell their state legislators to strengthen their state constitution, if needed, to bring it in line with the above cited Missouri constitution.

Action indicated: (1) Study your state constitution and tell your state legislator what to do.

(2) Remind your representative in the Congress to vote "No" on the Dodd Bill.

(3) Watch for and expose the crooked propagandists and masters of deceit that sneak into your home by way of the printed word, radio and TV.

[June 10, 1968]

GUN DEBATE

(By Fulton Lewis III)

Only 36 hours after the burial of New York Senator Robert Kennedy, the Congress today returned to a heated debate over the question of federal restrictions on the sale of guns. Connecticut's Democrat Thomas Dodd, the leading proponent of stringent gun control legislation, opened today's Senate session warning there will be an increasing number of "assassinations and attempted assassinations" unless the Congress promptly enacts the bill, which he introduced today, calling for national registration of all firearms and a ban on the mail order sale of all rifles and shotguns.

Dodd stated:

"If we fail to take these stringent measures in the immediate future, then it can be predicted as a certainty that our land will be the scene of more assassinations and attempted assassinations and that these crimes will occur with increasing frequency. Pious condolences over the assassination of President Kennedy or of Dr. Marthin Luther King, or over the assassination of Senator Kennedy, will no longer suffice.

"If our country is not to be regarded by the rest of the world as a nation of murderers and assassins, we must take the most energetic action to put an end to the conditions that today make America a land of murder and violence."

The Dodd Bill stands little chance of passage unless it receives the support of the Senate Democrat leadership and of Republicans. That appeared unlikely in view of two statements today. Senate Republican Leader Everett Dirksen's reply to the Connecticut Democrat—he said, "There is enough gun legislation on the books now."

Senate Democrat Leader Mike Mansfield promised immediate consideration of any proposal, but he carefully evaded any endorsement of the Dodd bill, which carries Administration support.

In a brief statement on the Senate floor, Senator Dirksen accused the news media of mounting an "emotional outburst" in the wake of the Kennedy assassination. He said he wished "those people who write so readily [about the lack of federal controls on firearms] would take a little time off" to read the anti-crime bill which is now at the White House awaiting the President's signature.

That package, he pointed out, bans the mail order sale of handguns. It is, in Dirksen's words, "a tough bill."

Mansfield, alluding to the recent pressure, said, "It is imperative for the American people to understand that no type of gun law will prevent murder, and that any law passed will not prevent persons who are bent on breaking the law from acquiring guns or weapons of any kind."

He said guns used in felonies are bootlegged, stolen or illegally acquired.

"It is my further belief that the persons who would be most affected are those law-abiding citizens who possess firearms for the protection of their families, their homes, their possessions, and their recreation."

Mansfield said he favored the registration of all firearms but said the state should accept the responsibility for such action. "If the states will not act, then I think it will be the duty of the Federal Government to assume the responsibility, as it has all too often when the states refused to assume theirs."

He also said serious consideration should be given to restricting the use of handguns to police and others who use it in the line of duty. Mansfield also said, "You can pass all the gun laws in the country and still not prevent people from getting shot. Gun laws, no matter how stringent, are not the answers and are not a cure-all, and we had all better face up to the fact.

"It is impossible to give total protection to any public figure today, and, while some states, such as California and New York, have tight gun control laws, yet in California a suspect possessing a gun illegally, carrying it illegally, took the life of our late colleague."

[June 11, 1968]

GUN CONTROL AND THE CONSTITUTION

(By Fulton Lewis III)

President Johnson's request for tighter federal gun control laws stirred up more debate today on Capitol Hill, but no action. The House Judiciary Committee narrowly failed to approve a bill that would ban the interstate sale of rifles, shotguns and ammunition. The committee was split evenly, 16 to 16, on the issue, but Chairman Emanuel Celler predicted he will have the necessary votes for approval of the legislation when the panel meets again next week.

A similar legislative proposal in the Senate was assigned to the Judiciary and Commerce Committees today for their study and approval. A bill introduced by Connecticut Democrat Senator Thomas Dodd, which would go beyond the Administration's request by adding a provision for the national registration of all weapons, was also turned over to the Judiciary Committee.

Senate Democrat Leader Mike Mansfield, who is not a supporter of any of the new and stiffer gun control proposals, nevertheless promised quick floor action on any measures which may be reported out of committee favorably. There is general agreement, however, that none of these measures will stand much of a chance of Senate passage, this year at least, in view of the fact that most Republicans, Southern Democrats, and the Senate Democrat leadership are agreed that the anti-crime bill passed only a week ago should be signed by the President and enforced for awhile before new steps are taken.

There is new speculation that the President may gamble a little on this issue. He may veto the present anti-crime package now sitting on his desk in hopes he can get a stronger bill from the Congress. That would be gambling, however, because it is likely that the Congress would override that veto.

This issue of placing strict federal controls on the sale of firearms has become the subject of much emotion and heated debate, particularly over the past two months since the assassinations of Martin Luther King, Jr., and Senator Robert Kennedy.

Understandably, there are people with strong feelings on both sides of the question. There are also logical arguments both pro and con.

Supporters of stricter federal restrictions say that by controlling the methods in which firearms are distributed we can keep these weapons out of the hands of undesirables and can thus reduce the alarming rate of violence that plagues this nation. Arguing in behalf of the registration of all firearms, Senator Dodd asserts that this is no more an infringement on the rights of the individual than the registration of automobiles, which can also be a lethal weapon.

On the surface, at least, these points seem reasonable. On the other hand, there are certain questions of fact and philosophy which must be posed. It is a fact, for instance, that the state of New York does have strict laws regarding the sale and use of firearms and yet those laws have apparently done little to reduce the amount of crime there. Somehow, those who are intent upon committing acts of violence obtain their weapons from some source. In many cases they just steal guns, or purchase them, from persons who were responsible, law-abiding owners. No law under consideration would control that kind of transfer of firearms.

I think I would have to disagree, also, with Senator Dodd's suggestion that there is no difference between the registration of an automobile and a firearm. There is a great deal of difference. There is no Constitutional guarantee that a person shall have the right to own an automobile. There is one respecting a person's right to bear arms. In addition, automobile registration laws are all enacted at the state level—the measure Senator Dodd is proposing is a federal ordinance.

I don't mean to be picking apart minor technicalities in bringing these two points up. There is one overbearing issue in all of this debate that somehow has not been brought to the forefront. *The National Rifle Association* and other lobbyists that oppose stricter gun controls by and large are speaking for the American sportsman who, they say, would be inconvenienced if he could not purchase guns through the mails, or if he were required to register his weapons. That argument, very frankly, does not impress me very much, particularly if it can be shown that stricter gun controls *would* serve to reduce the violence and crime in the nation as a whole. As I said before, though, there is no such evidence. The crime rate in states like New York, which has strict gun controls, is rising as fast, if not faster, as in areas which have relatively few restric-

tions. This raises what, to me, is an important question. Since the crime rate continues to advance, what about the American citizen who now feels it is necessary to purchase a gun in order to protect himself? The criminals are armed, the Black Power militants are armed, the Minutemen and other insurrectionist groups are armed. Many decent, law-abiding, non-violent people in this country are beginning to realize that they are the only ones who do NOT own weapons. They also realize that, if the law enforcement agencies are not going to be able to provide them with the protection they need for their lives and property, they will, as a last resort, have to protect themselves. Many have sought refuge by moving from the crime-infested urban centers into suburbia. But this has only brought them temporary peace. Now the crime rate in the suburbs is increasing at a greater pace than in the cities. What then? Tragically, many individuals are convinced that they must purchase guns, although they admittedly do so reluctantly.

There is an even greater question when it comes to this issue of registration, and this one is more political. There are many people in this nation today, and I confess that I am one of them, who are disturbed by many of the political developments which have occurred and at the signs which can be seen on the horizon. The trends, unfortunately, have been in the direction of a collectivist state with increased power in the hands of the Executive. It is no longer wide-eyed paranoia, or extremist, to seriously suggest that this country is moving in the direction of a dictatorship. We can debate whether that dictatorship would be oriented to the left or to the right. That really is unimportant, since dictatorships are universally oppressive. When our founding fathers inserted the Second Amendment into the Bill of Rights—that's the one that says "A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed"—they did so on the basis of their own recent experience with a dictatorship. One of the principal infringements of their British superiors had been to outlaw all weapons, and to seize those which were already in the possession of the colonists. The Second Amendment was added as a basic protection for future generations. It insures that people will not be left at the mercy of their government alone, or of their local law enforcement agencies, because sometimes, as our founding fathers knew all too well, sometimes the government itself can be corrupt and oppressive. In short, the people would be allowed to keep and bear arms as a method of protecting themselves FROM this corruption and oppression, should it ever reappear in this nation.

I am not saying that such a reappearance is likely, but it is certainly a definite possibility, and many people are understandably reluctant to register their weapons with the government, putting their names in the files of authorities who today may be responsible, but who tomorrow might be dictatorial. Such records could be used to destroy the right of the people to keep and bear arms if those files ever fell into the wrong hands.

There must be a better way. There must be some method of curtailing the violence in this nation without infringing on the basic rights of the individual. One of the first steps I would suggest would be to enforce stringently the laws which are already in existence.

If the rate of crime can be reduced through strict law enforcement it will in turn reduce the feeling on the part of many that they must run out and purchase weapons for their own defense. It would also serve to foster a feeling of confidence and trust by the people in their government—a feeling that very honestly, and tragically, does not exist in this nation at the present time.

It is a sad commentary on our society that these attitudes exist, but the fact that they do exist should sober us into a realization that many people are concerned. Many no longer trust government solutions. Many, in fact, no longer trust their government.

Gun Control Misses the Mark

(By Thomas A. Lane)

Washington.—We are exposed to an intensive propaganda barrage in support of gun control legislation. Regrettably, the proponents are moved more by passion than by the public interest. They have embraced the false thesis that national gun registration will reduce crime. They cite misleading statistics about gun homicides in the United States and Britain, avoiding the reality that balancing homicides are committed in Britain by stabbing, throttling and bludgeoning.

The issue has these dimensions. About 50 million Americans now hold about 200 million firearms. About 100,000 criminals or potential criminals have access to weapons for the commission of crime. Does the denial of firearms to the 100,000 require national control of firearms in the hands of the 49.9 million law-abiding citizens who now possess them? The answer is a resounding NO!

The responsible Americans who own firearms comprise chiefly the sports-loving hunting and fishing element of our population. They are the most disciplined and law-abiding element of the community. They support the police and oppose the criminals. They will cooperate enthusiastically in any measures to reduce criminality but they know the criminality is not caused by the possession of a gun.

These hunters and sportsmen are represented by the National Rifle Association. It reflects their interests. Critics who misrepresent the NRA as "the gun lobby" are using a smear tactic to deceive the public. The NRA has worked closely with law enforcement agencies at all levels of government for effective crime control measures. It has supported legislation to deny firearms to criminals and other identified incompetents. It has supported federal legislation designed to reinforce state laws. These worthy aims had been incorporated in the Hruska Bill which was rejected by the Senate.

NRA has opposed the ambitions of some senators to establish a new federal authority and accompanying bureaucracy over gun control through a national registration program. In this position, the NRA is eminently wise and practical.

Gun control is not a federal problem. It is a local problem in which state governments are the best judges of local needs. New York is not like Vermont, which has no gun control law and the lowest gun homicide frequency of the states. Alabama, which had the highest gun homicide frequency in 1965, does have gun control laws. Our states vary widely in the character of their populations and in the measures required for crime control. Only laws serving these special needs can be appropriate and effective.

No sensible man seeking to solve the problem of crime in the United States would begin by controlling the firearms in the hands of our responsible sportsmen. These weapons are not a cause of crime. They are a deterrent to crime because they stand in support of lawful authority. To register all these guns would be an exercise in administrative futility. We keep firearms out of the hands of criminals and potential criminals by specific legislation to achieve that purpose and by law enforcement concentrating on that task.

Our states have done much in this field. They have exercised local initiatives to meet local problems. They know from practical experience what measures are effective and what initiatives have failed. They know that gun registration laws do not deny firearms to criminals.

It is not a coincidence that the very people who have sabotaged crime control with copious tears for criminals now advocate federal gun registration. These are the people who would solve every problem of society with a federal law. They have sponsored other social control legislation to saddle the federal government with impossible tasks. Their zeal for gun control operates to distract public attention from the real problem of crime control.

In the matter of gun control, the only proper federal role is to regulate interstate commerce *in conformity with state laws.* State law should regulate the possession of firearms by criminals and other dangerous persons and should prescribe such gun registration as state law enforcement officials may find helpful to their work.

Our people must reject the current cynical exploitation of the Kennedy tragedy with false pretenses that gun control can prevent such crimes. The target is crime and the new rash of proposed legislation is wide of the mark.

[From the New World News, Feb. 1946]

"Rules for Revolution"

On a dark night in May, 1919, two lorries rumbled across a bridge and on into the town of Dusseldorf. Among the dozen rowdy singing "Tommies" apparently headed for a gay evening were two representatives of the Allied military intelligence. These men had traced a wave of indiscipline, mutiny, and murder among the troops to the local headquarters of a revolutionary organization established in the town.

Pretending to be drunk, they brushed by the sentries and arrested the ringleaders—a group of thirteen men and women seated at a long table.

In the course of the raid the Allied officers emptied the contents of the safe. One of the documents found in it contained a specific outline of "Rules for Bringing About a Revolution." It is reprinted here to show the strategy of materialistic revolution, and how personal attitudes and habits of living affect the affairs of nations:

"A. Corrupt the young. Get them away from religion. Get them interested in sex. Make them superficial, destroy their ruggedness.

"B. Get control of all means of publicity and thereby:

"1. Get people's minds off their government by focusing their attention on athletics, sexy books and plays, and other trivialities.

"2. Divide the people into hostile groups by constantly harping on controversial matters of no importance.

"3. Destroy the people's faith in their natural leaders by holding these latter up to ridicule, obloquy, and contempt.

"4. Always preach true democracy, but seize power as fast and as ruthlessly as possible.

"5. By encouraging government extravagance, destroy its credit, produce fear of inflation with rising prices and general discontent.

"6. Foment unnecessary strikes in vital industries, encourage civil disorders and foster a lenient and soft attitude on the part of government toward such disorders.

"7. By specious arguments cause the breakdown of the old moral virtues: honesty, sobriety, continence, faith in the pledged word, ruggedness.

"C. Cause the registration of all firearms on some pretext, with a view to confiscating them and leaving the population helpless."

Factors Affecting Interpretation of Homicide Statistics

Reaction to gun control legislation is probably based upon an individual's own

experience in his own cultural surroundings. The typical white middle-class citizen is rural or small-town oriented. He doubtless grew up with guns, even if he nows lives in a city. He sees no high incidence of violence around him, even if he hears about soaring crime statistics. Therefore, he sees gun registration and control as a needless infringement upon his liberties. There are statistical indications that this may be true.

1. 53.6 percent of all murders in the U.S. have a Negro as victim (FBI, 1966).

2. This represents a rate of 1 in 2400 for Negroes, as opposed to 1 in 45,000 for whites.

3. A study in Philadelphia showed that Negroes had committed 97 percent of the homicides in which the victim was a Negro (Wolfgang).

4. The same study showed that 75 percent of these homicides were committed by Negro *men*.

5. Among male Negro murderers, 74 percent were between 15 and 40. Conclusion: The typical murder in the U.S. is committed by a young Negro man against another Negro.

Note: The same study (Wolfgang) also showed that in Philadelphia, Negroes committed 14 percent of the homicides in which the victim was white. In other words, more Negroes kill whites than whites kill Negroes.

6. In Philadelphia, 61 per cent of male Negro *victims* of homicide had prior criminal records; 54 percent had been arrested for "offenses against the person" indicating that victims as well as murders have been prone to engage in physical aggression.

7. In addition, the most common relationship between the victim and his murderer was that of "close friend" (35 percent); only 10 percent were strangers to each other.

8. As many victims as murderers (61 percent of victims, 59 percent of murderers) in Negro homicides were drinking at time of crime.

9. One third of the Negro homicides were "victim-precipitated."

Conclusion: The high homicide rate among Negro males is the result of Negro behavior patterns not shared by most whites.

Note: The same study shows that a young Negro man has a greater chance of being murdered than a young white man has of dying from an accident.

Final conclusions: In so far as the pressure for gun legislation is generated by murder statistics, the white middle class is paying the penalty for behavior patterns of a deviant minority group. This may explain some of the emotional resentment of those opposed to control.

See: *Patterns in Criminal Homicide* by Marvin E. Wolfgang (Philadelphia: U. of Pennsylvania Press, 1958); "Negro Homicide Victims—Who will They Be?", Lee N. Robins, *Trans-action*, June, 1968, pp. 15–19.

[From the Baton Rouge (La.) Morning Advocate, June 10, 1968]

SPORTS FRONT

(By Bernell Ballard)

GUN SMOKE

America does not need a gun law.

Our strength, our cause and our judgment—which have prevailed through many grave and emotional passings—should not now be given to the panic thoughts of perilism and fatalism imposed by those attempting to restrict the use or sale of firearms to American citizens.

Tragedy is no stranger. America has survived war, depression, riots, assassination of her most beloved Presidents—and her citizens have always rallied to the protection of their country and the rights offered them by its Constitution.

The Dodd Bill, an attempt to employ Federal legislation restricting the use or sale of firearms, jeopardizes the very basic rights of the American citizen to "bear arms" granted by the Constitution.

To follow the line of reasoning offered by Sen. Dodd would lead you to believe we would not have as much crime, nor assassinations, if there were no guns or if at least they could not easily be obtained. Statistics prove this wrong. New York with its strict Sullivan law proves it wrong. Crimes have increased since the law was passed and criminals still have the guns, but the law-abiding citizen is harassed when he tries to enjoy the shooting sports.

The gun is not to blame. It is the person wielding the weapon who should carry the blame. If the weapon were not a gun it would be a knife, bomb, poison or anything that would accomplish what the criminal has in mind for his victim.

Sen. Dodd's bill only makes it harder on the law-abiding citizen and sportsman. Criminals would not be hampered. In fact, you can build a gun in 30 minutes from material found under a car hood. It would shoot and kill.

You can never take the guns or weapons away from criminals, only from the law-abiding citizens.

What happens if such legislation against the gun would pass. Simple. The use of knives and other weapons would increase.

We now have adequate laws to govern the use, sale and transport of guns. The ones we have would be quite sufficient if they were enforced. To make more laws would only add to the heap causing more confusion, costing more to enforce, and hamper the citizen—and make it easier for the criminal. And too, the federal government would be increasing its powers to tax the citizen and would be strengthening its police powers. This, in an age of increasing federal control over our every day lives, is more than disturbing.

A person is ignorant of the content of the Dodd Bill if he believes that it "should not prevent the average sportsman and gun collector, who has no criminal or mental disturbance records, from purchasing firearms."

Criminals will always be able to have guns, regardless of laws. It is a federal offense now to have a machine gun and recently several armored cars were held up with machine guns.

The mass murder in Texas proves that gun laws will not work. Whitman was not previously a criminal nor recognized until after his death as a mental case. This man's background was flawless: ex-Marine, apparently happily married, a good college student, well-respected by all who knew him. A good sportsman and hunter who had a collection of fine guns, he could have purchased a gun anytime, anywhere, no matter what the laws were; unless, of course, you ban the purchase or ownership of all guns.

Guns do not kill people, people kill people.

Convicted murderer Richard Speck killed eight nurses without a firearm. Actually, the mass murders committed by Speck and Whitman prove that citizens should have easier access to firearms and should know how to use them.

It is a fine thing to have an idealistic urge to change the world, but we must be realistic and honest enough to accept the unpleasant fact that violent and criminal men will manage to find weapons in any world.

Even in a Pastoral and nearly perfect world, Cain slew Abel with a rock . . .

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

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. SCHERLE. Mr. Speaker, this is the 148th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

JENNIE GROSSINGER: QUEEN OF THE CATSKILLS

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. PEPPER. Mr. Speaker, my district is privileged to share with the State of New York a great and gracious lady known as the "Queen Mother of the Catskills," Mrs. Jennie Grossinger. Gov. Nelson Rockefeller has issued a formal New York State Proclamation designating June 16—this grand lady's 76th birthday—as Jennie Grossinger Day and she will be honored by her fellow New Yorkers for her lifetime of humanitarian achievement.

We of Miami Beach where Mrs. Grossinger spends the winters and of Florida are proud to join New York in honoring this noble lady who, in addition to a distinguished business career, has immeasurably helped innumerable people to walk on higher ground. She personifies the highest traditions of our country and the finest sentiments of our society.

We extend hearty congratulations to Mrs. Grossinger and wish for her many more years of distingushed and dedicated leadership of the many great causes she has espoused with such distinction and a continued long and happy journey along the pathway of life which she has so beautifully brightened.

Mr. Speaker, I incorporate, following my remarks, a very excellent article in the Miami News of June 14, 1968, by Bella Kelly, Miami News reporter:

JENNIE GROSSINGER CAPTURES NEW YORK

(By Bella Kelly)

"When I die," Jennie Grossinger has been known to observe, "I hope I go to heaven and I hope they have a big hotel up there. I want to run the hotel and take care of all my friends just as I have done all my life."

So sayeth the undisputed Queen Mother of the Catskills—the indefatigable Jennie who has become a legend as an innkeeper, a celebrated humanitarian and confidant of renowned personages.

Mrs. Grossinger, who spends every winter at her Pine Tree Drive home on Miami Beach, is a familiar figure to South Floridians.

And Sunday, in New York, where she rose to fame and fortune, she'll be the talk of the town.

Governor Nelson Rockefeller has issued a formal New York State Proclamation designating June 16—Jennie's 76th birthday—as "Jennie Grossinger Day."

Across the length and breadth of the Empire State, New Yorkers will pay tribute to Mrs. Grossinger for "her lifetime of humanitarian achievement."

The governor's act marks the first time in the history of the state that such a proclamation has been issued for a living woman.

In a telephone interview from New York, Jennie was simply overwhelmed.

"Naturally, I am surprised," she said. "But more than that, I am very, very grateful."

The tribute to Mrs. Grossinger, who came to the United States in 1892, doesn't pull any punches.

Her life, says the proclamation, "has exemplified the American dream of success from humble beginning and a lifetime of humanitarian achievement for others rarely equaled in the annals of the United States."

Jennie Grossinger, Gov. Rockefeller said, "has friends all over the world who are proud

to be in that category, including myself. To know her is to love her . . . it is fitting that we express on her 76th birthday, the esteem and affection in which she is held."

That she would be so honored never entered the wildest hopes and dreams of the girl came to America with her parents from Bialagrad, a village in what was then the Austria-Hungary empire.

The family settled on the lower East Side and pooled their money to buy a farm in Ferndale, N.Y. That was 54 years ago, and when the going got rough on the ramshackle farm they took in a few boarders to help meet expenses.

Jennie's friendliness and her interest in people won many a guest and business prospered.

Today, Grossinger's in the Catskills embraces some 1,300 acres, employs close to 1,000 people, caters to over 75,000 guests a year and is, to many, a national vacation outpost.

Mrs. Grossinger is sole owner of the hotel and still active in the enterprise as chairman of the board. Her guests and friends include Presidents, prizefighters, youngsters and oldsters, entertainers, politicians, international statesmen . . . people in all walks of life.

"I found out to have a friend, you must be a friend," Mrs. Grossinger said. "I love people and when you love people, you find they return that love."

Jennie only had four years of formal schooling but over the years made up for her educational deficiencies by going to night school, engaging tutors, studying German, Hebrew and French. She wound up receiving honorary Doctor of Humanities degrees from two institutions of higher learning—Wilberforce University in Ohio and New England College in New Hampshire.

She also will be the subject of a biographical study written by the late Quentin Reynolds that Viking Press plans to publish sometime later this year.

Jennie still sits on a high stool in the dining room of the Grossinger hotel to welcome guests as she's done for many a year. And she still sells the hotel to a non-Jew every Friday for $1 so there can be entertainment without violating the Jewish Sabbath.

She has managed to stay a close friend of Eddie Fisher, Elizabeth Taylor and Debbie Reynolds, even though their marriages ended in upheaval.

"I still love them all," Jennie says.

Also, she still has four servicemen as her guests at the hotel every week and she picks up the tab. During World War II, she hosted eight a week.

"It's my way of saying, 'Thank You, America,' " she said.

The philanthropic endeavors of Mrs. Grossinger are so varied they defy listing. And she explains her views this way:

"I learned the seeds of charity very young . . . they were planted in my heart and emotions as a child by my mother and father. They instilled them in me.

"I remember my mother told me a long, long time ago when we were standing on a hill and someone said how wonderful it was that we owned 1,000 acres of land. My mother said, 'We don't own it . . . God just loaned it to us to take care of.' I've never forgotten that."

HIGH OR LOW TARIFFS?

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. OTTINGER. Mr. Speaker, there has been a great deal of discussion recently on the desirability of establishing import quotas and higher tariffs on a number of items. It is, therefore, with particular pleasure that I noted an editorial in a recent Wall Street Journal which suggests that such restrictions on trade might have effects precisely contrary to those which were intended.

For the benefit of my colleagues, therefore, I include this editorial in the RECORD. The editorial follows:

TOO MUCH WORRY ABOUT FOREIGNERS

Rep. John W. Byrnes is right, in a way, when he says the Administration worries too much about possible foreign reaction to any new measures to curb imports into the U.S. As the Wisconsin Republican contends, the prime concern should be the American economy.

Yet even if foreign nations did not retaliate with measures against American goods—and that's a lot to hope for—it's difficult to see that new U.S. import restrictions would be as beneficial as Mr. Byrnes and others appear to believe. It's not only a question of the higher prices that U.S. consumers would have to pay.

The protected domestic industry would of course be less troubled by foreign competition. It also would have less incentive to develop new and improved products, to make its operations more efficient.

An industry that can't compete with foreign producers soon might have trouble competing here at home. For instance, the steel industry—a leading applicant for import curbs—might find itself losing more markets to aluminum and other domestically produced materials.

The long-run effects of wholesale new import restrictions thus could include not only a widespread distortion of markets but a debilitation of a good deal of the U.S. economy. This would certainly have a much more severe impact on U.S. jobs than the competition now provided by imported goods.

We are by no means insensitive to the fact that imports in some cases can cause serious problems for domestic industries and their workers. But legislation already exists to provide Federal aid in such cases, and the Administration has proposed making this help more liberal.

The most important worry by no means is what foreign nations may do to the U.S. It is instead what this nation, by misguided trade legislation, might do to itself.

DEPARTMENT OF AGRICULTURE LAX ON IMPORTATION OF DANGEROUS ANIMALS

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. ROGERS of Florida. Mr. Speaker, newspapers in south Florida recently carried an article concerning the theft of 200 frogs which were described as highly dangerous.

First indications were that the frogs were Kokois, a deadly South American frog. Natives, as the story says, use venom from the frog to poison arrows and one frog is said to have enough venom to kill 50 persons.

I have checked with the National Institutes of Health, as did one reporter, and have found that there is some question as to whether the stolen frogs were indeed Kokois. And there is some question as to the deadliness of these frogs under normal circumstances. Some believe that even eating the frog would not prove fatal.

However, the point that I would make here is that the Department of Agriculture should take a more active role in policing potentially dangerous, indeed lethal, animals which are being imported into this country.

As far as I know, the NIH is conducting the only research with the Kokois frog. I can see no reason why they should be allowed entry other than for legitimate research purposes.

Some years ago I spoke out on a similar situation, that time when importers were bringing in piranha fish.

I would like to urge that officials in the Department of Agriculture pay close attention to the animals which come under their jurisdiction. They take enough caution in matters of people taking their dogs abroad. I think they should check the list of animals which come into this Nation which could represent a danger to our citizens.

AN AMERICAN SOLDIER TELLS WHY HE IS PROUD TO BE IN VIETNAM

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. MOORHEAD. Mr. Speaker, most of what we hear and read about the American presence in South Vietnam concerns the violence of the struggle against the Vietcong and the North Vietnamese. We hear and read little of the other war.

Not many days ago, the mother of a 19-year-old soldier from my home city of Pittsburgh showed me a letter from her son dated May 29. The letter told her of his visit to a Vietnamese village that had been largely destroyed during the Communists' Tet offensive. His mission was to rebuild what had been destroyed, and to rekindle in the villagers the hope for freedom and a better life.

The story of the day he spent in Nam Dang Thang is a moving story, which, under leave to extend, I insert at this point in the RECORD:

TUESDAY, MAY 29, 1968,
(293 days to go).

DEAR MOM: Here's what's new.

Hi! How are you? I'm really great and hope you are too!

Today I went off base camp to Nam Dang Thank. It is a village five miles outside our base and was mostly destroyed by Charlie during T.E.T.! I was really proud to be in my uniform today. Little children of all ages to older men and women came running to greet us. We are building houses for them, but they do most of the work. All we end up doing is making sure they are secured properly.

They love the Americans. In Saigon Americans cannot shoot their weapons. This way, the only one who does the shooting is Charlie. We, both the Vietnamese and Americans, stay low while we are working. Charlie can't win the people by shooting at them, destroying their homes and burning their crops. Their faces turn from gloom to bright sunlight when the first American is sighted. The peace talks may fail, but the United

States has won the people and, therefore, the war. They fight and die beside the Americans. To them, we are their freedom, protection, and most of all, a friend to come to when they need help. We answer that call, and the resulting picture is worth not a thousand words, but a million words.

When we leave, they are left with happiness in their hearts. They know that we will be back.

It just takes one day with these people to make you appreciate our country.

I don't mind being in Vietnam anymore. Wherever that Flag is, I am at home. I have adopted Thomas Jefferson's oath: "I have sworn against all tyranny over mind and mankind" I have, and am, prepared to back up this oath.

Back home, demonstrators are talking out of their rear ends. Bring them over here and let them work with these people. They'll change their tune!

Al and I almost cried with overflowing joy while working with these people. They gave us shade from the sun, and they did a fine job. We feel sorry for these people. We want to help them. I never had such a feeling of accomplishment until I went out there today. I built a foundation, I helped foreign relations, I made friends, and we all worked as one. I have done just a minor job in the face of the world, but it is a job which achieved a goal. A goal, that only the American people know how to obtain, and so do some very happy villagers.

Mom, the joy in their faces, the errupting sensation in my heart and blood stream is something that I will always treasure.

I have tried to tell you how I feel, but there aren't enough words, with all languages combined, to described it. I am an American! And, any power that tries to invade my rights, the rights of the world, which I believe our Constitution was also written for, must pay a very high price. There are not enough people, or money, to begin to pay that price.

I'm going to try to catch some sleep, but I don't think I will. My insides are really stimulated with just one day's work, a day that in 19 and ½ years I had not experienced.

I would like you to pass this letter around the office, to Aunt Ann, and your friends. I know what we are fighting for. They must know!

Until my next letter, take care and be good. Say hello to everyone, and Princess.

Love always,

LARRY '68.

(Sp/4 Lawrence Williams, [redacted], Co. A—25th Supply & Transport Bn., APO San Francisco 96225 (Cu Chi, Vietnam)).

LAWLESSNESS IN WASHINGTON

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. QUILLEN. Mr. Speaker, it is refreshing to read an editorial of the air by Martin Karant of WKPT, Kingsport, Tenn., entitled "Lawlessness in Washington." This editorial was broadcast on May 31, 1968.

I agree with Martin Karant that—

The District of Columbia . . . the seat of our nation's government . . . is setting a horrible example for the rest of the country by tolerating defiance of the law. In so doing, they are discriminating against those of us who do respect and obey the law.

The editorial follows:

LAWLESSNESS IN WASHINGTON

(By Martin Karant)

We will wager that if a poll of the entire United States were taken today, the overwhelming majority would soundly disapprove of the so-called "Poor People's March on Washington." From what we have heard and read, the objections are primarily these;

1. The march is an effort to "blackjack" our Congress into the most enormous spending program ever conceived, aside from a wartime budget.

2. The almost total defiance of duly enacted laws and the scorn for the proper means of protesting those laws. We strongly believe in the right of protest . . . but by due and legal process, not defiance.

It is hard to conceive that some of the leaders of the march are so ill-advised as to permit such things as took place in the cafeteria of the U.S. Department of Agriculture the other day. A large number of the marchers entered, took the food they wanted, ate it and then departed. The total bill was well over $220. A man who calls himself a minister told the cafeteria management to combine all of the tickets into one. When that was done, he told the management that they would not pay it . . . that the sum should be applied to what the government "owes" the poor people. With that statement, they departed.

We could not find a more clear case of defiance of the law . . . and within a U.S. government building itself. And what was done? Nothing. Who will pay the bill? We will, as taxpayers. We worked for our money and they literally *took* it away from us with no apologies.

A worse public-relations incident for the marchers is hard to find.

If you or I decided to camp out on the Mall in the capitol, we'd be run off or jailed in short order. Is the law selective by income or lack of same these days? If so, we've never heard of the change.

Are today's marchers any better than the returned veterans of World War One? They were forcibly evicted and their shacks burned down and smashed by the Army under General Douglas MacArthur. These are the questions we hear asked more and more every day as resentment grows over the march.

We have nothing but the utmost sympathy for those poor people who cannot help themselves. Remember, we used the word *cannot*. They are certainly not to be allowed to go hungry. But everyone knows all too well that there are many who will not work as long as they can draw money for rocking on the front porch of a shanty they won't even bother to sweep. When a person creates his own pig pen to live in and to rear his children in . . . he cannot expect the rest of the public to furnish him the money to perpetuate his idleness, and his family's misery.

We repeat . . . those who legitimately deserve help should have it. The overwhelming majority are getting a great deal of help. There are cases where an injustice is being done . . . and these must be corrected. But nobody . . . deserving or undeserving . . . is entitled to break the laws of the land with complete impunity.

The District of Columbia . . . the seat of our nation's government . . . is setting a horrible example for the rest of the country by tolerating defiance of the law. In so doing, they are discriminating against those of us who do respect and obey the law.

Think about it!

FOUR MARYLAND SERVICEMEN KILLED IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. LONG of Maryland. Mr. Speaker, Pfc. Darrell E. Campanello, Pfc. Ronald A. Coleman, Cpl. Norman E. Hicks, and Pfc. John P. Thompson, four fine young men from Maryland, were killed recently in Vietnam. I wish to commend their bravery and honor their memory by including the following article in the RECORD:

FOUR SERVICEMEN FROM STATE KILLED IN VIETNAM

Four more Maryland service men have been killed in Vietnam, the Defense Department reported yesterday.

The dead were:

Marine Pfc. Darrell E. Campanello, 18, son of Mr. and Mrs. Eugene V. Campanello, of 8121 Fifteenth avenue, Hyattsville.

Army Pfc. Ronald A. Coleman, 25, son of Mr. and Mrs. Robert A. Coleman, of 805 North Augusta avenue, Baltimore.

Marine Cpl. Norman E. Hicks, Jr., husband of Mrs. Norman E. Hicks, Jr., of 910 Stoll street, Baltimore.

Army Pfc. John P. Thompson, son of Mrs. Carolyn M. Thompson, of 6 Weyburn court, Rosedale.

DRAFTED IN OCTOBER

Private Coleman died June 2 as a result of burns apparently received from enemy fire near Pleiku, where he was stationed, according to his sister, Montra M. Coleman. He had first been reported as missing by the Defense Department June 3.

Private Coleman, who was drafted last October, had been assigned to Vietnam as an infantryman since April 21, his sister said.

A graduate of Douglass Senior High School, where he played on the basketball team, Private Coleman had worked as a house painter in Baltimore before his Army induction.

Private Coleman, who was born in Baltimore, had been assigned to Company C, 2d Battalion, 8th Mechanized Infantry Regiment, 4th Infantry Division.

SURVIVORS LISTED

Besides his parents, Private Coleman's survivors include four brothers, Marine Staff Sgt. Lynwood O. Coleman, stationed at Camp Lejeune, N.C., and Robert A. Coleman, Jr., William A. and Craig D. Coleman, of Baltimore; five sisters, Montra M., Cecila A., Patricia B., Bonnie D. and Tanya R. Coleman, all of Baltimore, and a grandmother, Sally Mae Coleman, of Colonial Beach, Va.

Private Campanello was killed June 3 in an explosion, apparently caused by a land mine, while he was on a reconnaissance patrol near Quang Nan, a town near Da Nang where he was stationed, his mother said.

ENLISTED IN CORPS

Private Campanello, who enlisted in the Marine Corps shortly before his graduation from Springbook High School, in Silver Spring, Md., last June, had been assigned to duty in Vietnam since November 29.

Trained as a radio reconnaissance patrol specialist, Private Campanello was stationed with Company B, 1st Reconnaissance Battalion, 1st Marine Division.

Private Campanello had planned a military career, his mother said.

Besides his parents, Private Campanello is survived by a brother, Duane E. Campanello, of Hyattsville; a sister, Mrs. Donna J. Winner, of Lanham, Md., and his grandparents, Mr. and Mrs. Charles Hall, of Cherry Point, N.C.

A LITERALLY FATAL FLAW

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. EDWARDS of California. Mr. Speaker, our Nation is in a state of con-

vulsion following yet another assassination of a vital, young public leader. Attention centers at long last on the weapon with which such violence and sickness finds expression and the prevalence of that weapon within our society. The effort to legislate controls on firearms is not an effort to keep the law-abiding citizen from owning a gun—for self-protection, for sporting, for whatever—but it is an effort to keep these dangerous weapons out of the hands of those who would likely use it to destroy another human being. This is discussed most rationally and forcefully by the editors of the San Jose Mercury, of San Jose, Calif.

The editorial follows:

A LITERALLY FATAL FLAW

Sen. Robert F. Kennedy will be buried today near his brother, the late President John F. Kennedy, in Arlington National Cemetery as the nation mourns. A sense of shock persists.

Both Kennedys were victims of assassins' bullets; both were cut down in the prime of their manhood and before the promise of their years could be fully realized. Both were killed because they were willing to take the risks attendant on public service in a huge, sprawling and exceedingly free nation.

It is probably inaccurate to say that the American society as a whole is "sick," but it is certainly true that any society as diverse as this, and more particularly any society which contains such visible disparity between the haves and the havenots, is going to produce a large number of sick individuals.

After the assassination of President John F. Kennedy in Dallas, in 1963, the nation passed from shock to apathy as concerns gun control legislation. This was a tragedy.

After the assassination of Martin Luther King, the nation passed from shock to slightly less apathy concerning gun control legislation. A flaccid, halfway measure covering only the sale of handguns under certain circumstances passed Congress. Again this was a tragedy.

New Sen. Robert F. Kennedy of New York has been assassinated, and the nation is still in a state of shock. President Johnson has called "in the name of conscience" for more truly comprehensive gun control legislation.

Congress should heed that call.

How much shock must a nation endure before it is willing to take effective steps to avert future tragedy?

The principal argument of those who oppose gun control legislation is that such laws do not deter the criminal elements from obtaining firearms; some advocates of this position go so far as to say that, consequently, the law-abiding should obtain and learn how to use guns for their own protection.

The history of the .22 caliber pistol used in the assassination of Sen. Kenndey effectively refutes this argument. The pistol, an Iver Johnson .22 caliber revolver, was purchased by a law-abiding citizen of Los Angeles County shortly after the Watts riots of 1965—doubtless for his self-protection.

After the racial tensions eased, he gave the pistol to his daughter-in-law, a Northern California resident. She in turn gave it to an 18-year-old friend of the family in Los Angeles County. This boy told police he sold it to a man known to him as "Joe." "Joe," it developed, was the brother of the man arrested as the suspected assassin, Sirhan Sirhan. Whether "Joe" gave the pistol to Sirhan or whether the latter stole it is irrelevant.

The point is that a pistol bought by a "good guy" wound up in the hands of a "bad guy" precisely because there is no effective law recording and supervising the disposition of firearms over the life of the weapons themselves. This is literally a fatal flaw and one that Congress must remedy.

OREGON'S GREENWAY PLAN FOR WILLAMETTE RIVER AREA

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. ULLMAN. Mr. Speaker, I would like to bring to the attention of my colleagues a project in Oregon that is going to be the pride of all Oregonians and a real asset to the Nation.

I refer to the Greenway project for the Willamette River area which will provide a nearly continuous beautiful area of Oregon greenery for over 200 miles along the Willamette River. This imaginative project has been fully described in the June issue of Outdoor America, published by the Izaak Walton League of America, and I would like to share this fine article with my colleagues by placing it in the RECORD at this point:

OREGON'S GREENWAY PLAN FOR WILLAMETTE RIVER AREA

Secretary of the Interior Stewart L. Udall has endorsed a proposal by the State of Oregon to establish a 208-mile stretch of green space running through eight counties along the Willamette River and serving most of the State's population.

"The imagination, concepts and cooperation that went into this project are absolutely breathtaking," Udall declared. "I had the feeling of being swept away by a new, dynamic force in conservation as I reviewed Oregon's plan for conserving and using the Willamette River area."

Secretary Udall and Oregon Governor Tom McCall signed a project agreement which will enable the State to initiate land acquisition for the project. Under the agreement, Oregon pledged $1,600,000 of State and local money which will be matched by grants from the Land and Water Conservation Fund, administered by the Bureau of Outdoor Recreation.

Of the Federal share, $1 million will be allocated from the Secretary's contingency Reserve, that is available to help States meet emergency land acquisition needs for outdoor recreation projects. The remaining $600,000 in Federal matching money will come from Oregon's regular apportionment from the Land and Water Conservation Fund.

"The dream is that in the inevitable day when several million people are living in the Willamette Valley, there will still be green refuges in which they can relax and play along the river itself. Not a solid belt of green probably . . . but substantial stretches where people can walk, picnic, or maybe bicycle along the banks, while boaters and some ducks paddle by in the stream. That's a dream worth long-term effort."

Edward C. Crafts, Director of the Bureau of Outdoor Recreation, in a report to Secretary Udall, said the Willamette River Greenway is "nationally significant" because of an unusually exhaustive approach to resource preservation in a major population center and the intensity of intergovernmental cooperation that produced the plan.

"The Willamette River Greenway concept is much more than an assemblage of open space with natural corridors," Crafts stated. "It involves creative management of an entire river to provide land and water recreation in all its forms. Additional benefits will come from the control of erosion, pollution and preservation of the quality of the environment of this region."

The Willamette River Greenway plan was prepared by a special task force for Oregon's Governor Tom McCall and the 1967 Legislative Assembly. The plan was instrumental in obtaining passage of legislation to authorize the Oregon State Highway Commission to provide a program and financial assistance to local government for acquisition of land, or rights in land, along the Willamette River for scenic and recreation purposes. The law, HB 1770, officially established the Willamette River Park System.

The special task force found that the boundaries of the plan will require about 22,443 acres of land along the Willamette River over which some measure of governmental control will be needed to perpetuate a recreation greenway. Of the total acreage, the task force recommended purchase in fee title of 7,500 acres for public ownership with an estimated market value of $12 million. Purchase of scenic easements on 6,500 acres to protect scenic values and purchase of recreational use easements on 1,400 acres were recommended by the task force. Most of the remaining acres needed already are in public ownership.

Oregon's plans for development of the Willamette River Greenway include a river park system of recreation camps, a river access system with boat-launching sites, multi-purpose trails, scenic roads, and regional parks.

Fishing in the Willamette River is expected to increase considerably in the next few years with improvement of the river and construction of facilities to aid boaters and fishermen.

The task force said each site chosen will be carefully evaluated in light of State and Federal policy for possible environmental intrusions, including overhead wiring, and actions recommended to eliminate such intrusions where possible.

THE SOLIDARITY MARCH

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. RARICK. Mr. Speaker, the word "solidarity" as used for the threatened insurrection has deeper significance than merely the emotional front of a supposed "poor peoples" campaign.

The word "solidarity" rings with comparable semantics to such international Communist phrases as "national liberation front"—an international soul label for the joining of many Communist action groups for one unified and coordinated attack—in this instance a blatant assault on the existing Government of the U.S.A.

So obvious is the build-up to anyone who has followed the pattern—and recognizes the blueprint from the recent Solidarity Conference on Castro's Red Isle of Cuba—it was not surprising that the firebrand Tijerina has even promised to call on Castro, if necessary, for help by taking the United States before the U.N. Can anyone doubt Castro will have the U.N. votes to call for economic sanctions against the United States.

Another interesting comparison is a study of the operations and techniques of the IWW—International Workers of the World—also called "Wobblies", from such readily available books as, "Aliens and Dissenters," subtitled "Federal Suppression of Radicals 1903–33," by William Preston, Jr.; "The I.W.W.: A Study of American Syndicalism," by Paul F. Brissenden; and "The Wobblies," by Patrick Renshaw. The pattern, attacks and goals are unique even to the hymn-like songs.

Mr. Speaker, I ask the clippings from the Evening Star for June 17, the I.W.W. preamble and the W. E. B. DuBois material follow:

[From the Washington (D.C.) Evening Star June 17, 1968]

TUCKER EXPECTS OVER 25,000 TO JOIN RALLY—MRS. KING TO SPEAK—MULE TRAIN DUE IN ALEXANDRIA TONIGHT

Wednesday's Solidarity March of the Poor People's Campaign will bring "surprising numbers" of people to Washington "to so stir and arouse the conscience of the nation that we are going to get reunited," the march coordinator said today.

Sterling Tucker declined to estimate numbers beyond the 25,000 "firmly committed" as of Friday. But he said, "We know the number is considerably larger than that" and indicated the official estimate would be revised upward sometime today.

Plans for the big march have been cleared with a number of government agencies now, and operations will move tomorrow afternoon to the Washington Monument grounds, where work already is under way on a sound system.

MRS. KING TO SPEAK

Mrs. Martin Luther King Jr., widow of the slain chief of the Southern Christian Leadership Conference, will speak and sing, as will Mahalia Jackson, who performed at the 1963 March on Washington. King's parents will attend, Tucker said.

The campaign's symbolic mule train, which started more than a month ago from Marks, Miss., is expected to arrive in Alexandria at midnight tonight. It was loaded aboard a Southern Railway train last night at Atlanta.

On board are 13 wagons, 30 mules, 2 horses and 2 attendants. United Press International reported that 130 passengers of the mule train were to board buses today for the trip to Alexandria, where the caravan will be reassembled for a "grand entrance" into Washington on Wednesday.

The campaigners, meanwhile, continued their round-the-clock demonstration at the Department of Agriculture for the sixth day. About two dozen demonstrators were on hand there early this morning as about 40 returned to the West Potomac Park encampment for replacements.

PLANNING WORK PUSHED

Also working round the clock are Tucker, head of the Washington Urban League, and his forces, who have had little more than nine days in which to plan for the march.

Plans for the march prepared by Tucker and the Rev. Ralph David Abernathy, SCLC leader, are designed to protect the health and safety of marchers and have been approved by the various government agencies involved, Tucker reported.

They include two hospital tents, five medical trailers and several tent aid stations to be set up by the D.C. Public Health Department, some 10,000 lunches to be available for those unable to buy food, and more than 20 chartered buses to shuttle marchers to the monument grounds from outlying areas.

More than 1,000 marshals recruited from off-duty police, fire, corrections and other city department employes of New York will help with security arrangements, he said.

While Tucker said coordinators have been advised that the federal government here will follow a "business as usual" policy, he expressed hope that employes would take leave under whatever arrangements they can even if it means giving up a day's pay.

"Many people around the country are doing this," he said.

He predicted the "substantial" crowds coming Wednesday will be well-behaved and well-disciplined and will know what the demonstration is all about.

"We're going to prove that in today's general climate of unrest in America, a large march can be conducted in the same kind of peace and dignity and absence of incident as the 1963 march," Tucker said.

People are going to come with "a new kind of commitment toward the problems of the poor," he said, predicting it will signal that the country is going to "move on up as one." He said:

"This march, I hope, will be the beginning of the end of the polarization between the races which has set in. This march, in my view, is going to stop this growing new problem of haves and have-nots, and let the Congress and all the people know that there is a real concern about poverty and violence in this land.

"It is going to prove once again that nonviolence is the means by which it can come."

Success will not depend on numbers, he said. He noted that the 1963 march had 10 sponsoring organizations, three months for planning and extensive staff, while Wednesday's SCLC-sponsored march has far less time, and a considerably smaller staff.

The Resurrection City encampment yesterday received more than 2,200 hot meals to celebrate Father's Day, from a man who strongly opposes federal "handouts" and the Poor People's Campaign.

Dr. Thomas W. Matthews, a neurosurgeon and leader of the self-help group called NEGRO, supplied a luncheon of barbecued beef and a dinner of hot fried chicken to show "what these people could do if they wanted to."

[From the Washington (D.C.) Daily News, June 17, 1968]

MARCH AIDE MAY ASK FIDEL HELP

WASHINGTON, June 16.—The leader of Spanish-speaking Southwesterners in the Poor People's March said today that, if necessary, he will ask Fidel Castro to take his claim against the United States Government to the United Nations.

Reies Lopez Tijerina said he hoped to convince Secretary of State Dean Rusk of the justice of his contention that 100 million acres in the Southwest belong to the present-day descendants of the land's original Spanish and Indian settlers. He meets with Rusk tomorrow.

THE MARCHERS RELAX

The marchers spent a relaxed day at Resurrection City, sweltering under near 90-degree temperatures.

Leaders continued making preparations for Wednesday's "solidarity day" mass march which is expected to bring thousands of sympathizers to Washington for a one-day show of support.

THE IWW PREAMBLE

The working class and the employing class have nothing in common. There can be no peace so long as hunger and want are found among millions of working people and the few, who make up the employing class, have all the good things of life.

Between these two classes a struggle must go on until the workers of the world organize as a class, take possession of the earth and the machinery of production, and abolish the wage system.

We find that the centering of the management of industries into fewer and fewer hands makes the trade unions unable to cope with the ever growing power of the employing class. The trade unions foster a state of affairs which allows one set of workers to be pitted against another set of workers in the same industry, thereby helping defeat one another in wage wars. Moreover, the trade unions aid the employing class to mislead the workers into the belief that the working class have interests in common with their employers.

These conditions can be changed and the interest of the working class upheld only by an organization formed in such a way that all its members in any one industry, or in all industries if necessary, cease work whenever a strike or lockout is on in any department thereof, thus making an injury to one an injury to all.

Instead of the conservative motto, "A fair day's wage for a fair day's work," we must inscribe on our banner the revolutionary watchword, "Abolition of the wage system."

It is the historic mission of the working class to do away with capitalism. The army of production must be organized, not only for the every-day struggle with capitalists, but also to carry on production when capitalism shall have been overthrown. By organizing industrially we are forming the structure of the new society within the shell of the old.

MEMO

To: DuBois Clubs throughout the Nation.
From: W. E. B. DuBois Clubs of America, national office, New York, N.Y.
Re: The IX World Festival of Youth for Solidarity, Peace and Friendship in Sophia, Bulgaria from July 28 to August 6.

We're sending you some applications and brochures for the Youth Festival in Sofia, Bulgaria this summer. We're behind in organizing for it, and we need all the help you can give us in publicizing the Festival, getting people to go, etc. While we don't want all the progressive forces in the United States to leave the country, we do want to send a delegation of about 300 youth. Going to the Festival should not be viewed merely as a pleasure trip (although it will be fun) or as a cop-out, but as a political responsibility. There will be delegations from more than 110 countries (20,000 delegates are expected) and in this period (with U.S. aggression in Vietnam, etc.) it's particularly important to have a strong delegation of young people from this country to meet with them.

We will get first-hand reports on the struggles of young people in other Western capitalist countries such as France and Italy (who are equally interested in the American movement). There will be seminars and forums on the many struggles facing world youth. For example, a major seminar will be held on racial oppression which will highlight the situation in South Africa and the United States.

There will be a special meeting between the Vietnamese and American delegations which will be of great importance for future plans of action and in creating more understanding between the youth of both countries.

For about a dozen DuBois Club people in the U.S. delegation there will probably be a special tour of the Soviet Union after the Festival.

Following are some suggestions of things you can do:

1. Contact organizations in your area about the Festival. We will be in touch with many organizations around the country, but it's possible that we may miss some local ones.

2. Distribute brochures wherever there are people—at concerts, meetings, etc. Include the brochures in any mailings you put out. Ask other friendly organizations to include brochures in their mailings, or if there aren't enough, to mention the Festival with information on who to contact for more information.

3. If possible or feasible, place ads in local newspapers or bulletin put out by local groups whose readers might be interested. We would appreciate it if you could raise the money for these ads yourselves, but if you can't, let us know in advance so we can approve it (re our finances, etc.)

4. To raise money and interest: If there's anyone in the area who has been to any previous festivals, organize a meeting of some kind to discuss these trips and relate them to the Festival, bringing out the importance of meeting with youth of different countries and developing national ties.

5. In all publicity you put out ask for contributions. Have the money sent to: American Delegation to the IX Festival.

6. Speak to individuals who might be interested in attending the Festival.

We also have some really nice stamps issued by the Festival Organizing Committee in Bulgaria which you can sell for $2.00 a sheet, 25 on a sheet. We'll send some of them in this mailing.

For additional information refer people to the American Delegation to the IX Festival, (*not* the DuBois Club).

Hope to hear from you soon.

MAY 6, 1968.

IX WORLD FESTIVAL OF YOUTH, SOFIA, BULGARIA, JULY 28–AUGUST 6

Meet young workers and students fighting in liberation struggles against colonial regimes and United States aggression around the world: North and South Vietnam, Cambodia, Thailand, Laos, Ghana, France, West Germany, Spain, Bolivia, Colombia, Chile, Argentina, Australia, Canada, and scores of other nations from Asia, Africa and Latin America.

Meet youth who are building socialism in their countries.

THE AMERICAN DELEGATION

The delegation from the United States is of special importance this year. Our country is the most powerful exploiter and oppressor of other peoples in the world.

The struggle in Vietnam against U.S. imperialism is taking on even greater proportions than before, and is a dramatic indication of the growing hostility throughout the world towards the United States government.

The rebellions of black people in America against inferior jobs, housing and education, the increasing number of strikes and of student demonstrations are revealing to the world that the U.S. government oppresses people at home as well as abroad.

The U.S. delegation must discuss with youth from other countries what we can all do to end U.S. aggression around the world.

PROGRAM

Some of the many events which the delegations will take part in are:

Debates

On international politics; economic, social and cultural rights of youth; capitalism and socialism; the individual and society; fight of youth against U.S. interference in internal affairs of other countries; rights of women, etc.

Meetings

Special Meetings (such as young trade unionists, young intellectuals); Professional Meetings (such as youth from industry, high schools); Meetings According to Interest (such as amateur artists and photographers); meetings of delegations; meetings with statesmen and people of art, culture and science, etc.

Sports program

Mass competitions; international sports competitions, athletic demonstrations, etc.

Cultural program

Concerts and performances; artistic competitions; exhibits; film festival, etc.

Student program

Discussion on the role of the university, relations between developed and undeveloped countries, world unity of the student movement, etc.

GUN CONTROL

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. WYATT. Mr. Speaker, Mr. John D. Gray, chairman of Omark Industries, Portland, Oreg., one of the most enlightened and highly respected industrialists in the United States has issued a statement on gun control which deserves the attention and consideration of all our citizens, and my colleagues. It follows:

Omark Industries, a diversified manufacturer whose products include rifles, shotguns, and small arms ammunition, urges that both Houses of Congress move immediately to enact meaningful legislation and to support enforcement of present laws that would get and keep firearms out of the hands of the mentally unbalanced, addicts, and criminals. We urge effective laws that would accomplish this without hindering the responsible sportsman in his privilege of owning and using guns for hunting and acceptable gun sports.

People do kill people and they sometimes do it with guns. Congress has an obligation to do all in its power to stem the tide of violence of all kinds in America.

Whatever it does to this end, Omark supports and it recommends that others in this industry take a similar position.

TELL IT LIKE IT IS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. DERWINSKI. Mr. Speaker, the Blue Island Sun-Standard, a publication serving that community and adjacent areas in southern Cook County, featured a most timely and thoughtful editorial under a very appropriate title.

In view of the wave of agitation on college campuses, this sober editorial merits thoughtful review:

TELL IT LIKE IT IS

We wonder about the general condition of the country when we listen to the news of the day concerning the upheavals taking place at colleges and universities.

Students in many areas seem to be taking over the institutions and attempting to dictate the terms under which they will consent to attend school.

To older people (over 30, of course) this seems quite shocking. How did these youngsters arrive at their glorious station in life? Why, their parents make sacrifices so that their children could have an easier time of it. How did some of them gain entrance to these institutions of higher learning? Why they were given scholarships, and grants, and other assistance, mostly donated by older people, who, feeling the importance of a good education and good schools, voted yes on untold numbers of bond issues for the improvement of educational facilities.

Why were they sent to universities? So that they could take advantage of higher learning and become the civic leaders in their communities, as well as in business a little later in life.

It's unfortunate, we think, that these future leaders have not yet learned a few basic facts, which some less educated youngsters learned before they started kindergarten . . . namely, pressure is a tactic used by someone who does not have a good case; threats are used by bullies; destruction of the property of others is illegal and immoral; and failure to observe the rights of others will occasionally result in the loss of rights for all.

Students have not yet reached the point in either experience or education that makes it practical for them to advise those older and wiser about how to run a school.

On occasion we have wondered, when asked to make financial contributions to the college of our choice, if we are not contributing to the delinquency of these big mouthed minors, some of whom may be bright enough to go out and get jobs and earn their own living.

We do acknowledge that this condition is not widespread, and that most students are harder working that we were; brighter than we can ever hope to be; and have a great future in which they will contribute much to the peace, harmony and well being of future generations.

There! We've had it in our system for a long time, and we've said it, and we're glad. We feel better now.

OMNIBUS CRIME BILL

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. COHELAN. Mr. Speaker, in the heat of the emotional outpouring which followed the murder of Senator Kennedy, the House passed the omnibus crime bill. This bill contains a very weak handgun restriction, a probably unconstitutional criminal procedure section, and an overbroad electronic eavesdropping provision.

I have joined with several of my colleagues in a letter urging the President to veto this bill. The New York Times and the Washington Post also urged that it be vetoed.

I include the letter we sent to the President, and the newspaper editorial comments in the RECORD at this point:

JUNE 11, 1968.

Hon. LYNDON B. JOHNSON,
President of the United States,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We are writing to urge that you veto the so-called Omnibus Crime Control and Safe Streets Act recently passed by Congress.

This Act will contribute neither to crime control or safe streets. It represents an unreasonable and an unthinking response to a series of problems that require careful, sober thought and good judgment. The Act reflects none of these qualities.

We do not serve the worthy goal of preserving supremacy of the law by enacting bad law. Diluting the constitutional protection of the individual against compulsory self-incrimination, is bad law. The Act blatantly attempts to overturn the recent Supreme Court decisions elucidating this protection and this right. It is interesting to note that under the Military Code of Justice, members of the Armed Services have long been entitled to the rights which this portion of the Act would abolish for the civilian population. For example, Article 31 of the Military Code provides, in part, that no person accused or suspected of an offense may be interrogated without first being informed of the nature of the accusation and being advised that he does not have to make any statement.

This section has been in the code since 1956. It is ironic and perhaps a measure of the time that final enactment of the so-called Omnibus Crime Control and Safe Streets Act would strip away from civilians rights guaranteed to military personnel.

Authorizing wiretapping and bugging in cases not involving the national security, is bad law. You yourself, Mr. President, have previously gone on record opposed to such

injudicious government activities. The multitude of violations of privacy which this act would permit cannot be justified. They can only be explained as an example of legislative hysteria. Instead of attempting to legalize invasions of privacy we ought to be seeking ways to "exercise the full reach of our constitutional powers to outlaw electronic bugging and snooping," as you stated in your State of the Union address last year.

The Act, Mr. President, is a defective and perverse effort to cope with some of the most serious problems this Nation has ever faced. But these diverse problems, including organized crime, civil riots and disorders, the excessive traffic in guns, and the need to assist local law enforcement agencies, cannot be effectively dealt with by taking 3 giant steps toward a police state.

Again, we urge you to veto the so-called Omnibus Crime Control and Safe Streets Act.

With every good wish, I am

Sincerely yours,

HENRY B. GONZALEZ, JOHN MOSS, RICHARD BOLLING, FRANK CLARK, PATSY MINK, DON FRASER, JOHN CONYERS, JEFF COHELAN, JEROME WALDIE, ROBERT LEGGETT, ROBERT KASTENMEIER, CHARLES DIGGS, PHILLIP BURTON, ED ROYBAL, DON EDWARDS, TOM REES, GEORGE BROWN, JR.

"CRUEL HOAX": VETO CALLED FOR

A spectator listening to the debate in the House of Representatives on the so-called "crime-control" bill during the last two days prior to its final passage would have reason to doubt whether the Bill of Rights could get fifty votes if it were up for consideration. The tone and quality of the debate would have dismayed Thomas Jefferson and James Madison if they had had the misfortune to hear it.

Members of the House were more intent on demagoging against crime and putting themselves on record in favor of law and order than they were in analyzing the grave defects of this bill. One of the worst failures in the bill is its feeble provision on gun control. Rifles were used to shoot down President Kennedy and Dr. Martin Luther King Jr. But this bill permits the murderous mail-order traffic in rifles and shotguns to continue. The bill does ban mail-order sale of pistols and revolvers, but it does not even require registration of the ownership of these dangerous weapons with the police.

Registration of weapons is no more of an inconvenience than registering an automobile or obtaining a prescription for a drug. In arguing against registration, the gun lobby constantly points to the Constitution's protection of the right to bear arms. But the Constitution also assures the right to vote; yet to exercise that right every citizen must register. Why should owning a gun be more sacrosanct than the right to vote?

Title II of this bill is an attempt to overrule recent Supreme Court decisions on the admissibility of confessions in Federal courts, methods of arraignment of suspects, and police procedures in the questioning of suspects. Many members of Congress talk as if suspects are presumed to be guilty. Most of Title II is undoubtedly unconstitutional because two of the major decisions Congress attempts to overturn were founded upon provisions of the Bill of Rights and cannot be reversed by a mere statute. In short, this Congressional vaporing will promote confusion and help no one.

Title III would permit the sweeping use of wiretapping and electronic devices for comparatively minor suspected crimes and with inadequate court supervision. Only legislators who have forgotten the history of the long struggle for human liberty could sanction this reckless invasion by the Government of the privacy of the individual.

Except for the financial assistance for local police forces, virtually nothing in this measure is going to assist in combating crime on the streets. Representative Celler of New York has accurately described it as "an illusory bill which was a cruel hoax on people whose fear of crime is a fact of life."

After the House approved it yesterday, President Johnson sent a letter renewing his request for tighter gun controls. We trust the letter is not an indication that the President intends to become a party to this hoax on the crime issue. We urge him to return this monstrous bill to Congress with the veto it deserves.

A CALL AGAINST ARMS

Has the horror of a second assassination in 1968 served as a fireball, warning Congress that a real gun * * * now, the firearms lobby has had its way, shooting down every effort to strengthen the weak title in the omnibus crime-control bill covering interstate gun sales.

Yesterday Senator Dodd introduced two new bills that can close lethal loopholes in the measure now awaiting Presidential action The first would ban interstate mail-order shipments of rifles and shotguns—deliberately omitted in the omnibus bill, which covers only pistols and revolvers. The second would require registration of all firearms, short or long, in neither bill—it should be stressed in anticipation of lobbyist outcries—would private ownership of firearms be prohibited.

Compulsory Federal registration would be handled by the Treasury Department, with exemption for states already requiring registration. Two years ago, New Jersey enacted a strict law covering the purchase of rifles and shotguns as well as handguns. Despite initial opposition from sportsmen, the sale of hunting licenses has increased. "The law is preventing the sale of guns to those who should not have them," Senator Case says, "and it is not deterring legitimate sportsmen." What is good for New Jersey in this respect would be good for the United States.

Tragically, the wide open spaces in the Federal firearms title are merely samples of the flaws that permeate the omnibus crime-control bill. The administration of justice is dealt a serious blow by titles that would overturn existing Supreme Court decisions on confessions and police lineups, and open the door to widespread wiretapping and eavesdropping for comparatively minor crimes.

Attorney General Clark is on record against the weak firearms title; against the title that downgrades the Supreme Court; against the title extending the taps and bugs beyond national security cases.

This week the Justice Department is studying the omnibus crime-control bill prior to making a confidential recommendation to the White House. The Attorney General has removed any doubt about what that recommendation ought to be. On its demerits, the bill should be vetoed by President Johnson. Not only doesn't it do the job on guns; it fails to do the more fundamental job on crime and justice.

A SALUTE TO RICHARD C. FINA—KILLED IN ACTION ON MAY 24 IN VIETNAM

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. O'KONSKI. Mr. Speaker, another northern Wisconsin boy has died in action in Vietnam. Has it been in vain? I wonder.

I would like to add just one comment to the poem which ends "I've served my time in hell." The comment is "with one hand tied behind my back."

"And when he goes to heaven,
To Saint Peter he will tell:
One more Marine reporting, sir,—
I've served my time in hell!"

In memory of Richard C. Fina, HM3C, USN.

Born June 8, 1947.

Killed in Action on May 24 in Vietnam.

Services—10 A.M., Monday, June 10, First Presbyterian Church, Hudson, Wisconsin.

Officiating: Rev. Gerben Van Putten.

Survived by:

Parents: Mr. and Mrs. Edward L. Fina.

Brother: James A/1C U.S.A.F., Robbin.

Sisters: Jacqueline, Elizabeth, Susan, Janet.

Maternal Grandparents: Mr. and Mrs. Carl Finstad.

Paternal Grandparents: Mr. and Mrs. Ramon Fina.

Interment: Willow River Cemetery, Hudson, Wisconsin.

Arrangements: Kramer Funeral Home, Hudson, Wisconsin.

[From the Minneapolis Tribune, June 12, 1968]

(By Sid Hartman)

At Cretin high school, Tim Origer was a regular on the football and basketball teams and competed in track.

When he graduated from the St. Paul school, a number of colleges, including the University of Minnesota, offered the 238-pound gridder scholarships. He finally decided to enroll at Minnesota.

As a member of the Gopher freshman football team and as a student, Origer was restless and finally decided to enlist in military service on Aug. 16, 1967.

"I had a number of friends in the service. Several of them were wounded in Vietnam," said Origer. "My conscience bothered me. This is why I decided to enlist."

GETS HIT

Origer arrived in Vietnam Feb. 20. On March 16 while in action he stepped on a Viet Cong booby trap. He might never have survived were it not for the help of Rick Fina of Hudson, Wis.

"When I got hit, I severed a big artery in my leg," said Tim. "I would have bled to death if it wasn't for Rick. He was in another area but he came out to help me and got me on a helicopter and to a hospital ship where I was near death for a week."

Origer had his leg amputated. Except for this serious handicap, he is okay now.

However, Monday was a sad day for Tim. He was a pallbearer at Rick Fina's funeral. Fina was killed in Vietnam on May 24.

HEADQUARTERS, 3D BATTALION, 27TH MARINES 1ST MARINE DIVISION (REIN), FMF

FPO San Francisco, Calif., May 31, 1968.

Mr. and Mrs. EDWARD L. FINA,
629 Kinnic Kinnic Street,
Hudson, Wisconsin 54016.

DEAR MR. and MRS. FINA: Please accept the deepest sympathies of the Marine Corps and the Marines of this Battalion in the untimely death of your son, Hospitalman Third Class Richard Carl Fina, U.S. Navy, which occurred on May 24, 1968.

Richard as you know, was serving as a Field Medical Corpsman attached to the First Platoon of Company "K". While participating in "Operation Allen Brook" in Southern Quang Nam Province, the First Platoon's mission was to search for and clear out enemy positions. At about 2:30 p.m. the platoon came under intensive enemy automatic weapons fire. During the ensuing action several members of the platoon were wounded. Richard immediately administered first aid

to the wounded men. At approximately 4:00 p.m. while administering medical aid to the wounded, Richard was struck by enemy small arms fire. Marines of his platoon rushed to his aid, however, it was to no avail as death had occurred instantly.

Richard was given the ministrations of his faith by Lieutenant Commander W. J. Cox, Chaplain Corps, U.S. Navy at the First Hospital Company, DaNang, Republic of Vietnam. A memorial service will be held in honor of your son at the Battalion Chapel.

Richard had made many friends in the Battalion, and was especially well liked by the men in his platoon. Richard's willing disposition, selflessness and devotion to duty were a great credit to him and an example for others to follow. Although I realize that words can do little to console you, I do hope that the knowledge that your son is keenly missed and that we share your great sorrow will, in some measure, alleviate the suffering caused you by this great loss.

If you feel that I can be of any help to you, please do not hesitate to write.

Sincerely yours,

TULLIS J. WOODHAM, Jr.,
Lieutenant Colonel, U.S. Marine Corps,
Commanding Officer.

COMMISSIONING OF THE NUCLEAR SUBMARINE U.S.S. "SEAHORSE"

HON. GEORGE W. ANDREWS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. ANDREWS of Alabama. Mr. Speaker, recently, I had the pleasure of reading the comments of the Honorable Paul Ignatius, Secretary of the Navy, given at the commissioning ceremony for our newest nuclear attack type submarine, U.S.S. *Seahorse* (SSN-669). I have been to Groton, Conn., the housing facility for the Electric Boat Division, and I feel that the fine work being done there should be recognized at every possible opportunity—certainly, it cannot be overemphasized.

Mr. Ignatius' remarks paint a history of the name Seahorse as it applies to our naval vessels, and he gives some indication of the magnificent work being done in Groton. At this point, I insert his comments in the CONGRESSIONAL RECORD, so our citizens can see the importance of the efforts being made in Groton and at the same time, become familiar with *Seahorse III.*

REMARKS BY HON. PAUL R. IGNATIUS, SECRETARY OF THE NAVY, AT LAUNCHING OF "SEAHORSE AT GROTON, CONN., JUNE 15, 1968

We gather here today in what is a significant and happy occasion for *Seahorse* as she will ride the waves for the first time in what we know will be a long and useful life.

The occasion of launching a ship is always a joyous one, and for me this launching is a particularly happy event. But I know that all of you share my distress in the recent loss of another of our Nation's submarines—*Scorpion*—as she returned from an active and successful deployment with the Sixth Fleet in the Mediterranean.

Scorpion was built right here at Electric Boat, probably by many of you who have devoted your skills and energies to the construction of *Seashore.* It is this association of man with ship that gives life to *Seahorse, Scorpion,* and to the other ships of our Navy. We honor *Seahorse* as she takes this first important step in her life, and, at the same time, express our grief at the loss of *Scorpion* and her gallant and professional crew of officers and men. Admiral Thomas H. Moorer, Chief of Naval Operations, in announcing the loss, said:

"Their families, the wives and children of Scorpion's men, have shared acceptance of the sea's challenge with their husbands and fathers just as we in the Navy, and indeed all Americans, now share so deeply the loss those families have sustained."

And so there is in our thoughts an end and a beginning. We mourn the loss of *Scorpion's* gallant crew and our hearts go out to their wives and families. But before us is a new ship to launch, a new attack submarine that soon will join the Fleet to carry out the demanding assignments that make all Navy men proud of the submarine service and that give submarine men themselves the special satisfaction of knowing that they are equal to the unique demands and responsibilities that submarine service impose. So let us now set our minds to the task before us and honor in traditional fashion the coming of a new submarine.

It is not often that we in Washington have the opportunity to participate in an event like this and to make it a family affair. One of my duties as Secretary is to extend invitations to the ladies whom the Navy Department would like to have serve as sponsors for our new ships. In this case, I was somewhat preempted by the Chief of Naval Operations, Admiral Moorer, who suggested that the Department wished to have Mrs. Ignatius christen *Seahorse.* Mrs. Ignatius accepted with considerable enthusiasm.

Another duty I have is to invite various dignitaries to be the principal speakers for these occasions. Again my responsibility was preempted—this time by my wife who suggested that she might like to have me accompany her to Groton. In order to do this, it turned out that I would have to serve as the speaker for the launching. Mrs. Ignatius accepted on my behalf. She also selected our daughter, Amy, to be the maid of honor. So this is definitely a family affair, one we will long remember, and we are pleased and honored to be here with you.

Launchings are wonderful occasions. A new ship is given a name and usually it begins its career by being introduced into the element in which it will operate—water. During World War II, the Navy had a film on ship characteristics and architecture which was a part of the general indoctrination of new officers in training. The subject was rather a dull one, and to keep the audience awake, there were some animated sequences. One which I recall was the scene of a launching where the ship slid down the ways and continued on the same glide path until it was completely submerged, and it wasn't a submarine.

The Electric Boat Division of General Dynamics has an outstanding reputation through the years for building fine ships for the Navy. But as good as this yard is, I am sure that in all launchings there is always that moment of anxiety, that flutter of doubt as the champagne bottle is properly broken and the new ship slides down the ways—will it float?

Launchings are the subject of many sea stories and a ship's reputation leans heavily on the manner in which it is launched.

Some ships have proved to be somewhat stubborn. On a cold December afternoon in 1843, for example, dubious spectators had gathered to observe the launching of the Navy's first iron ship, *Michigan.* The signal for launch was given, the ship crept down the ways, hesitated, and then stopped dead. Workmen tried to coax her down, but to no avail. After considerable effort, shoulders were shrugged and everyone went home in the darkness which had set in. Just before dawn the next day, the yard workmen returned to the scene to resume the struggle, only to find that the ship was gone! Holding lanterns high to increase visibility, the anxious workmen finally sighted *Michigan,* riding the waves like a champion, untethered. She had launched herself.

Yorktown's launching took a somewhat different turn. This famous aircraft carrier was launched in January 1943 with the Assistant Secretary of the Navy scheduled as the principal speaker. First, however, the master of ceremonies was making brief remarks when he was interrupted by *Yorktown* herself as she prematurely began to slide down the ways. The sponsor, Mrs. Franklin D. Roosevelt, rose splendidly to the occasion, leaped up and smashed the bottle of wine on the bow before *Yorktown* was out of reach. For her efforts, *Yorktown* was nicknamed "Eager Ship." Mrs. Roosevelt was properly commended for her alertness and intrepidity and the Assistant Secretary never did deliver his speech.

In bygone days, men, usually naval officers, used to christen ships, and they often did it with brandy or Irish whiskey. The first ship in the U.S. Navy to be christened by a woman was *Concord,* launched in 1828. Her name is lost to us; she is known only as "a young lady of Portsmouth." She started a powerful tradition, for during the past seventy years, there have been only two known male sponsors of our ships. Since women have taken over, champagne has become the accepted christening medium.

The launching ceremonies at which the christenings take place are as old as seafaring itself. There is a record of a launching ceremony 4,000 years ago. The custom, no doubt, originated as a propitiation to the gods of the elements. Today, it serves to show the almost personal significance of a ship to her crew and to those responsible for her. In a sense, the ship takes on the beginnings of her personality at the launching ceremony. I trust my wife, ably supported by Amy, will be sure of hand, stout of heart, and flexible of mind, ready to coax *Seahorse* down the ways if she behaves like *Michigan,* and able to catch up with her if she repeats *Yorktown's* performance.

Attack submarines are among the most valued ships of the fleet, and *Seahorse* will have a long and valorous tradition to uphold.

The first *Seahorse,* however, was not a submarine but rather a one-gun schooner purchased in 1812. She was assigned to a station near New Orleans in 1814 and delayed an enemy advance long enough for Andrew Jackson to learn about the possible down-river defenses below New Orleans.

The second *Seahorse* was a submarine commissioned in March 1943. For her contribution to the World War II effort, she was awarded a Presidential Unit Citation for outstanding performance and a distinguished service during her second, third, and fourth war patrols. She also earned nine battle stars, and six of her war patrols were designated successful for the award of the Submarine Combat Insignia.

Seahorse III, the ship we are about to launch, is a *Sturgeon* class submarine that will accommodate 12 officers and 95 crewmen in a 292-foot length and 31-foot extreme beam. Her surfaced displacement will be 4,200 tons; her submerged displacement 4,600 tons. Her armament includes four torpedo tubes.

Since our first submarine, USS *Holland,* was accepted by the United States Navy in 1900, over 500 submersibles have served this nation in war and peace. Fleet Admiral Nimitz noted that in the dark days following Pearl Harbor he looked to the submarine force to carry the load until our great industrial potential could produce the weapons we so sorely needed to carry the war to the enemy. He further stated, "it is to the everlasting honor and glory of our submarine personnel that they never failed us in our days of greatest peril".

The submarines of today carry a significant responsibility for our nation's defense.

The introduction of nuclear propulsion has enabled United States submarines to open new frontiers of sea power. Impressive records of speed, endurance, and exploration have been established. *Nautilus, Triton, Skipjack, Skate,* and *George Washington* pushed underseas technology far beyond what we would have imagined a mere 13 years ago.

Today we accept as routine the long submerged patrols of our Fleet Ballistic Missile Submarines continually deployed on missions of deterrence in the oceans of the world. The 500th Polaris Patrol was completed last February by *Patrick Henry.* Nuclear powered submarines have sailed more than 10,000,000 miles since *Nautilus* broadcast to the world "under way on nuclear power" on January 17, 1955.

Seahorse will profit from the pioneering efforts of her illustrious predecessors. Her detection systems, nuclear propulsion plant, fire control equipment, Subroc weapons—all these *Seahorse* attributes have been perfected in the Fleet by a role call of famous nuclear submarines. Additionally, submarine safety features incorporated in *Seahorse* will provide her crew with a completely certified submarine in every detail.

The personnel who man our submarines are all volunteers, a fact which contributes immeasurably to the close knit corps that is our Submarine Force. No one understands the minute intricacies, the potential hazards, or the rewards of such service better than those who make up this force—those who prefer to serve beneath the seas.

I am impressed with the kinship which has developed between this band of fine and brave men and those—represented here today—who build the ships in which they sail. It is a unique and responsible relationship that continues to be close in a way that has no parallel in the Armed Forces and industry of this country. I know how proud all of you are of *Seahorse* as she stands here today.

She will join the Fleet in 15 months, and Captain Harper will shape his crew into another effective contingent of the Submarine Force. We are all confident of this, because it is the pattern of submarines and men who sail them.

There are many impressive symbols of our naval tradition. One which always, to me, gives form to the naval profession, to its service, its skills, and its sacrifice, is the oft-recited and sung Navy Hymn. I would like to close by reading the first stanza of that famous prayer which originated over 100 years ago:

"Eternal Father, strong to save,
Whose arm hath bound the restless wave,
Who bidd'st the mighty ocean deep,
It's own appointed limits keep;
Oh, hear us when we cry to Thee,
For those in peril on the sea."

NORTHERN COLORADO WATER SUPPLY STUDY

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. BROTZMAN. Mr. Speaker, yesterday I joined with our distinguished colleague from Colorado [Mr. ASPINALL] in introducing legislation which would authorize the Bureau of Reclamation to conduct three water resources feasibility studies—the Front Range unit and the Armel unit in Colorado and the Willamette River project in Oregon.

The Bureau has done an excellent job of setting forth the parameters of these three studies, and it is my hope that this bill will reach the floor in the near future.

While I maintain an active interest in any project which will enable the Nation to use its limited water resources more efficiently, one of the three will have a direct impact on my district.

It is the Front Range unit, and there is no doubt but that the future growth of the northern portion of my district depends upon the Bureau's success in delineating economically feasible means to augment the area water supply.

A reconnaissance study last year gave us reason to believe that four or five major water-impounding and distribution projects might be built to augment the current water supply of such cities as Boulder, Longmont, Fort Collins, Estes Park, Loveland, Broomfield, Lafayette, and Louisville.

We anticipate that the study will show that more than 100,000 acre-feet of water per year can be realized by impounding surplus water during high-runoff years.

Despite the fact that the cities in this area have invested heavily in water supply and distribution systems, the growth of this beautiful and productive area is so rapid that future needs can only be accommodated for an average of 10 to 15 years.

And 10 to 15 years, as we know, is not a very long period in the context of city and county planning.

Thus, the problem is critical. A feasibility study—followed by Bureau of Reclamation dams and redistribution systems where the economics are favorable—is of the utmost importance in northern Colorado.

It is my hope that Congress can assist the dynamic and growing communities in the area by authorizing this feasibility study.

FREEDOM

HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. BRINKLEY. Mr. Speaker, a recent address by the president of the Georgia Federation of Business and Professional Women's Clubs, Inc., was particularly apt, and I wish to share its message with my colleagues. Its balance is fundamental; its logic clear; its conclusions inspirational. The words address themselves to us all.

The address follows:

ACCEPTANCE SPEECH BY PRESIDENT MARGARET BRINKLEY JOHNSON, THOMASTON, GA., TO THE GEORGIA FEDERATION OF BUSINESS AND PROFESSIONAL WOMEN'S CLUBS, INC., STATE CONVENTION, JEKYLL ISLAND, MAY 25, 1968

Madam President, Madam National Representatives, fellow officers, club members, guests, I have two speeches tonight. Don't be alarmed. I am not going to give them both!

Most of you have made talks and you know how it is. First you prepare one filled with cleverness and style, sprinkled with just the right taste of wit and rhetoric and almost guaranteed to get you more than polite applause—quite a few handshakes and pats on the back and even a few hugs and kisses.

I most surely won't try to entertain you. I can't compete with "I Love Lucy" or the "Mothers-in-Law" and my heart is not so inclined anyhow.

Out of the abundance of the heart the mouth speaketh.

I am sure that each one here tonight will agree with me: time is too short, the times too critical to waste previous moments among leaders such as you on trifles.

However, in considering what I might say tonight to stimulate your thinking and provoke a worthwhile response, I must admit that I had a most difficult time.

Not in finding words and subject matter, there are a great number of subjects that lend themselves to a cosmopolitan audience like you.

You are composed of individuals of broad tastes and interests—but in finding just the right words—for just this time, which for me, certainly is a signal and singular honor and privilege to accept the duties and responsibilities of your office of President. The opportunity you have afforded me tonight is most challenging!

Ladies and Gentlemen, the times in which we live are crucial! Desperate issues affecting our very own personal lives—as well as society as a whole—demand our urgent and intelligent attention.

Old standards are being tested and new theories are being tried. Even old theories which have been tried and failed, are being resurrected.

Age old and deep-rooted problems still beg for solution—and new problems have been thrust upon us.

Many ills in our society . . . in fact, I dare say most ills in our society stem from a dearth of spiritual and moral values, a failure of parental training and influence, and a permissive and indulgent philosophy which is foreign to the American Spirit.

These ills require patient and unrelenting treatment.

Some of our woes come from the underprivileged and resentful—Others from the overprivileged and spoiled.

Some have had little and now seek "to get even." Others have had much—with little or no effort—and are now undisciplined and irresponsible!

The grave and menacing problems confronting us are not only problems within themselves, but they are seriously challenging our way of life! There are those who feel that solutions can only come from government and quick solutions are demanded from many quarters.

There are many who would scrap our Constitutional Republic and substitute for it some Benevolent Paternalism, some sort of Authoritative Federalism, or some dressed up brand of Socialism.

Some of you are probably wondering why I haven't given you a title or subject yet—Let me remedy that right now.

Please think with me tonight about a very profound and timely subject and call it "Freedom—The Individual's Birthright."

Yes, Freedom is our birthright!! Man is a divine creation unencumbered by charter, license or permit.

He is a free moral agent. Free to strive—Free to succeed. Free to surpass. Free to fail.

So many of our woes are self induced. We are outlined by our heredity. We are shaped by our environment. But we are measured and judged by our own free will and the choices we make!

Freedom is a diamond—A diamond of many facets.

The prime facet has to be Choice. We Americans use to expect it and demand it.

But you remember a basic law of physics: "for every action there is a definite and often predictable reaction."

One sows the seeds of choice and reaps the fruits of consequence!

Choice and Consequence: Two inseparable ingredients of Freedom!

Have we fathers and mothers and teachers and preachers failed our youth in teaching or not teaching—the choice and consequence relationship?

Don't we often excuse error and shield our children from the results of past error?

We permit Johnny to throw away his allowance before Wednesday, and then hand him more when a need comes up on Friday!

We permit Jimmy to tear up his bicycle between Christmas and May and then give him another one for his birthday in June!

We permit Freddie to while away his hours on comic books and TV and blame the teacher for bad grades.

We permit Sammy to go with his friends, we know not Who, to places we know not Where and when he gets into trouble we lambast the police officers or offer excuses to the juvenile judge.

Some of you have daughters! We permit Mary to date at 10, wear make-up at 11, have car dates at 14, go steady at 15 and then we give her a year's vacation at Aunt Minnie's in Chicago when she reaches 16.

We constantly threaten and cajole the toddler for bothering things on the shelf—fuss and lecture if he knocks off a book now and then, and then we blame the child and often punish him too severely if one day he breaks an expensive vase.

What happens when we make promise after promise we never keep, threat after threat we forget.

Are we rearing children with the discipline and restraint to cope with Freedom and perpetuate it?

Remember—There's the law of physics. . . . for every action, there is a definite reaction!

There's the law of God. "Whatsoever a man soweth, that shall he also reap."

There's the admonition of my father—He has said it a thousand times at least—: "Be very careful how you make your bed children, for you will surely one day have to lie in it."

There are those people in government, some in our universities, some in the pulpit and elsewhere who believe that the normal and predictable consequences of bad or unwise choices should be altered by government even at the expense of other—That to make choices need not be tampered with, but that the consequences should.

They would rob success of its luster by robbing failure of its bitterness, but most importantly, I sincerely fear they would weaken one of mankinds greatest motivations—the desire to escape the bitterness caused by bad choices.

There is an ever growing number who would even tamper with the choices themselves!

You and I believe that government should consider its credentials and abide within the framework of its authority—But there are those who believe it should guide man's destiny—make his decisions—usurp his perrogatives and make him its ward.

People's likes are different. Their choices are different. I may regret their choices, but as long as they are lawful, I have no choice but to respect them.

Some choose to drop out of school at an early age, marry young, and start bearing children before they are financially able.

Some choose to be late to work, gold brick as much as possible, change jobs when pressures mount and move when their creditors become too demanding.

Some will throw their money away on frivolities and luxuries instead of investing in gainful venture.

Some will buy a color T.V. when the roof is leaking and a new car he doesn't need when he should buy some life and hospitalization insurance!

The student may choose to study hard or give vent to self gratification. He can spend time and money on things that will improve his life or he can throw away his resources on stimulants, depressants, irritants and rebellion!

He can go out for football for the action or smoke pot for the reaction!

Freedom, the individual's birthright—Will we sell it for a mess of pottage?

Will we sell it for some sophisticated social experiment conjured up by dreamers who have no vision and little insight into human nature?

Will we sit still and remain quiet while we are forced to labor and support people who won't work, won't save, won't aspire?

Freedom—The Individual's Birthright—will we offer it as a sacrifice for past real and fancied social failures or abuses?

Surely man is imperfect, but what heights we in America have reached. . . . What accomplishments have been made by free man, directed by his own spirit and governed by his own conscience.

Yes, we have made mistakes, but we have also done good.

We must continue to respond as individuals—freely and voluntarily to the fallen, the failures, and the needy. We must respond with compassion, charity and brotherly love. We must offer encouragement, hope, respect, identity, opportunity, incentive, and reward for effort and productivity.

We must do it in a way to inspire proper attitudes and desires, stimulate ambition—not let pity and the dole generate complacency and indifference.

We must not penalize or discourage hard work, accomplishment and prudence. And we must have the "gumption" to supplement sentimentality with good sense and to fortify compassion with challenge. We must not equate constructive love with indulgent pity.

We should know that the measure of a man is not only in the number of his attainments but that he is also measured by the size of his striving.

Finally, Ladies and Gentlemen—(you have been most patient)—Freedom involves self-restraint and responsibility.

My freedom stops where yours begins, except by mutual understanding and consent we might reach an acceptable compromise.

I am talking to responsible people! I would simply like to say that where responsibility ends, anarchy begins and where anarchy begins, Freedom falters.

Business and Professional Women, we must let our elected representatives know that we expect government to maintain order in which free men and women may go their chosen and rightful ways without interference or harm.

Freedom, our individual birthright. We must not sell it for a mass of pottage. We must not discard it for some sophisticated social experiment. We must not sacrifice it as an atonement for past failures or abuses—And we must not timidly allow it to be taken away from us by the mob in the street.

What are you, you, and you going to do about it? Time is running out! God forbid we wait until it is too late.

Thank you.

LIKE IT IS, BABY—VIII

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 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":

POVERTY AREA TEACHERS LACK EXPERIENCE—HANDICAPPED IN GAME WITH SAVVY STUDENTS

To help the child who's a slow reader, not very interested in school and a sometimes terror in the classroom, it takes a good teacher.

And few teachers are really good before they have had some classroom experience to develop techniques in handling problem youngsters.

For these reasons, some Minneapolis school officials were disturbed when they saw results of a study in 1967 about characteristics of teachers in two types of schools, in low- and middle-income areas.

The study showed that poverty-area school teachers were younger, had less teaching experience and were more likely to be fresh from college than their counterparts in middle-income schools.

INEXPERIENCED STAFF

In two poverty area junior highs, according to the study, only 15 per cent of the staff was between the ages of 35 and 60.

"Approximately 85 per cent of these staffs were made up either of young, inexperienced, turnover-prone teachers or teachers who were nearing retirement," it said.

One of the problems with having a new teacher in a poverty-area school is that she may have trouble "in the game which students play with teachers," according to Nathaniel Ober, assistant superintendent of secondary education.

"The teacher is always involved in kind of an open game with her students," Ober explains. "They test her to see how she reacts. No matter how bright she is, she is handicapped in this game with very savvy kids by her lack of experience.

Ober says that the number of transfer requests from teachers at poverty-area schools has been diminishing during the past 2 years.

"The move from the inner core schools may be slowing down," he says.

Another disturbing part of the report on teacher characteristics, according to school administrators, involved the specific subjects teachers in low-income area schools were assigned. The report found these teachers were less likely to have been trained to teach their assigned subjects than the high-income area teachers.

"Eighty per cent of the teachers teaching physical and biological sciences in high-income area junior highs had majored in teaching physical and biological sciences," the report stated.

"By contrast, in low-income area junior high schools, only 38 per cent of the teachers had been prepared for this field of teaching."

UNEQUAL PROPORTION

The study said the reason for this differential is that younger teachers, who make up an unequal proportion of the poverty area school staffs, are less likely to be assigned to their areas of preparation during their first year of teaching.

Another problem in target-area schools, Ober believes, centers on the need for more individual attention from teachers.

"We need, to use an analogy, a restaurant-type of school in the inner city," Ober says. "What we have done in some areas is to build and develop a cafeteria type of school. It's bright, shiny and kind of sterile.

"The kids at this school serve themselves. Now, this idea doesn't work badly in affluent areas where kids are already highly motivated to learn.

"But this won't do in poverty areas," Ober explains. "Here, we have to cater to individual needs. We have kids, as though sitting at separate tables, organized into smaller groups.

"Teachers, like waiters, watch for the particular needs of those small groups and must be quick to respond when they see the needs arise."

In addition to problems with teaching staffs, the schools in the poverty areas are generally much older physical structures than those in middle income areas.

One poverty area elementary school has paint peeling off walls, rotting woodwork, poor lighting, wooden stairways, creaking floors and coal-fired boilers.

"We need good looking schools in the inner city for two reasons," says School Supt. John B. Davis Jr.

"First, the student views a school as representative of the value the community attaches to him and his neighborhood. When he sees bright, new schools in other neighborhoods and looks at the shabby building in his own, he begins to wonder.

"Secondly, this is a task to persuade bright, thoughtful young teachers to work in schools lacking a coffee room, a couch in the lounge or decent teaching aids."

POOR KIDS LAG IN READING READINESS BEFORE FIRST GRADE

By the time a youngster from a poor family in Minneapolis starts first grade, he probably already has fallen behind in the education race.

That is, it is likely the poor youngster won't be able to read as well, won't think as highly of himself and won't like school as well as a similar youngster from an upper-middle class family.

It may be a question, in a poverty home, of whether a parent spends time coaching a preschooler. Or whether he has much skill to pass on to the child. Or whether he sees anything valuable or exciting about learning for learning's sake. Or whether his own example can inspire much self-esteem in his child.

Whatever the reasons, the results are clear.

Dr. Ralph Johnson, in charge of testing programs for Minneapolis public schools, says a reading readiness test was given to first graders last fall.

The test, he explains, measured the youngsters' ability to recognize letters of the alphabet as well as a general knowledge of left to right, a prerequisite in learning to read.

The test showed that an average of five out of 20 first-graders in the city probably will have difficulty learning to read.

But in a sample poverty area school, the test indicated that 12 out of every 20 first-graders could expect reading trouble. In a sample upper middle-class school, in contrast, the test showed that only one out of every 20 was likely to have reading trouble.

DIFFERENCES CONTINUE

The differences between the poor and middle-class children continue in higher grades, according to test scores.

A reading comprehension test—to see whether the student understood what he had just read—was given to city third graders last fall.

For the whole third grade school population, two out of 10 children scored below the expected reading level for third graders.

In the poverty-area school, six out of 10 scored below the expected reading level. Only one of 10 third graders at the upper-middle class school scored below the standard.

REACH THEM EARLY

"Some of these figures," explains Dr. Johnson, "point out how important it is to reach the deprived youngster between the ages of one and four.

"By the time children enter first grade, the differential is already too great. There are just too many hurdles for the poor kid who has trouble learing to read.

"When a child is a slow reader," he contines, "he begins to feel alienated from the others who are reading faster and able to progress faster in school.

"The good reader gets the compliments and the other youngster begins to feel frustrated and withdraws from scholastic competition."

AMERICA: BECOMING A LAND OF VIOLENCE—NO

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. DINGELL. Mr. Speaker, there has been a great deal of talk of late to the effect that the United States has become a land of violence. While it is true that there are to many individuals in our country who do commit acts of violence against persons and property, I believe it to be the grossest kind of disservice to the Nation to charge that the aberations of the few are the fault of the entire population.

In my view, the proposition that the United States has become a land of violence is effectively refuted in a column by Mr. Darwin Bennett which was carried in the Guardian, an outstanding weekly newspaper published at Flat Rock, Mich. So that my colleagues may have an opportunity to read Mr. Bennett's well-reasoned column, I include it at this point in the CONGRESSIONAL RECORD:

AMERICA BECOMING A LAND OF VIOLENCE—NO

The death of Senator Robert F. Kennedy—the third major successful assassination upon a major political figure in the U.S. in less than five years—has set tongues wagging, both here and abroad, that America has finally become a land of violence.

The man on the street in Russia shakes his head in horror and asks, "Why do the American politicians let this happen? Where are the government troops?"

The dictator of a foreign land shakes his head and smiles saying, "See, that's what happens when you don't control the people."

And the kings and queen of older European nations shake their heads knowingly, remarking, "I knew the American colonies' experiment in Democracy wouldn't work out—Americans just have too much freedom."

Plus many American political analysts, commentators, etc., are all condemning the "age of violence" we live in for the recent rash of political assassinations.

But is this what is really happening? Let's take a long, hard look at ourselves first.

True, the murder of President John F. Kennedy in November 22, 1963, was the act of a warped, fanatic mind. But we will probably never learn all the real reasons for the final, extremist act of Lee Harvey Oswald.

Was it communist-inspired? Was it politically motivated? Did Castro send Oswald to create the tragedy? Who knows . . . maybe it was an act of violence that happens once every 100 years in any country.

Without a doubt, the sniper-slaying of Rev. Martin Luther King was racially motivated, spurred on by the domestic and moral crisis we have reached in grappling with America's acceptance of minority groups. Hate created hate.

Both the killer of President Kennedy and Martin Luther King are Americans—whether we like it or not. Our society and culture created the end result.

But the last death of Senator Kennedy at the hands of a self-styled Jordanian patriot, Sirhan Sirhan, leaves me with the observation that his act was (to him) an attempt to right a wrong for the country he had just left.

His actions are the result of a political and religious situation fermenting in nations half-way around the globe from the U.S.

He could have struck down some other prominent figure in any involved European nation for the same reason that he apparently shot Kennedy.

This, then, is not the result of our society, our culture, our way of life, our desire for violent sports, action entertainment and new morality.

What about the hippies? LSD? Draftcard burners? Marchers?

Every age has its extremists. Take the beatniks of 10–15 years ago and the flappers of the 1920's. Our age is no different.

Instead of becoming more violent, I see signs that America is reaching for new horizons of peace and understanding.

The strides taken by different church groups to merge and seek mutual understanding in the past 10 years has been fantastic. Never in the history of man have the world's major religious denominations made so many significant strides towards a common acceptance of the same religious truths.

When I was in college you never saw a student become involved in the national politics of the land. It was quite common in European countries, but not the U.S.

Now, literally thousands of American colleges' students and youth have sought to take an active and personal part in the running of their government. And many were inspired by Kennedy's example.

The Peace Corps, the Job Corps, a new willingness by the nation's youth to face up to a staggering, complex world, filled with the danger of atomic annihilation at any moment or political oblivion, are healthy signs of a brave new generation.

True, gun legislations may be needed to curb the fantastic flow of handguns and munitions, which seemed to have found their way in the nation's hands. But sane, reasonable legislation.

The very fact that Sirhan Sirhan was able to walk up and commit his gruesome task, proves that we have freedom of movement in our country.

To curb this, would eventually create the same type of police state which we despise as Americans, always cherishing our individual freedom.

Stricter security, yes! Stricter gun legislation, yes! But reasonable.

And most important of all, a rededication to fight for our country and what it stands for; a new surge of energy and spirit to face the days ahead, and a new optimism and faith in the American dream of Democracy.

The late John F. Kennedy once gave Americans that feeling.

During the Cuban crisis and confrontation with now-deposed Premier Khrushchev, Kennedy called the Soviet leader's bluff in the very ticklish situation in Cuba.

We all breathed a little easier with the realization that we had a good fighter, and a true leader on our side calling the shots.

Americans took a new pride in truth and destiny of their country.

Now another great American, with high ideals, a zest for life and possessing the courage to face the unknown, has died.

His death need not be in vain, if we fight now and in the future all the harder for the ideals we have traditionally believed in for the past 192 years.

PAPER CANCELS COMIC STRIPS

HON. JAMES C. GARDNER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. GARDNER. Mr. Speaker, I would like to congratulate the Greensboro Daily News of North Carolina for its cancellation of two nationally known comic strips—Dick Tracy and Little Orphan Annie—because of what the paper described as their constant exploitation and advocacy of violence.

Little Orphan Annie has run continuously in the Daily News since 1926 and Dick Tracy since 1939.

The Greensboro Daily News, by this action, demonstrated its willingness to help improve our Nation's atmosphere, which is characterized by public displays of violence. This newspaper has taken a forthright stand and has set an excellent example which should be followed by others in the entertainment and public affairs media. The spontaneous withdrawal of movies, television programs, newspaper and magazine articles and pictures, with strong overtones of violence, would be a step in the right direction in improving our Nation's violent environment.

The breakdown of law and order which our Nation has experienced in the past few years is deplorable and should not be tolerated any longer. The time has come for positive action to prevent the recurrence of riots and assassinations. We must depend not only on corrective legislation, but must also look to the entertainment and public affairs media for their help.

THE FIGHT FOR CLEAN MEAT IS NOT OVER

HON. NEAL SMITH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. SMITH of Iowa. Mr. Speaker, as I told the House yesterday, the fight for clean meat is not over. The Wholesome Meat Act of 1967, which affords the American consumer much needed protection seems to be the symbol of consumer legislation and even those opposing other consumer legislation seem eager to repeat any naked allegation that it was not needed. The National Observer and the Nation's Business printed stories to this effect but they were completely refuted by findings of State health officers and Federal inspectors who have already found 49 plants so bad that they were closed to protect the public health.

The author of the article in the Nation's Business was one Dr. Sussman, who has been a State veterinarian and some of them do not like to admit the situation they were responsible for administering was as bad as it was. Actually most of them could not help it because the legislatures did not give them the personnel or adequate law to work with, but some of them could have shown attention to the situation years ago. It is interesting to note that while Dr. Sussman is now making derogatory comments about a carcass-by-carcass inspection, he took the opposite position in testimony before the House Agriculture Committee in 1957.

I am including in the RECORD some extracts from Dr. Sussman's appearance before the Subcommittee on Poultry and Eggs on March 7, 1967, when he testified in support of a Federal poultry inspection bill, and also some newspaper articles which may be of interest to my colleagues. This material follows:

STATEMENT OF DR. OSCAR SUSSMAN, ASSOCIATION OF STATE PUBLIC HEALTH VETERINARIANS, NEW JERSEY STATE DEPARTMENT OF HEALTH

* * * * *

Mr. SUSSMAN. I represent the National Association of State Public Health Veterinarians, in the New Jersey Health Officers Association and the Veterinary Medical Association of New Jersey.

Mr. Chairman, I am Oscar Sussman, a doctor of veterinary medicine with graduate training in the field of public health at Yale University School of Medicine from which I was granted a master's degree in public health.

My work is that of preventing the spread of animal and bird diseases to humans. I am an immediate past vice president of the American Veterinary Medical Association, and have been chairman or member of the Public Health Committee of the United States Livestock Sanitary Association for the last 7 years.

I am presently president elect of the Veterinary Medical Association of New Jersey, and am a licensed health officer, and was elected from ordinary member status to fellow status in the American Public Health Association.

I just present this as indication of my qualifications in this particular area, which we have under discussion.

I am here today as a professionally-trained doctor, representing the associations I previously referred to.

The issue of poultry inspection has been discussed for a number of years by public health and food and drug authorities..

The groups I represent appreciate this opportunity to summarize our views with respect to what type of legislation should eventually be prepared by this Congress.

* * * * *

Our criteria for good legislation is as follows:

First, our association considers that poultry inspection legislation is a public health function.

Secondly, that integrity of the Federal stamp is essential to the producer, processor, and consumer.

We therefore go on record as supporting any legislation which will contain the following elementary criteria.

First, the inspectors must be civil-service Federal Government employees. Plant employees should not be authorized to inspect. Allowing for Federal-State cooperation could lead to part-time employees becoming State and in turn Federal inspectors when needed.

Incidentally, we understand that in one of the States, the situation has existed as late as last year—we are not certain at the moment because we cannot get the records—that an inspector under the inspection system was in actual fact an employee of the plant, at other times he became the part-time employee.

It should be noted in this connection that State and local health officials want Congress to enact a law to prevent interstate passage of filthy, diseased poultry, not legislation that leads to a mammoth bureaucratic organization.

State officials will handle the intrastate problems, if you will help us handle the interstate problems.

2. There should be a specific requirement for ante mortem inspection. The extent and type of inspection should be left to the determination of the Secretary of Agriculture. There is need for ante mortem inspection to determine some conditions more readily discernible while the birds are alive, and to protect the health of the workers in industry.

Recent experiences of deaths and illness in Texas, Oregon, and New Jersey slaughterhouse workers due to psittacosis in turkeys are a case in point.

And ante mortem inspection can and will provide better protection to slaughterhouse workers and consumers, and will aid in preventive medical therapy at the farm level.

* * * * *

We are certain that this committee will agree that the thought of consuming an atomically sterilized abscess-loaded with nonappetizing but safe pus is repugnant to the American concepts of cleanliness and wholesomeness.

We are further certain that the consumers of poultry will be unwilling to accept for consumption diseased poultry which has been sterilized but still contains noxious byproducts of the disease processes.

Only bird-by-bird competent inspection will ever limit such possibilities. We cannot be vague on this point.

* * * * *

Mr. MCINTIRE. Mr. Chairman, I don't know just what the record is. I don't have it in front of me but if I recall correctly, the statement of the gentleman to which you refer was in connection with diseases which were transmittable to consumers in the consumption of poultry, in the eating of poultry.

Mr. SUSSMAN. Yes, sir.

Mr. MCINTIRE. I draw that distinction because I think that was the distinction that he was making.

Mr. SUSSMAN. And in answer to that, my statement still applies, and that is, in the Public Health morbidity records, I believe, of 4 weeks ago there were some cases of turkeys—I can't remember the disease, but it was the eating of turkey that was infected with an organism which was a spore former.

This organism was present in the turkey. The turkeys were properly cooked and heated. The spores resisted the proper temperature of ordinary cooking, and then the spores developed as the turkey cooled off and there were a number of people killed.

I don't mean killed but made sick. Strike the "killed."

But there are numbers of cases, Mr. McIntire, of Salmonella infections which actually are spread by means of diseased poultry to consumers in two ways.

One is by direct contact where they bring the bird in the house and put it on the drain board and then the drain board cannot be sterilized.

They cook the chicken and it is perfectly safe, but the material that they brought in with this diseased bird, the Salmonella organism are then present on the vegetables that are handled in the house.

The question, of course, resolves what is first, the chicken or the egg, but the point is you get sick in either case.

Incidentally, research on this case by Oscar Phesenfeld and by Dr. Edwards indicate that proper poultry inspection can eliminate from as much as 13 percent of carcasses that are infected to as low as 3 percent.

It doesn't completely eliminate it but it certainly lowers it percentagewise.

[From the Des Moines (Iowa) Register, June 12, 1968]

ASSAILS HUNTLEY ON MEAT INSPECTION

(By Nick Kotz)

WASHINGTON, D.C.—Representative Neal Smith (Dem., Ia.) charged Tuesday that NBC news commentator Chet Huntley improperly failed to reveal his interests in the meat industry while Huntley was editorializing against the Wholesome Meat Act of 1967.

Smith, in a House speech, said Huntley has corporate and financial relationships with persons who were required by the 1967 law to come under federal meat inspection. The interests include an Iowa cattle feeding firm.

ASKS PROBE

Smith asked the Federal Communications Commission (FCC) to investigate Huntley's broadcast and business interests in terms of

proper broadcasting ethics. An FCC official has informed Smith that its investigation is under way.

Smith also asked the National Broadcasting Co. to grant him air time because of errors of fact in Huntley's broadcast and because of Huntley's undisclosed interests in the meat industry.

An NBC spokesman said Tuesday that the network has decided to grant Smith air time under "the fairness doctrine" after network officials had reviewed a transscript of Huntley's May 27 editorial against the act.

The NBC spokesman also said the network has begun an investigation of Smith's allegations concerning the propriety of Huntley's editorializing on a subject in which he has an economic interest.

Huntley attacked the Wholesome Meat Act in the May 27 radio editorial and again in another editorial June 10. Smith referred only to the first editorial.

In this editorial Huntley called the meat inspection law a "farce" because it guaranteed cleanliness only in the packing plant and was no guarantee that meat was improperly handled in the distribution process or by the housewife.

Huntley charged that meat wholesalers in New York and other cities are being needlessly thrown out of business by the arbitrary standards of USDA inspectors.

Furthermore, Huntley charged that truck drivers and other employes of the wholesale district in New York are quitting their jobs to become federal inspectors and "talk openly" of receiving "monies under the table" in return for "that misleading (federal) inspection stamp."

On Monday, on the NBC radio show "Emphasis," Huntley said:

"Betty Furness (the President's adviser on consumer affairs) is strictly bad news out on the farms and ranches of this country, and the guys who grow the produce are a bit fed up with the nonsense of Betty posing as the spokesman for and the epitome of the housewife.

"Thanks to the armies of Bettys on government payrolls we now have inspectors enforcing their nonsense and insane rules."

Huntley told his listeners that "99.9 per cent of all meat has always been clean."

Smith said USDA has reported to him 21 inspectors have been hired in New York since passage of the law and that none was a truck driver.

Concerning "monies under the table," Smith said Huntley has offered no substantiating evidence of this serious illegal activity, and has a responsibility to report any evidence he might have to authorities.

But the main thrust of Smith's statement and letters to both the FCC and NBC was to trace through a series of documents Huntley's connections with two men who are involved with Edmund Mayer, Inc., a New York wholesale meat firm.

Because this firm performed cutting and boning operations, it was required to come under federal inspection by the new law if it wished to continue to sell in interstate commerce. The firm came under federal inspection Apr. 1, according to Smith.

Both in his House speech and in his letter to the FCC, Smith detailed the following financial relationships which he said tied Huntley to the meat industry.

Huntley is executive vice-president of Group 21, Inc., a cattle feeding firm, at Sutherland in northwest Iowa. The president of the firm is Alfred Mayer and a director is Ludwig Mayer, with both men having interest in the Edmund Mayer firm. Two other directors of the firm are Gerald and Robert Pearson. Group 21, Inc., lists the same New York address as the Mayer firm.

SPENCER AFFILIATION

Group 21, Inc., which feeds about 18,000 cattle annually, sells some of its cattle to Spencer Packing Co., Spencer, Ia. Both Gerald and Robert Pearson are directors of this firm.

Spencer Packing Co., in turn, sells some of its meat to Edmund Mayer, Inc.

An official of Group 21, Inc., confirmed in an interview Tuesday that Spencer Packing is one of its customers. An employe of Spencer Packing confirmed in an interview that the Mayer firm in New York "is a good customer."

Alfred Mayer, in a 1965 interview with The Register, said his firm handles more than one million pounds of beef weekly, and features Iowa beef almost exclusively. At that time, both Mayer and Huntley said in interviews that Group 21, Inc., would sell some of its cattle to Spencer Packing Co., and that Spencer provided meat to the Mayer firm.

In his House speech, Smith quoted Huntley's criticism of Betty Furness and Ralph Nader as "two self-styled protectors of the public weal."

HIS RELATIONSHIP

Then, Smith, commented: "He (Huntley) failed to reveal that his desire to become a self-styled opponent of the Wholesome Meat Act is the position of a person whose relationship to meat is not merely that of a consumer.

"Betty Furness and Ralph Nader openly proclaimed that they were representing the consumer's point of view, but Mr. Huntley did not reveal on this broadcast his corporate and financial relationship with persons affected by the Wholesome Meat Act.

". . . I am not saying that Chet Huntley should not have any financial interest of any particular kind but I do say that most of his listeners who heard this attack upon the Wholesome Meat Act would not have been aware of his relationship with this segment of the meat industry and were therefore not in a position to properly discount what he was saying or to assume that he might have been exaggerating."

In his letter to FCC Chairman Rosel Hyde, Smith said he believes that Huntley—"in the course of his strong and patently biased editorial"—should have revealed that he has a corporate relationship with persons who have been required to meet federal sanitation and operating standards.

FCC POLICY

Smith asked the FCC to explain its own policy governing editorializing by news commentators with an economic interest in a subject. He questioned whether NBC and other networks have a code of ethics concerning such matters, and whether the code is enforced.

If no code of ethics exists, Smith questioned whether one is being developed.

Huntley was involved in a similar controversy in March of 1964.

After he had editorialized in a radio program against foreign meat imports, New York Times television critic Jack Gould questioned the propriety of Huntley's editorial without revealing his interest in a domestic beef product.

At that time, Gould said Huntley had invited newsmen to a dinner to sample "Chet Huntley's nature-fed beef." The product was to be distributed by Edmund Mayer, Inc., the firm Smith referred to which has just been required to come under federal inspection.

Gould quoted Huntley in an interview as saying that, upon reflection, he should have disclosed to his listeners that he had a private business interest in one phase of the beef industry.

HALTS ADS

Ten days later, NBC announced that the company had decided for business and journalistic reasons that Huntley would discontinue all advertising and promotion of his beef product.

The New York Times quoted Huntley at that time as saying that he had invested about $150,000 in his New Jersey farm where he feeds cattle a special formula designed to increase their weight in meat.

Huntley said Wednesday night: "Too much has been made of my relatively small and recent investment in a feed lot company.

"In fact," he said, "my interest in cattle and cattle raising goes back many years to my boyhood in Montana. Because of this continuing interest I have sometimes felt the occasion to broadcast interpretive material about the problems of cattle farmers and others whose businesses have to do with cattle.

"In this spirit, I recently did this with respect to the Wholesome Meat Act. But I recognize, as does anyone who has followed the history of this act, that it is an issue where many points of view are possible. I welcome NBC's offer of broadcast time to Congressman Smith and Miss Furness so they can make their comments. This can only add to an atmosphere of healthy debate."

[From the Des Moines (Iowa) Register, June 15, 1968]

MORE THAN 45 PLANTS SHUT BY MEAT LAW—MOST ACTIONS TAKEN BY THE STATES

(By Nick Kotz)

WASHINGTON, D.C.—At least 45 meat packing plants have closed because of improper conditions and hundreds of others have not measured up to federal inspection standards since enactment of the Wholesome Meat Act, said Agriculture Department (USDA) officials Friday.

Rodney Leonard, administrator of USDA's Consumer and Marketing Service, and his aides described action that has been taken and some of the conditions found since President Johnson signed the law last Dec. 15.

BAD AND GOOD

Commenting on sample surveys of about 1,000 plants in 38 states, Leonard said:

"Conditions in state plants vary from being extremely bad to extremely good. The number of plants operating at a level that would qualify for federal inspection would not be typical."

Dr. James Payne, a USDA meat inspection official, said that at least 45 to 50 plants have been closed by state officials without any action by the federal government. He said exact figures are not available because the states have not reported all closings.

Leonard said about 20 plants have been closed by Illinois state officials and a number of plants have been closed by officials in Nebraska.

In joint action by both federal and state officials, 20 plants have been designated as endangering the public health, said Leonard and W. F. Moss, commissioner of agriculture in Tennessee.

The federal action was taken under a special provision of the Wholesome Meat Act which authorizes the USDA to act against plants endangering public health if state officials fail to act.

NO DIRECT ACTION

Some 123 plants across the country have been surveyed by both state and federal officials, said Leonard, and state officials took action against the 20 judged to be hazards. No direct federal action was required.

Four of the 20 plants were closed permanently, one has been closed temporarily and the others have taken corrective measures.

Leonard gave the following written report on conditions in the five federally inspected plants that have been closed:

A large Michigan slaughtering and processing plant was adjudged to endanger public health because of "insanitary handling of products and lack of proper environmental sanitation."

A Connecticut slaughtering plant was

closed because of "failure to control condemned, diseased carcasses which had been marked inspected and passed." In addition, the report stated "spoiled meat byproducts were present in a cooler."

A Delaware slaughtering and processing plant was closed because "contaminated water was being used in producing products for human consumption."

An Illinois plant was closed because of "lack of proper environmental sanitation."

A Nevada plant has been closed temporarily for "a clean-up" after its sanitation was judged to endanger the public health.

The main provision of the Wholesome Meet Act requires bringing inspection systems and plants up to federal standards within three years or else the federal government will take over inspection.

Leonard said USDA has signed agreements with 15 states, including Iowa, which will provide federal matching funds to help the states come up to federal standards.

Each state has agreed to make changes in its inspection system to comply with federal standards. Changes might include amendments to the state meat inspection law, hiring and training of more inspectors changes in inspection regulations and techniques.

NOT CERTIFIED

Leonard stressed that none of the 15 states has been certified as in compliance with the federal law, and will not be certified until complete federal standards are met and implemented.

Federal inspectors also found improper and unsanitary conditions in inspecting two classes of meat plants that were required by the new law to come under federal inspection for the first time if they desire to sell in interstate commerce.

One type establishment is typically a wholesale firm which performs "cutting and boning" of meat.

Leonard's written report showed that 1,004 of these firms have applied for federal inspection.

Of these firms, he said, 516 have been granted federal inspection, applications are still pending on 184, and 304 were either rejected for federal inspection or cancelled their applications. Leonard said virtually all of these 304 firms failed to meet federal standards.

Another group perviously exempted were specialty and mail order firms, or large cafeterias which perform boning and cutting. To sell in interstate commerce these firms must now be federally inspected. Previously, they held certificates of exemption.

Leonard's report showed that 289 firms had applied for federal inspection of which 275 were approved, four are pending and 10 were rejected or cancelled.

Dr. Payne said federal inspectors found conditions in 112 of the boning and cutting or previously certificate of exemption firms that were reported to the states for corrective action.

Leonard did not supply any detailed information on conditions found in the 1,000 plants so far surveyed in 38 states. USDA must report to Congress in detail on these conditions at the end of the year. No plants have yet been surveyed in Iowa, according to Leonard's report.

He supplied specific information only on plants declared to endanger the public health.

Aside from the five plants closed, other remarks on hazard plants which now have corrected improper conditions included:

An Arizona slaughtering plant—"failure to control insects and vermin. Lack of environmental sanitation. Unsanitary handling of meat and meat byproducts."

Another Arizona slaughtering plant—"Failure to control inedible and condemned products. Unsanitary procedures used in manufacturing product."

A Nevada slaughtering and processing plant—"Unsanitary procedures used in manufacturing products."

A Utah processing plant—"Lack of control of insects and vermin. Unsanitary handling of products. Improper environmental sanitation."

[From the Des Moines (Iowa) Register, June 13, 1968]

FCC TO PROBE HUNTLEY ON MEAT STAND—SMITH GIVEN TIME FOR REPLY

WASHINGTON, D.C.—The Federal Communications Commission ordered an inquiry Wednesday to determine whether commentator Chet Huntley's financial interests influenced him in broadcasting an attack on a recently passed U.S. meat inspection law.

At the same time, the National Broadcasting Co. told Representative Neal Smith (Dem., Ia.) he will be allowed five time segments on June 17 in which to answer Huntley's May 27 broadcast.

Smith, a prime backer of the law that brings many small meat packers under federal inspection for the first time, charged Tuesday that Huntley has financial links to such a firm which he did not reveal when making his broadcast. The firm has Iowa connections.

He said Huntley's comments were "patently biased" and contained misleading and false information.

FCC Chairman Rosel H. Hyde told Smith in a letter Wednesday that while the commission is prohibited from censoring broadcasts it "expects its broadcast licensees to report the news as accurately and impartially as possible."

Hyde said the commission has ruled that "whenever an employe of a station who is in a position to influence program content has outside business interests which might create a conflict of interest . . ., it is the responsibility of the licensee either to insulate the employe from the program selection process or, . . . to adopt safeguards to make sure that the licensee's facilities are not improperly used."

"The commission will make inquiry into the matters set forth in your letter," Hyde told Smith, "and will take any action it deems necessary in this case."

Smith said he was told by NBC that his recorded reply to the Huntley broadcast will be fed into the network at intervals starting at 1:06 p.m. June 17.

[From the Los Angeles (Calif.) Times, June 12, 1968]

CHET HUNTLEY'S LINKS TO MEAT COMPANY TOLD—NEWSCASTER, WHO ATTACKED INSPECTION LAW, HAS INTEREST IN FIRM COVERED BY IT

(By Robert L. Jackson)

WASHINGTON.—Newscaster Chet Huntley, who has twice attacked the recently enacted federal meat inspection act in national radio editorials, has financial ties to a company that must meet the law's strict requirements, Rep. Neal Smith (D-Iowa) disclosed Tuesday.

Smith, who helped guide the act through Congress last December over strong industry opposition, said in a House speech that he had asked the Federal Communications Commission to investigate the ethics of Huntley's comments.

He said Huntley, of the National Broadcasting Co., should have informed his listeners of his financial interests in the meat industry so they could better assess his views.

The inspection law provided that plants selling meat within the boundaries of a state must meet within two years the same sanitation standards that now apply to companies selling meat in interstate commerce.

Huntley is executive vice president of Group 21, Inc., a New York-based firm headed by Alfred Mayer, according to company literature that Smith gave to reporters.

Mayer and Ludwig Mayer, another director of Group 21, are associated with Edmund Mayer, Inc., of New York, which operates a wholesale meat plant that came under the jurisdiction of the federal meat inspection program April 1, Smith said.

The New York address for Group 21 is the same as for Edmund Mayer, Inc., Smith said. Group 21, which is engaged in beef production near Royal, Iowa, sells beef to Spencer Packing Co., Spencer, Iowa, which in turn furnishes meat to the Mayer firm, he said.

An NBC spokesman in New York said the network would honor Smith's request for air time to respond to Huntley's remarks, but neither the network nor Huntley had immediate comment on the commentator's business interests, the spokesman said.

Smith said he would accept the NBC offer of air time.

On May 27, in his radio program, Perspective on the News, Huntley said "this whole new inspection program is a farce in that it attempts to guarantee cleanliness at only an early stage of meat distribution. Further, there was no need for the federal program's extension into new areas."

On Monday, on the NBC radio show, Emphasis, Huntley said:

"Betty Furness (the President's adviser on consumer affairs) is strictly bad news out on the farms and ranches of this country, and the guys who grow the produce are a bit fed up with the nonsense of Betty posing as the spokesman for and the epitome of the housewife.

"Thanks to the armies of Bettys on government payrolls we now have inspectors enforcing their nonsense and insane rules."

Huntley told his listeners that "99.9% of all meat has always been clean."

However, congressional committees last fall were told that state-inspected meat generally falls below standards set for federal meat products.

Even among meat subject to federal inspection, more than 4 million parts of carcasses were condemned by federal inspectors as unfit during the 1967 fiscal year, Congress was told.

In his letter to the FCC, Smith asked:

"What policy has NBC and other networks established with regard to editorializing by its commentators on public issues in which the commentator (has) a personal or an economic interest . . .?"

In 1964, Huntley was criticized for discussing on radio the beef industry's price structure on the same day that "Chet Huntley's Nature-Fed Beef" was introduced in some New York stores.

Subsequently, Huntley and NBC agreed that his name should no longer be used to promote beef produced at his farm in Stockton, N.J.

THE POLITICS OF DESPERATION

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. ECKHARDT. Mr. Speaker, in these times there is no subject that Congress needs to consider more seriously than that which constitutes the topic of the very cogent remarks of my distinguished colleague, the Honorable HENRY B. GONZALEZ, in his address to the San Jacinto Chapter of the National Association of Social Workers in my city of Houston, Tex., on June 14, 1968. Because I think these remarks contribute to the

dialog concerning a major issue of our time, I offer them here for the consideration of my colleagues:

THE POLITICS OF DESPERATION

(An address by HENRY B. GONZALEZ, Member of Congress, San Jacinto Chapter, National Association of Social Workers, Houston, Tex., June 14, 1968)

When I accepted your invitation to be here tonight, I did so with some trepidation. Not that I didn't feel that I would be welcomed and among friends—Houston has always been a warm and friendly city to me. The problem was that I would be talking to social workers. The job of deciding what to talk about has not been easy, because you people deal with the widest possible variety of problems, have the greatest assortment of concerns, and have unlimited interests. I could have talked about anything, and for a while was tempted to talk about nothing at all—but that would have been unfair. I knew that I could not get away with giving you a pep talk and John Wesley's commandment: "Do all the good you can, by all the means you can, in all the ways you can, in all the places you can, at all the times you can, to all the people you can, as long as ever you can." That would have been a good thing, but it still would not have done, because you all have been accused of being just plain old do-gooders, and you have had too many pep talks anyway.

Let me say at the outset that I know of no higher calling than that you follow. The fact is that in a world that seems largely callous and uncaring, you are the people who make it your business to care, and try to set wrongs right, and give help to those who are unable to help themselves. You have my admiration, because I know that you have jobs that are essentially impossible because they are never finished. The job is never finished because humanity is not finished, and as long as society exists there will be some who simply cannot cope with life without help and guidance.

You might say that a social worker deals in futility and desperation. His job is to prevent life from becoming either futile or desperate. That is not an easy job, but I think that I can understand it.

Even though a good part of my job is consumed in what is really social work—I get hundreds of letters every week from people who need jobs, who need help with social security or welfare, who need to find missing sons, who want in or out of the army, who have grievances against their bosses, and sometimes from people who are simply so overwhelmed that they want only for me to listen to their problems and offer some advice. But even though social problems are well known to me, I am not a social worker. My field is politics, and I would like to talk a little tonight about what might be called the politics of the desperate people. I chose this topic because it deals with a kind of politics that is all too familiar today, and causes all of us alarm and distress.

The politics of desperation is nothing new in this country; it is as old as the war of revolution and predates the Constitution itself. Essentially, the politics of desperation is practiced by those who have nothing to lose, or those who think they have nothing to lose—those who feel abandoned, left out, put upon by government, or simply ignored. The politics of desperation is important for us to understand because it is something that we see daily, but do not really understand and may not even recognize. Those who have no stake in our society or who think that they have no stake, are all about, and they have grievances that they want redressed, have problems that they want people to hear about. If they are ignored, they will resort to unconventional and even desperate tactics. There is in our country today the seeds of bitterness and the potential for tragedy, and it is bound up in the misfortunes of the land.

The politics of desperation stem most often from people who are in financial distress—people who are hopelessly in debt, who cannot get help, who feel that they are about to lose everything and are ready to do anything to either get help or stave off disaster. It also stems from people whose dreams and illusions are shattered, and whose hopes have somehow been twisted into bitter memories. This politics can take the form of revolution, anarchy, wild movements in behalf of a simple solution to all ills, demagoguery and other assorted aberrations. Through it all runs the common thread—people who have nothing to lose and everything to gain, or think so.

After the Revolutionary War, and before the Constitution was written each state had fairly comply control of its affairs. Each state issued money and more or less acted like an independent country. The central government was loose and ineffective. One result of all this was that every state had bad financial problems—money was often worthless and business was bad. Farmers were badly hurt by debt and by poor prices. In a great many states these economic ills were attacked by a variety of unorthodox schemes. But in other states, like Massachusetts, the state government called for sound money and prompt payment of all debts. This was because the state legislature was dominated by the merchants around Boston and other coastal towns. The problem was that the state was not selling its goods overseas. Merchants in Boston weren't selling what the farmers were raising. The farmers needed goods, but had no money. They had mortgages and bills to pay. In county after county the farmers were unable to pay debts, and found their property taken by the sheriff and themselves in jail for debt. The farmers came to believe that the seaboard merchants were out to get control of all the land in the state by means of having courts seize land for payment of debts. The desperate farmers, about eleven hundred of them, decided to march on the capital and demand relief. When the dust settled, the farmers were defeated by the state militia. But the result was that everyone suddenly realized that the government of the country needed some overhauling. The Constitution owes a great deal to those desperate farmers, because they proved that the confederation was not working. Not only that, they got relief from some of their pressing financial problems.

Here was a case where men simply had nothing to lose—they had already lost everything. Their government was either unable to respond to their complaints, or it was unwilling to do so. Without any other alternative to choose from the Massachusetts farmers revolted. Everyone was horrified except for Thomas Jefferson, who remarked that a rebellion was a good thing once in a while.

So the first and most obvious kind of political desperation is armed rebellion.

Rebellion has never succeeded in this country, not in 1786, and not in any other year. The reason is probably that most of us do in fact have a stake in our government and in our country, and so most of us are willing to fight to keep the government in operation. On the other hand not many people are eager to revolt, because not many are left out or left behind. Our government generally responds in time to prevent desperation from becoming disaster. Anarchy is what you might call unorganized rebellion. Anarchists simply don't believe in any government at all. Anarchy is not attractive to many people, mostly because it makes no sense. But to a few, who may be ignorant or insane, and some who may be brilliant and disillusioned, no government at all is the best government. These people tend to believe that government is a conspiracy against the people. So in the hey day of the anarchist movement they threw bombs and sabotaged factories, and sometimes killed people they believed to be keys to the whole thing. Anarchists are not always violent—the hippie communes of peace and love are essentially an attempt to achieve anarchy. The object of the hippie is to have a society where everybody is free to do his thing, whatever it may be—unfettered, undemanding life. It sounds beautiful, and may actually work on a small scale, but simply cannot work for a town or anything else bigger than a few dozen people because it demands complete agreement that no rules are needed. Anarchists are the dropouts of political life. They have never played an important role in the shaping or our social or political life.

In time of depression, as we had in the 1930's, the politics of desperation came into full flower. In the depression there were twelve million people out of work; there was no charity you could rely on. When President Hoover in 1929 tried to raise a giant charity fund from private sources he could get only fifteen million dollars—about two dollars for each man unemployed at the time. There was no government aid to speak of. No one knew what to do or where to go; no one had any answers. People everywhere were running out of time, out of resources; nothing seemed to help. The government was confused and was saying that prosperity was just around the corner, but people knew that it was not true. In this atmosphere, with literally millions of people drifting about without hope and without direction, the politics of desperation came alive in all its forms.

You had the revolutionaries. These were the Communists and the Socialists, who paraded and marched and foresaw the doom of the capitalist system. They were not about to mount any violent attack on the system, because they thought it was collapsing of its own weight.

Then you had the political the medicine men with the quick and easy answers. These were the promoters of politics, and they are still with us.

The Townsend Plan was one of the evangelistic appeals of the day. This plan was conceived in California, and it called for the Government to hand $150 every month to everyone over sixty years of age. All that had to be done was for the oldsters to guarantee to spend the money. Townsend did not say where the money would come from; he just wanted it distributed. This had a powerful appeal, because California was filled with retired people, and many of them had lost everything in the depression. It appealed to others because they believed the plan would put money back into circulation and end the depression. Townsend clubs started all over the country. A bill was introduced in Congress that would give $200 a month to all people over sixty. But it was dropped because in the cold light of day it turned out that this bill would have put one half of the national income into the pockets of one eleventh of the population. And Townsend's chief lieutenant took off with $90,000 of the poor people's money.

But the Townsend Plan is still with us. Today it takes the form of the land grant movement in New Mexico and elsewhere—the leader is Reies Tijerina, whose name you may know as a result of the Poor People's Campaign.

According to Tijerina, the people who lived in the Southwest when that part of the country was taken into the United States held their land from grants made by the government of Spain, and which grants were honored by the government of Mexico. But after the United States took over, these lands were swindled by the Anglo-Americans, and the result is that Spanish-surnamed people have been left landless and in poverty.

It is an undeniable fact that the land in a good part of the Southwest was owned by Mexicans and their descendants. Most of this land was bought at low prices and under questionable circumstances by settlers, often through sheriff's sales for back taxes. Some people of Mexican ancestry are still embittered about this, and so it is a potent source for an evangelistic political operator to draw on. The organization fostered by Reies Tijerina says that the lands ought to be restored, or the ancestors of the original owners indemnified. In either event the result would be instant riches for people who are now poor and landless, and who are ready to grasp at even the most unlikely of straws. It is an unlikely scheme at best, but it makes a living for Tijerina—and gives an outlet for people who are ready to dream rather than reason.

The evangelists of the thirties, like those of today, depend on the gullibility of people for their appeal. One of the songs of the day protested the wealth of the banks, and the poverty of the people. It went like this:

"O the banks are made of marble;
With a guard at every door;
The vaults are filled with money
That you and I have sweated for."

It ended with a call for unity, and promised that "some day we'll all own those banks of marble, with a guard at every door." There would be plenty for all, went the promise, jobs for the sailors, land for the farmers, food for the miners. But songs were no substitute for programs, and the song though still sung is still only a memory. Like the little red song book of the IWW, it preached and evangelized, and many followed, but few got anywhere with it. The banks may have been made of marble, but not many of them were rich. So people would curse, and thousands were driven out of the dust bowl by weather and the bankers, but they bore up under it all and somehow survived. It was a hard and sad time, but the people did not resort to revolution, to anarchy or flock to the evangelists.

One other class of desperate politics depends on shattered illusions, and that is the politics of the demagogue. Now an evangelist will offer some program, some magic elixir to remove the blight of poverty and misery. The demagogue will wrap himself in the flames of oratory, and make his appeal to passion. Where Townsend would promise a hundred and fifty dollars a month to everybody over sixty, Huey Long played on the passion of the people made poor by depression and promised to "share the wealth." He said that if he was elected President, the wealth of this land would be shared by one and all. There would be a great levy placed on fortunes and inheritances, Long said, and this would present every family in America with a $5000 house and a $2000 annual income. Huey Long would, his song went, would make "every man a king."

Some of you probably remember that song:

"Why weep or slumber America
Land of Faith and truth.
There's a castle, clothing and food for all,
All belongs to you.

"There'll be peace without end
Every man a friend
With every man a king."

Other demagogues have been simpler than the Kingfish, because they have depended on simpler passions for their popular support. Racists like Theodore Bilbo could become Senators like Long, but they could never become anything like the force that Long did. But in the end, Long was killed by the passion of a man who was his enemy, a man who said that his family had been ruined by the Kingfish. So ended the life of a most remarkable demagogue.

If popular passion can fuel the political fires of some, dead dreams can inspire others. Those who base their appeal on some shattered illusion and build a crystal hope on that foundation can offer great appeal to desperate people. George Wallace, by damning everything that moves, appeals to those whose dreams have soured, and who want to return to some good old days that never existed, finds a powerful source of support. He preaches from a platform mixed with agnosticism and hate, and finds friends in those who have found life sour, and who think that the country is going to hell in a handcart. Then there is the Nation of Islam founded by Elijah Muhammed, among whose followers is Muhammed Ali, the boxer who once was known as Cassius Clay.

The faith of Elijah Muhammed stems from his disillusionment with this country. Having lost faith, he wrote a theology that damns everything that is not black. His followers are even asked to change names, because he says any Negro in this country is descended from slaves, and his name is not a free name but that of a slave. By changing names Elijah's followers symbolically become free men, and they hope eventually to be free in a new nation of Islam, to be carved out of the country and set aside from Muhammed and the faithful. His dreams are more elaborate than those of George Wallace, but both stem from the same source: disillusionment and despair, and they appeal to those who have been soured by life, and whose dreams are shattered by forces greater than they are. On these bitter foundations the gullible build new dreams, and follow men who elaborate on the bitterness from which the dreams are made.

Our country has been shaken in recent years and months by a never ending succession of political aberrations. The shock waves set off by the draft card burners hardly had time to settle before the next wave started, this time in universities. Riots, exhortations and dreams have vented passions, and even assassins have worked their terrible destruction. We are tempted to believe that these wild events have become a way of life and that the country is being jarred from its foundations.

But I do not believe that the politics of desperation rules this country. I do not believe that the politics of revolt, of anarchy, of evangelism, of demagoguery or of disillusionment have the upper hand today any more than they did in 1786.

The fact is that most people have a stake in this country. They understand what political desperadoes are trying to do, and they realize that chaos is no solution to political ills.

Probably one of the best observers of American democracy was Alexis de Toqueville, who came from France to see how our system worked. He traveled far and wide and wrote a book that was remarkable for its perceptiveness and in some cases for its prophetic qualities. De Toqueville's book *Democracy in America* was published in 1835, and he saw then—and what he saw then is still true—that "In America, the lowest classes have conceived a very high notion of political rights; and they refrain from attacking the rights of others in order that their own may not be violated." In short he saw that every citizen understood what it was to be free, and understood his role and responsibility, knew that if he violated the rights of others, could not longer legitimately claim his own. People in this country, De Toqueville said, "obey the law not only because it is their own work, but because it may be changed if it is harmful."

Our country was built in struggle, and it exists now in the midst of struggle and tumult. But through it all there has been a faith in our system and mutual trust among our citizens. Most of us know people who are somehow desperate, but even these have hope for tomorrow and believe that they have a stake in this country. They do not therefore listen to the odd voices of the politicians who would seize on desperation and make it a springboard to power. The existence of such politicians is however a sign that we still face problems that have not been resolved; that there are still people who feel that they are being ignored and that their problems are going unsolved. That is why there can be a Reies Tijerina and that is why there is a Poor People's Campaign; and it is why we have draft card burners and social dropouts. It is why we have the black power movement and the Nation of Islam, and it explains why there can be the bitter preachments of George Wallace and like minded men. The passions of the desperate will find outlets; and the danger of the politics of desperation is that we will not understand that it is a symptom of ills and problems that need attention. I think that our government is responsible and that it is responsive; I believe that this is why our country has a firm and stable foundation. I believe that the politics of desperation is not a cause of our troubles, but a product of unmet problems; but I also believe the lines of Carl Sandburg:

"Across the bitter years and howling winters
The deathless dream will be the stronger
The dream of equity will win."

FAREWELL TO A SENATOR

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. DANIELS. Mr. Speaker, a valued constituent of mine, Mr. Joseph A. Caspar, of West New York, N.J., has written two fine poetic tributes to the memory of President John F. Kennedy and Senator Robert Francis Kennedy of New York.

Mr. Speaker, I include these two fine poems by Mr. Caspar in the RECORD following my remarks.

The poems follow:

FAREWELL TO A SENATOR

(By Joseph A. Caspar)

A fighting man, a man was He.
He fought for peoples Liberty.
President He may have been,
If only the world was free from sin.

In California, He'll be remembered the most,
And all through the U.S.A., coast to coast.
It was in Los Angeles, this story began,
At the California Primary, in which He ran.

The Senator won, votes went His way.
Then came the shots, that made it a gloomy day.
Six persons were injured, the Senator was one,
And they caught the assassin with the gun.

The Senator lie in an unconscious state,
But the doctors, could not change His fate.
He died on the 6th day of June, 1968,
In the same manner of John, His Brother of late.

From Los Angeles to New York, His body was flown,
To Saint Patricks Cathedral, where it was known,
His body there would lie in State, until the Mass,
And thousands of people, by His casket would pass.

His body was then brought by rail,
To journey, on His last long trail.
The mourners waited, as the trains rolled by,
All were somber, many with tears in their eyes.

The casket was in the twenty-first car,
As the Funeral Trains traveled afar.
Through New York, New Jersey, Pennsylvania, to Delaware,
Maryland and Washington D.C., as people waited there.

The trains arrived, darkness had set in,
They carried the casket, the Navy Band played a Hymn.
The Funeral Procession then left Union Station,
Seen on T.V., all over the Nation.

Down, Constitution Avenue the Cortege moved along,
At the Lincoln Memorial, there was sung a song.
The Battle Hymn of the Republic, for which we all stand,
As did Lincoln, the Kennedys all three so grand.
They will all be to-gether in Heaven above,
To talk of the things, They all did Love.
Then over the Memorial Bridge He was taken,
To be sent to Heaven, where He shall awaken.

To National Arlington Cemetery, for His last ride,
To be buried by His Brother John, side by side.
So, Robert F. Kennedy, a Man was He,
Who died, fighting, for Americans Freedom and Equality.

FAREWELL TO A PRESIDENT

(By Joseph A. Caspar)

This trip He made, was it to no avail,
Driving down that Texan Trail.
The crowds all cheered, as He smiled back,
Then came the sound of a rifle crack.

His car sped forward to the hospital near,
But Life for the President ended here.
The suspected killer was caught near-by,
But not before a policeman died.

They held him in their county jail,
When being moved his face turned pale.
A shot rang out, he fell down,
Killed by a man who was in town.

Meanwhile the President was flown away,
To the Capital where He did stay.
His casket there, it lie in State,
So that all the world could see His Fate.

The T-V viewers, the people there,
All could see and the sorrows share.
The 25th day of November, that was the day,
Our dear President was on His way.

The people stood by and all looked grim,
When out stepped His Son and saluted Him.
His Wife, His Daughter, His Family dear,
All looked down and standing near.

The men of the Armed Forces did their share,
To show for the President they did care.
Six white horses, and one on the side,
Took Our President on His last ride.

First to the Church where you heard the Mass,
Then over the bridge, through the gates they did pass.
Arlington National Cemetery, that's where they went,
To bury Our 35th President.

The casket was set atop of the grave,
Our Flag was held by Servicemen Brave.
A 21 gun salute, for a Hero so true,
Who has given His life, for His Country and you.

The Bugler blew the taps aloud,
Not a stir or a sound was heard from the crowd.
The Family left, then the Dignitaries too,
And down went the casket for a life anew.

So hoping His life was not given in Vain,
And by His quotation there's a lot we can gain.
"It's not what your Country can do for you,
But what you can do for your Country".

MODEL CITIES—THE DODGE REPORT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. RARICK. Mr. Speaker, all potential fellow guinea pigs may find of interest the confidential plans of Dodge Report, as to the new "multi-disciplinary" model cities.

This is a prime example of "environmental health" by environmental control.

Mr. Speaker, I include the Dodge Report of January 23, 1968 (Det 8 No. 667 615), the Pontiac Press release of December 28, 1967, and the article "We Are Not Free" following my remarks:

DODGE REPORTS

Experimental city (total syst des) (fed & pvt funds) $3,000,000,000 to $4,000,000,000 U S A—loc not selected.

Contemplated—Abt $250,000 Fed funds (from Dept of Commerce-Dept HUD-Dept HEW) & abt $100,000 from pvt industry being spent on phase 1 (problem definition) to take through Mar 1968—phase II & III to take abt 2 years ea—phase IV to start in abt 4½ to 5 years—site selection abt 1½ yrs away—const (phase V) target dated for 1974 (see below for phase description).

Sponsor—National Steering Committee for the Experimental city—Dr. Athelstan Spilhaus (pres. Franklin Institute 20th & Benjamin Franklin Parkway Philadelphia Pa) & Otto Silha (V-P Minneapolis Star Tribune-Minneapolis Minn) (co-chm) & Prof Walter K Vivrett (secy) 110 school of architecture bldg—Univ of Minnesota—Minneapolis Minn.

Organizer (phase 1) (contracted for Apr 1967-Mar 1 1968) The Experimental City proj—prof Walter K Vivrett (proj Dir) 110 school of architecture bldg univ of Minnesota—Minneapolis Minn.

Developer (phases II–IV) (planning & des) non-profit corp to be formed after completion of phase I.

Owner (at phase V) quasi—govt & quasi-priv corp (similar to comsat) to be formed nrg completion of phase IV.

Des team—a multi-disciplinary team consistg of systs des-city planners-archts-engrs & others to be selected some time during phase II–III—city to be for abt 250,000 people—to incl residential-civic-cultural-recreational bus & indstrial facils—possible des goals to incl tot environment control (in parts of city) tot at-source pollution control—symbiosis of industry-spec transportation systs—an information utility etc (phase I) problem definition (gathering available info-conferences-programming of next phase (phase II) lab evaluation of alt solutions of des component parts (phase IV) des of proj (thru working drawings) (phase V) const.

[From the Pontiac Press, Dec. 28, 1967]

CARLESS MODEL CITIES URGED

(By Alton Blakeslee)

NEW YORK.—One solution for our vexing, horrendous city traffic and transportation headaches:

Build a city in which cars and trucks were totally banned—except for some perhaps underground.

Instead everyone would ride—entirely for free—on semiprivate pods, motorless, driverless, noiseless, all controlled by computer. They would whisk you to store, office or home speedily and nonstop.

Such a transportation system would or could be a feature of a new way of life, in a program called the Experimental City, to be built from scratch, with no propensity to follow practices of existing cities.

The city would be operated much like a big hotel, says Dr. Athelstan Spilhaus, president of the Franklin Institute in Philadelphia. In hotels and other buildings, elevator service to ride you up and down is free, he remarked, so why not free transportation across town?

City problems, pollution problems, transportation problems are among main topics being discussed this week at the annual meeting of the American Association for the Advancement of Science (AAAS).

This reflects an awareness, say officials of the AAAS, that the applications coming out of science and technology have created pressing social, economic and human problems to which science and technology could help supply some solutions.

Dr. Spilhaus told the association there is urgent need to start soon to build an experimental city, and then add many more of them.

The city would have a central core of homes, stores, industries, businesses, schools, hospitals, with open green land, farms and forests surrounding.

A typical population might be just 250,000 people.

RUN LIKE UTILITY

It would be operated by a quasi-public quasi-private corporation, run like a hotel or public utility.

If 800 such cities, all of controlled size, were scattered evenly across the country, all Americans could live in them, and "we would not have the problems, the traffic congestion problems, the riots and many of the other ills that develop when cities become too large," Dr. Spilhaus said.

He said urban renewal or model city programs tear down old slums, but make more room for more people and lead to future slums. And "new cities" like Reston, Va., and Columbia, Md., are in danger of being swallowed up by the spreading out of Washington and Baltimore.

In the experimental city, everything could be preplanned, including waste disposal, and ultimate reuse of wastes. So could transportation systems, and easy disposal of buildings that became outmoded or which no longer fitted into changing human needs.

MAIN AIM

A main aim, he added, would be to provide people with opportunities for rewarding use of their increasing leisure time.

Dr. Spilhaus said such an experimental city might cost $4 billion—"about the cost of the supersonic transport, and little less than one year's space program expenditures."

WE ARE NOT FREE

Study this confidential Dodge Report. The building of these cities is a reality.

Multiply 800 (cities) 4 billion dollars. $3,200 billion. Can you imagine this much money?

Only millionaires can match Federal funds for projects of this nature. As you can see, a great deal of the cost will be from the revolving fund of the Sec. of Commerce. This was made possible by passage of the Public Works and Redevelopment Act of 1965. This is the law that is making possible regional government.

Although our tax dollars are being used to build these cities, we face prosecution for using the information. *Do you want total environmental control? Are we to be experimented with like rats? Talus* is a 4 million dollar study to determine what form of rapid transit system it will take. It is a 42 month study. Talus offices are at 1248 Washington Blvd., Detroit, Mich. Other studies by Talus include freeways and highways, earmarking of land for recreational and residential uses, extension of sewer and water systems and changes in *governmental policies such as zoning*. The director of Talus is Irving J. Rubin. Conferences have been made in Detroit Talus about the study for metropoli-

tan area news media. (Talus information, Detroit News, 4/9/67)

Many city councilmen are voting for and promoting annexation. By means of annexation, consolidation of counties, large governmental regions are now being formed, which overlap state lines or boundaries. By drawing money from the Sec. of Commerce fund, these huge cities will be built, we will lose our automobiles, for they will be carless. We will no longer own our homes. We will have environmental control. We will live in an integrated society, under complete control.

As you can see the design team referred to in the Dodge Report, will be multidisciplinary. There is complete secrecy desired in regards to this project.

[From the Washington (D.C.) Sunday Star, June 2, 1968]

HOUSING CHANGES HINT SOCIAL UPHEAVAL

(By Lyle Denniston)

Congress is likely to act soon to start the nation on a social revolution that some day may rival in impact the postwar creation of America's suburbia.

That is the implication of the lawmakers' work, now approaching its final phases, on a basic alteration in the federal housing laws.

It was that same set of laws which figured importantly in the postwar development of the suburbs—vast housing tracts on the outer fringes of U.S. cities.

The flight to suburbia was, in turn, a contributor to the decline of the cities and the resulting deepening of slum problems.

Now Congress is preparing to turn the housing laws around, and aim them more directly at housing conditions downtown, particularly in the slums.

The Senate began that change last week as it passed a $5 billion housing authorization bill. The House Banking Committee will carry the process ahead when it begins, on Wednesday, to draft final language of a bill very similar to the Senate's.

Lawmakers on both sides of Capitol Hill sense, and talk about, the symbolic significance of what they are preparing to do. They mean the symbolism of giving the poor people of America a chance to own a home and have the dignity that goes with it.

But the legislative effort has even more ambitious goals. Its larger aims, though not always stressed openly by the sponsors, include the ultimate and final "clearance" of the slums and the restoration of middle-class stability to troubled cities.

In effect, Congress—perhaps without fully realizing it—is attempting to apply the long-standing social theory that order and calm actually begin in the home and spread outward from there.

This approach is making the housing bill now under study something of a riot cure.

Indeed, the spread of rioting in the cities, and the lobbying pressure of the poor peoples' campaign are helping to push the new housing measure through Congress.

But just as importantly, the lawmakers are acting on their own belief that it is simply time that the generation-old housing laws be redirected toward the uplift of the low-income families.

There have been federal laws to provide assistance on housing since 1934. But in the 34 years since then, the assistance has gone mainly to the better-off segments of the population.

It is estimated that the government has helped finance more than 10 million dwelling units for persons who could pay prices in the middle and upper-income ranges. Less than a million units have been built for occupancy by the poor.

Moreover, housing aid for lower-income families has been restricted almost entirely to rental units. Only a limited experiment has been tried, beginning in 1966, to help poorer families buy their homes.

The whole tone of the Senate-passed bill, and the similar measure now coming up in the House committee, is keyed to lower-income home-seekers.

Significantly, most of the novel features of the legislation are aimed at getting the poor moved into purely private housing, as opposed to the government-related units of so-called public housing.

The change would be accomplished by giving lower-income families financial aid so that they could afford to live in privately built houses or apartments.

The Senate bill and the House measure both have these new features:

A federal subsidy to encourage the poor to buy their own homes. The subsidy would make it possible for families to pay monthly mortgage premium equal to 1 percent interest.

A relaxation of the normally stringent government requirements that a homeowner be a good credit risk before the government would insure his mortgage.

A relaxation of the government's ban on mortgage insurance for property in slum areas.

A federal subsidy for poor people who prefer to occupy rented quarters. This would make it possible for such persons to rent at rates below those the apartment owners would have to charge if the apartment had been financed at normal interest rates.

Even when the bill makes changes in existing housing programs, the emphasis on aid to lower-income home-seekers is apparent.

For example, the bill would require that 50 percent of all housing units built under urban renewal projects would have to be of "low and moderate cost." Twenty percent is the rule now.

The measure also would make it much easier to get urban renewal and slum-clearance projects started. This would be done by eliminating the requirement that an overall plan affecting the entire area to be renewed must be approved beforehand. The new scheme would permit isolated neighborhood sections of a renewal area to proceed immediately.

But over-all, the program can only make a start toward its ambitious goals. It would provide for the construction of 1,750,000 units for lower-income families over the next three years. By some estimates, there are more than three times that number of housing units already in such rundown condition that they are considered "substandard."

INTENSE SOUL SEARCHING AND REASSESSMENT CALLED FOR

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. HAGAN. Mr. Speaker, among the many vexing problems facing Congress and this country today are law and order, the poor, and an honorable termination of the Vietnam war. By and large, these problems defy legislative remedy. In my opinion, these problems call for some intensive soul searching and reassessment on the part of many of our citizens.

The restoration of law and order in our land can be accomplished only by action on the part of responsible people and a return to tried and true moral standards.

In many facets of our national life, too many of our people are wallowing in a self-destructive "permissiveness." Too many Americans no longer abhor the worst kinds of violence. Many are guilty of callously accepting the immoral as moral, the abnormal as normal, and the obscene as virtuous. Too much of the world it would appear that permissiveness is the new order in this country, or that America has lost its sense of decency and justice, law and order.

Just 2 months ago, over 20 cities in this Nation of ours were the victims of massive riots, arson, and looting. Many lives and much private property were destroyed. On many of our major college campuses, bearded youths and beatniks are demanding an disproportionate voice in establishing and executing the policies of the institutions, even while wantonly destroying property and holding school officials hostage. Earlier this month, a presidential candidate and several innocent people were shot down in cold blood.

In the wake of the violence that has racked this country since the first of the year, I can see only one answer.

Let responsible men who love their country speak out and act in rededication to one of the basic foundations of our Republic—law and order. We do not need a new moral climate here in America—we need to return to the old, the one set down by our forefathers to insure a society based on law, order, and justice for all, and most importantly, love of God.

These are not times for panic, nor for the formation of a police state, but times for action to curb the trend away from American principle, to reestablish the basis for a democratic land insuring for all the opportunity to pursue his individual endeavors—to know we can walk safely on the streets day or night, in the absence of fear.

I voted for the crime bill, which, as you know, passed the House by a vote of 368 for and 17 against. I had many good reasons for voting the way I did. One, it takes away much of the extraordinary power with which the U.S. Supreme Court has so hamstrung our law-enforcement agencies in the past few years, by making "voluntariness" the only test of the validity of a confession in many criminal cases. Two, it calls for the dismissal of any Federal or District of Columbia government employee convicted of riot-connected felonies, and disqualifies others similarly convicted, from Government employment for 5 years.

Three, this bill gives a reasonable measure of gun controls, thus avoiding the punitive steps the archliberals in this country have been promoting for many years.

Now it is up to Congress to take further steps to insure a return to law and order in this country.

I am as sympathetic as any man in Congress with the poor and the poverty stricken, but I will never believe that a guaranteed annual wage, which would come out of the pockets of hard-working taxpayers is the answer to the problem. And if those people camping out here in Washington seriously think that Congress is going to pass any such legislation, then they are sadly misreading the thinking and mood of most Members of Congress, which pretty well reflects the

thinking of the majority of our citizens. I can promise you today that ELLIOTT HAGAN will be one of the many voting against any such proposal. And I think I can safely say that if they had left it up to most Members of Congress, we would never have allowed Government property to be used for such a purpose.

There is an answer to the problems of the poor, but it does not lie in the area of more giveaways. The only answer, in my opinion, is in well-planned, intelligent programs of job training and retraining. I could vote for such programs, in good conscience, because it would mean taking great numbers of people off the welfare rolls and helping them to live productive, taxpaying lives.

On the matter of the Vietnam war, I am growing more impatient each day with this "chess game" going on in Paris. Our leaders made it clear to the world that they would go anywhere, anytime, in efforts to end the war, and they have acted in good faith in the peace negotiations in Paris. But it appears nothing is being accomplished, since Hanoi seems to subscribe to a philosophy of winning the war by negotiation; in other words, if they can delay any progress in the peace talks, they apparently think they can wear the United States down to the point where we will grow weary of the whole thing and pull our forces out of Vietnam.

I am afraid that we are about to the point where we must set some sort of deadline on an indication of sincerity from the North Vietnamese. If we get no satisfaction, then I think commonsense dictates that we spare no reasonable effort in prosecuting the war to its fullest extent, in an effort to get the whole thing over with, in the shortest possible time, and bring our troops home.

BERNESE—"THE SAINT" AT NORTHERNAIRE, THREE LAKES, WIS.

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. O'KONSKI. Mr. Speaker, every day the people of the world are being told that they are sick, that they cannot get along with one another, and that we are doomed to destruction because of hate, prejudice, and downright greed and selfishness.

It has been the custom throughout history to use animals for experiments to find out why human beings act as they do. In fact, the Federal Government has spent millions of dollars to find out why rats, mice, and monkeys act the way they do.

For the past 25 years in northern Wisconsin, at no expense to the Government, a great humanitarian and a great savior of wildlife has been carrying on exactly such an experiment with no cost to the taxpayers. He has learned why wild animals act the way they do. He has discovered a way of getting the animals of the forest to accept each other, to live with each other, and to love each other. This noble experiment carried out over the past 25 years in northern Wisconsin has taught us more about wild animal life behavior than the hundreds of millions of dollars spent by the Federal Government.

It would be a wonderful thing for the world if the leaders, columnists, educators, philosophers, psychiatrists, and social workers could go to the Northernaire at Three Lakes, in northern Wisconsin, and learn from Carl Marty how the animals of the forest behave and why and apply the same techniques to human behavior in this world of ours.

Mr. Speaker, I wish to include with these remarks a poem written by Edith M. Johnson of Kenosha, Wis. Mr. Speaker, I also ask to include with these remarks a newspaper article describing how a wonderful dog adopted many species of wild animals of the forest and guides them to live together in a manner which should make human beings envious.

The poem and article follow:

BOOTS BELONG TO BERNESE

(Bernese is a St. Bernard Dog)

One hundred eighty pounds of St. Bernard
And five whole pounds of fawn
Are having a game of "touch me,"
In the middle of the lawn.

Boots, the fawn, is very sure
That Bernese is her mother.
This tiny woodland orphan
Has never known another.

Bernese deserves the name of "Saint".
Her patience and her care
Extend to all the forest friends,
Who are guests of Northernaire.

I wish the world could be like this,
With love, one for another,
Like the love between small Boots, the fawn,
And Bernese, her foster mother.

—EDITH M. JOHNSON.

[From the Rhinelander (Wis.) Daily News]

I REMEMBER WHEN I WAS BORN: FAWN "TELLS" OF CAESAREAN BIRTH AND FIRST HOURS UNDER DOG'S CARE

(EDITOR'S NOTE.—Carl Marty, owner of the Northernaire Hotel at Three Lakes and a noted wildlife expert, wrote the "first person" story about the Caesarean birth of a fawn after its mother was killed by a car in Vilas County last week. Marty, who has raised orphaned fawns for more than 25 years, says this one is "the greatest" he has had.)

It was dark, we were warm and comfortable, but a bit crowded. We could hear our mother's heart beat. We knew when she walked, and we would be jostled up and down a bit when she ran. When she lay down sometimes my twin brother lay pretty heavily on me, and when she laid on the other side, I guess I laid pretty heavily on him.

We were listening to mother's heart beat. She walked a few steps, her heart started to beat faster, and she ran. We heard a shriek, the crunch of bones, and the world seemed to turn upsidedown. Mother's heart beat slower; soon we could not hear it. I was frightened and it seemed colder. I couldn't understand how my twin brother slept through all of this confusion. Everything was dark and quiet.

Soon I heard someone say, "Both hind legs and her back are broken, and she is heavy with fawn." Then, all of a sudden, a man cut mother with a knife. I know it didn't hurt her because she was real still. Suddenly there as a bright light, which I had never seen before; light from the game warden's car He said, "There are twins. One of them is dead; the other is kicking." He meant me. He took me out, held me up by my back legs, shook me, and removed the mucus from my nostrils, and I took my first deep breath of fresh air. The warden said, "This one might make it."

He placed me on the seat next to him and I had my first automobile ride. He drove home as fast as he could and Shirley, Warden Chuck Wranosky's wife, said, "Hurry, give her to me." She bathed me with a cloth and warm water; it felt good. Then I heard Chuck Wranosky on the phone. I didn't understand all that he said, but he talked into the phone and said, "I have a problem." Then he said, "You will? Then I'll bring her right down." Shirley wrapped me in a warm cloth. I didn't know where we were going but I was warm and comfortable and I lay close to Chuck because I knew he saved my life and I felt safe between Shirley and Chuck.

I MEET MY NEW "MOTHER"

The next thing I knew, the car stopped and a big St. Bernard called "Bernese" came toward me with her tail wagging. I wasn't afraid of her. A man said, "Here's your newest orphan." Even though Shirley Wranosky had me nice and warm and dry, it didn't suit Bernese because she cleaned me up all over again. Bernese said, "I am your new mother and from now on you do what I tell you."

I never saw my real mother but I like Bernese and she told me her real name is "Bernese II of Northernaire." She also told me that she is one and a half years old, and that I am the 26th forest orphan she has mothered—three foxes, two wolves, three porcupines, 13 raccoons, and five fawns. She said I was the first Caesarean fawn but that she had raised a Caesarean porcupine. I guess this makes me something special although I don't know what she means by "Caesarean."

A man who is Bernese's boss gave me some warm milk in a bottle, which I nursed. He said I was "a good kid" and that he didn't expect me to accept the nipple so quickly.

After eating he put a rubber mat in the bathtub, drew about an inch and a half of lukewarm water, stood me in it for a few minutes and said, "Now you are safe for awhile; you can jump out." I know he didn't expect me to do it, but I did. He said I was the first fawn to jump out of the tub in less than two days. This seemed to please him. He told someone that if orphan fawns are handled properly they are the easiest of all animals to housebreak, but fawns and all other young animals must be kept immaculately clean. This is Bernese's duty and I heard the man say that if she had milk, she would perform every function of the wild mother.

Leslie Carroll, who has saved many forest orphans, hurried over to see me. She said, "Isn't she beautiful! I wish I had those eyes and long eyelashes." Aren't women silly?

I LIKE IT HERE

After eating and standing in warm water, I followed Bernese back to her room; she cleaned me up again and I nestled close to her and fell asleep. When I awakened, Bernese's boss said, "We will take this little girl outside." I followed Bernese outside and the first thing I did was to eat a mouthful of earth. I heard the man say that all young fawns need earth in their diets.

I followed Bernese around the hotel and laid down under a little pine tree, and Bernese stayed right with me. I asked her about my real mother and twin brother. She said, "Don't worry your little head about them—they don't hurt anymore." But, I still can't see how my twin brother could sleep through all of that noise and confusion.

I looked around and saw the green grass, the dandelions, the lake, and the forest. The man said, "It will be eight hours before she is two days old."

Gov. Knowles says, "We like it here!" I know I'm going to like it here.

THE ADDRESS BY AMBASSADOR GEORGE J. FELDMAN, MEMORIAL DAY CEREMONY, AMERICAN MILITARY CEMETERY, LUXEMBOURG

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. LUKENS. Mr. Speaker, on this past Memorial Day it was my distinct honor and privilege to participate with Ambassador George J. Feldman in a ceremony in Luxembourg to honor the American men buried in the U.S. military cemetery in that city.

I wish to say that it was a great thrill to see over a thousand people, the vast majority residents of foreign countries, gathered there to recall the debt they owe to the American men who died fighting for freedom in Europe in World War II.

Mr. Speaker, Ambassador Feldman draws attention to the power of the North Atlantic Treaty Organization and I believe this is particularly significant of this time. For today we are seeing East Germany engage in the same kind of aggressive Communist tactics which caused the founding of NATO in 1949. I further believe it is important to draw attention to Ambassador Feldman's comment that it is time to add the plowshare to the symbolism of the shield and sword in the NATO insignia.

I am sure all Members of this House join with me in the prayerful hope that peaceful endeavors will replace the military purpose for which NATO was founded in the years that lie ahead.

Mr. Speaker, I have unanimous consent to have Ambassador Feldman's Memorial Day remarks at the American military cemetery in Luxembourg printed in the RECORD at this point:

ADDRESS BY AMBASSADOR GEORGE J. FELDMAN, MEMORIAL DAY CEREMONY, AMERICAN MILITARY CEMETERY, LUXEMBOURG, MAY 30, 1968

As we stand on this hallowed and peaceful ground, our thoughts turn naturally to dwell on the supreme sacrifice made by the men buried here. We owe them our profound and everlasting gratitude for the peace they gave their lives to achieve. We did not forget their sacrifice in 1949 when the North Atlantic Treaty was signed as a solemn pledge to the peoples of Western Europe and North America that the peace so dearly paid for by their fallen sons would be maintained. And we do not forget their sacrifice today. NATO still stands as a monument to them and as a symbol of our promise to protect their children.

The North Atlantic Treaty Organization has as its symbol the shield and the sword. In a way, I think that the addition of the plowshare to the symbolism of the shield and the sword might have been appropriate, for the menace of the early 1950's was, in fact a double threat—military and economic. The NATO military alliance (the sword and shield) dealt with the first of these while the plowshare of the Marshall Plan effectively prevented the internal collapse so confidently predicted, even encouraged, by some. With the advent of the 60's, and the gradual lessening of tension between East and West, the Alliance came to be seen in some quarters as an embarrassment and an obstacle to a further rapprochement. Those who bring this charge do not appreciate the broader ramifications of the Alliance.

The defensive power of NATO is not a negative thing nor, as is sometimes said, is it a cruel waste of resources which might be better applied to some more humane purpose. It is, instead, a positive good, creating an environment of collective security in which economic and social needs may be pursued in peace and freedom and with a sense of permanence.

The Atlantic world today is seized by a quickening hope to move beyond a relationship between East and West based solely on mutual military deterrence. Our Atlantic Alliance itself is now actively engaged in a study to make that hope a reality. The groundwork for this study is contained in the so-called "Harmel Report," named for the Belgian Foreign Minister.

The Harmel Report came to two basic conclusions about the future tasks of NATO. First, it concluded that the NATO defense system must be maintained in order to deter any aggression in Europe. Second, it recommended that NATO act as a political clearing house and center of initiative—for a future European settlement and for future steps in arms control and disarmament. These recommendations were agreed to by the fifteen NATO Foreign Ministers at their meeting in December 1967. They rest on the assumption that, as the Harmel Report said, "Military security and a policy of detente are not contradictory but complementary."

The Harmel Report has made it clear that the fifteen allies are convinced not only that NATO's military shield will be necessary for the foreseeable future, but also that the Alliance has an important role to play in the great unfinished business before us all: the reconciliation of East and Western Europe and the creation of a just and stable security system for Europe. The Alliance is a growing and dynamic institution, which has shown itself capable of adapting to current realities. Always more than merely a military alliance, NATO has given new directions to its traditional policies of political consultation among its members.

How does NATO have a role to play in this great work? Simply for this reason: the construction of a stable and secure Europe is a task which will require the utmost vigilance, patience and careful planning. As long as the great military potential to the East remains arrayed against us, the members of the Alliance must retain that unity of military strength and political purposes which alone can guarantee the achievement of a just settlement of the problems of Europe. For the security of Western Europe cannot be guaranteed by idle talk of doing away with "blocs" and leaving the countries to the protection of paper guarantees. It is not a question of our imposing our will on the other side by sheer force; it is a question of our not having the will of others, or their system, imposed upon us because of weakness and division. And it is for this reason that NATO must continue to be intimately involved in the search for permanent peace.

In this work, my country will continue to be an active and understanding participant. For we believe that the freedom and security of Western Europe is vital to our own security, and we have acted upon that belief through our participation in NATO. Indeed, this point could not be more clearly illustrated than by looking out over this cemetery. The men who are buried here give adequate proof of our belief that our own freedom is inseparable from that of our allies. We have come here twice in this century because of this conviction. Our soldiers remain here in Europe, side by side with yours, to preserve the security and freedom of us all.

In maintaining our unity within this Alliance, which has served us so well, and in applying the strength of that unity to solve the great problems at hand, we reaffirm our obligation to these men, these men who made the supreme sacrifice. Otherwise, they will have died in vain.

THE BROTHERS THREE

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. COHELAN. Mr. Speaker, one of my constituents, Mrs. Michael S. Yonan, familiar with the beauty and grandeur of Yosemite National Park, proposes that the rock formation identified centuries ago by Indians as "The Brothers Three," be renamed for Joseph, John, and Robert Kennedy.

Mrs. Yonan has sent her suggestion to Director John Hartzog, of the National Park Service, together with her personal tribute to the Kennedy brothers. In order to share this proposal and Mrs. Yonan's moving tribute with my colleagues, I would like to insert at this point in the RECORD a copy of her letter to Director Hartzog:

OAKLAND, CALIF.,
June 8, 1968.

Subject: "The Three Brothers" rock formation, Yosemite National Park, Calif.

Mr. GEORGE B. HARTZOG, Jr.,
Director, National Park Service,
U.S. Department of the Interior,
Washington, D.C.

DEAR SIR: In the light of the tragic event of the past week, I felt strongly motivated to suggest that the rock formation in Yosemite National Park, California, for centuries known as "The Three Brothers", be further designated as *"Joseph, John and Robert Kennedy"* in honor of three valiant brothers who have given their lives for our Nation.

Having always considered Yosemite as my second home, I can think of no visible monument more fitting, as indicated by the following lines:

"THE BROTHERS THREE

"Among the granite monoliths
Hand-hewn by glacial artistry,
Our God in His own time has set
Within his garden called *Yosemite,*
A rare baguette—
A jewel known to visitors like me,
And by the Indians called,
The Brothers Three.

"Among the rarest manly souls
Created in our century,
Our God in His own time has wrought
Within one family known as Kennedy,
Three rarer yet—
Admired and loved by countrymen like me,
For whom they sacrificed their lives,
The Brothers Three

"Above the Eden-like grandeur
O Nation, lift your eyes to see,
Our God in His own time has given
Within the lives of three young men
A trilogy—
And stones like these cry out to you and me
To hearken to the lives of
Joseph, John and Robert Kennedy!

"Beyond the grandest monoliths,
Bold witnesses of noble souls
Of three who ventured, unafraid,
God calls us to pursue His goals
Obediently.
And as we lift our hearts His love to know,
Let us perceive, believe and go—
For brothers all, are we!"

—G. P. YONAN.

Sincerely yours,

Mrs. MICHAEL S. YONAN.

ANOTHER LUMP IN THE MATTRESS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. DERWINSKI. Mr. Speaker, the latest Soviet directed Berlin crisis brings to mind the history of our constant problems with the Communists.

The Chicago Tribune, in a very hard hitting detailed editorial on Saturday, June 15, gives this latest Berlin crisis very appropriate attention:

ANOTHER LUMP IN THE MATTRESS

We are sometimes counseled by Sen. J. William Fulbright and other self-anointed wise men to rid ourselves of the notion that communism is a monolithic structure and that all communist states act in concert toward the end of our harassment and overthrow.

But it is the sad experience of our leaders that when they try to punch a lump out of the communist mattress so that they can find a little more ease, another bulge develops somewhere else, so that they find rest just as elusive as before.

This will serve to explain why there is a new Berlin crisis. The city, under four-power military occupation since the defeat of Hitler in 1945, lies 110 miles inside communist East Germany, which is a soviet stooge state. It is a neuralgic spot in world politics which the Communists choose to inflame periodically, when it suits their purpose.

The Communists are mindful that the United States already has so many preoccupations that it is inclined to shy away from other tests. So the moment seemed propitious for Walter Ulbricht's East Germany regime to announce that in future West Germans traveling to Berlin would have to carry passports with visas issued by East Germany. New and stiffer tolls on trucks, buses, and barges and a tax on passengers entering Berlin were also decreed.

The intended purpose of these moves is to isolate West Berlin from West Germany, create doubts about the city's ability to survive, and to wrangle indirect recognition of East German "sovereignty," which the United States, West Germany, and other countries have so far refused to acknowledge. Acceptance of East German visas on passports would accomplish this last end.

The western occupation powers, the United States, Britain, and France, have denounced the travel restrictions as invalid, as has the West German government. They were held to contravene four-power agreements with the Soviet Union as the other occupying power, dating from 1945. The controversy inevitably arose from the failure of the United States and the other western countries to get firm written commitments from Russia at the end of the war to guarantee free access to West Berlin for West Germans as well as allied military personnel.

Despite all the huffing and puffing, the East German Communists and the soviet wire-pullers who undoubtedly put them up to this latest gambit are probably pretty confident that the United States and its allies will be forced to hold still for the new impositions. There is little in the record to gainsay that impression.

When Stalin imposed the Berlin blockade in 1948, we didn't challenge him to a showdown by pushing men and supplies thru to West Berlin. We engaged instead in a long and costly air lift.

When the Communists threw up the Berlin wall in August, 1961, we didn't move up a bulldozer and promptly knock the first section down before the wall could be extended across the whole communist section of the city. We did nothing.

When the Communists got us entangled in Viet Nam, we didn't propose to knock them out of the war promptly and thoroughly. We have been dallying for years, assuring North Viet Nam we had no designs for its invasion or the destruction of its communist regime. We declared ourselves willing, as in Korea, to settle for a draw.

When North Korea seized the American intelligence ship Pueblo and its crew of more than 80 men last January, we held still for it and are still doing so.

Why shouldn't Communists figure they can get away with anything?

REGISTER COMMUNISTS—NOT FIREARMS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. RARICK. Mr. Speaker, in most higher types of civilization, the taxpayer and law-abiding citizen pays his taxes and in turn expects peace of mind and physical security from the organized state.

But what is the taxpayer receiving in Washington under reconstruction? Babysitters and social workers and psychiatrists—to pacify the criminal? Yet, the District crime marches on. And who is blamed for the breakdown in law and order? Not the do-nothing leaders but the people.

How long are the American people going to pay for this drivel? Everything for the criminal but only taxes for the law-abiding citizen—who is now less than a 50-percent citizen.

I insert several clippings from the Washington Evening Star for June 17 and pertinent portion of "Terrorism Invades the United States" from the June 20 Tactics following my remarks:

[From the Evening Star, Washington, D.C., June 17, 1968]

TWO TOURISTS ASSAULTED BY TENT CITY RESIDENTS

Two young tourists walking near the Resurrection City encampment were assaulted in separate incidents yesterday by members of a group from the camp who milled around just outside a fence between the camp and the Reflecting Pool.

Some youths in the group were angered in the early afternoon when police prevented a car of other camp residents from driving down a walk that runs by the fence parallel to the pool.

They uttered racial epithets against white persons and threatened bodily harm to some tourists who passed along the walk.

Three of the group attacked a 25-year-old white soldier after accusing him of taking pictures of the Poor People's Campaign camp after they told him not to.

He was punched three times in the face before others from the camp called off the attackers. The soldier, who did not want to be identified, did not report the assault to police.

Two hours later, at about 4:30 p.m., a 16-year-old white Fairfax County youth was beaten to the ground and kicked by youths in the same group by the fence.

David Frankel, of the 6400 block of Cavalier Corridor, Lake Barcroft, told Park Police he was with two friends on the walkway when one of the camp group saw a tear gas gun in his pocket and demanded it. Frankel said as he pulled it from his pocket, he was struck.

Shortly before, Negro youths in the camp group had threatened to beat up two other white youths if they did not hand over the film from their cameras. The white youth were accused of taking pictures of the camp when told not to.

[From the Evening Star, Washington, D.C., June 17, 1968]

DISTRICT OF COLUMBIA HIT ON RIOT ACTIONS IN POLL TAKEN BY MACHEN

Widespread dissatisfaction with methods used by Washington authorities during the April rioting has been turned up in a poll of some 12,000 Maryland residents.

Rep. Hervey G. Machen, a Democrat, who has just tabulated the responses of his Prince Georges and Charles County constituents, said the poll shows they take "a very hard-nosed attitude" on the question of dealing with looters and arsonists.

Machen asked in his questionnaire, "How would you assess the action taken by the federal government and the District of Columbia officials in restoring law and order in Washington during the recent disturbances?"

Sixty percent thought it was either "poor" or "bad." Only 15 percent thought the official reaction was "good."

A large majority said they thought police were "too lenient" because "they were restricted by orders from higher authorities."

Machen said an even larger majority thought that future disorders could be prevented by strict enforcement of the laws and stiff sentences for those who violate them.

On other topics, Machen said his poll showed that:

Sixty-four percent of those answering favor stricter federal gun control. (The poll was taken before the assassination of Sen. Robert F. Kenndey.)

Seventy-four percent want tighter controls for hallucinatory drugs.

[From the Evening Star, Washington, D.C., June 17, 1968]

OEO MODEL PRECINCT FUNDING NEAR

The Office of Economic Opportunity is expected to approve a $1.5 million grant this week that will be used starting within a few weeks to transform one of Washington's police precincts into an experimental model to test new police techniques.

Dr. Robert Shellow, 38-year-old social psychologist who will become project director, has spent the last four months exploring the operations of the Metropolitan Police Department.

Training for staff positions under the grant will begin in July and implementation will begin in the selected precinct in the early fall, Shellow said, if the grant is approved as soon as he expects.

Sources at OEO and at the United Planning Organization, the local antipoverty agency, said the project is virtually assured of final approval.

NEW APPROACHES

According to the proposal submitted to OEO by Safety Director Patrick V. Murphy, the project will combine a number of tactics that are new to Washington, including team police patrols, the use of special storefront neighborhood centers, a "family crisis unit," and a youth patrol.

Murphy said that the purpose of the project is twofold, to curb crime and to "increase the stake of the citizen in making his city safer." If the project is approved, Washington will be the first city to take up President Johnson's suggestion in his recent crime message that model precincts should be developed as well as model cities.

The project began when Shellow, who is chief of the Special Projects Section of the National Institute of Mental Health, phoned Murphy—with whom he had worked—in December to congratulate him on his appointment as District safety director. Shellow was asked by Murphy for his own ideas on the job.

CENTERS ARE THE KEY

Two months later, Shellow, who was also assistant deputy director of the President's Riot Commission, was on an indefinite loan from NIMH to the District government.

The focal point of the plan he assembled for Washington's model precinct, which will be selected by Murphy from several in the inner city, will be five "neighborhood centers," probably rented storefronts, that will be open 24 hours a day.

The centers will be manned by police and representatives from a number of government agencies that supply services needed in ghetto areas, such as the D.C. Department of Health and Welfare.

The centers will also be the base for team patrols, a technique recommended by the President's Commission on Law Enforcement and Administration of Justice, that will be composed of officers from different divisions, such as the Youth Division and the Criminal Investigation Division.

According to the proposal, the team will patrol a limited area around the center. "Instead of being spread thin, they would have an opportunity to get to know families, youth on the street, and proprietors of businesses much more intimately," it states.

FAMILY CRISIS UNIT

Another specialized team unit, the "Family Crisis Unit," will patrol the precinct at large in pairs. Each pair will have an officer who has received special training in family problems and a civilian psychiatrist or social worker.

The unit, already in operation in New York City, is designed to take the burden of responding to family arguments away from regular patrol officers.

Another patrol that will operate out of the storefronts is the youth patrol. Shellow says that one way to create a bond of trust between youth and police is to employ "those with natural leadership qualities" to patrol their neighborhood on foot.

A total of 72 youths will be selected for the project, he said. They will patrol in teams with walkie-talkies. "We'll let them choose their own uniforms. It may well turn out to be a blazer with a special patch on it," he said.

TO "COOL SITUATIONS"

The youths will be trained to give emergency services, such as first aid. One of their primary responsibilities will be to "cool situations on the street." They will be responsible to an officer of the precinct and watched by youth patrol supervisors touring the precinct in cars.

The foot patrols of youth will double the surveillance of the precinct and help to remove the "distance" that a motorized patrol system has created between the citizens and the policeman in the squad car, Shellow explained.

The first effect of all the various patrols and tactics, Shellow said, will be a prompt rise in the reported crime rate, because so much crime now is unreported.

In the proposed structure of the model precinct, Shellow's program unit would operate alongside the normal precinct police contingent.

[From Tactics, June 20, 1968]

CRIME AS A "PEACE FRONT" WEAPON—TERRORISM INVADES UNITED STATES

The American public is liable to wake up some morning to the realization that terrorism has become part of the normal American scene. We have not reached this stage yet, but we are on the way. We need not reach it, but in order to prevent terrorism from becoming part of the American way of life, we will have to know that it is possible for it to happen here, in time for us to do something about it. We will have to know this, and still possess enough initiative to use our democratic processes to prevent it. Panic reaction can bring about the very evil we fear the most.

A program for terrorism on the American streets is part of the enemy's psychological warfare strategy against us. An interlocking, red network is in the process of coordinating the so-called cold war or fake "peace" front on American soil with the so-called hot war or military front abroad, principally in Viet Nam. Terrorism always has been an integrated tactic in guerrilla warfare, that is the present revolutionary objective of communist "psywar" planners dealing with the United States.

What is meant is plainly terrorism as a war tactic against the American civilian population, exactly as it was employed against the North Africans of Algiers and the Asians of Pyongyang, Kuala Lumpur and Saigon. The major vulnerability of the Americans is their disbelief that so proud and prosperous a land as our own could become the target for the kind of warfare identified heretofore with primitive societies alone.

BOLD, RED TACTICS

A guiding tactic in red guerrilla warfare is to hit where least expected, whether the objective be political or military. It planted agents in the State Department and the White House during World War II. This was unbelievable, just as unbelievable to the American mind about 25 years ago, as terrorism on our city streets is to our thinking 25 years later. Yet these are exactly the sort of surprise situations that red strategy is best set up to exploit.

Only a few years ago, a man or woman was able to walk peacefully at any hour of the day or night anywhere in any city in the United States. Nowadays, to do so would be unthinkable at night in entire sections of practically all American cities. Once twilight sets in, women employed by the Supreme Court do not dare go to the parking lot to get their cars except under escort. If this is not terrorism come to American streets, what is it? The term, crime wave, cannot cover the senselessness of many of the attacks, and their sheer brutality. They are atrocities, our counterpart to the terrorism exercised by the Viet Cong in Viet Namese villages.

Many of the attackers are obviously drug-crazed. But this is directly in accordance with red planning. Peking, more directly, and Moscow, more covertly, all along have considered opium, its derivatives and other baneful drugs as a subtle weapon for the softening up of non-communist and anti-communist peoples, even Chinese and Russians living abroad. Red Cuba, itself not an opium producer, smuggles drugs into the United States and other countries. Profits from the drug traffic go to help finance communist operations in these target nations.

The Communist Party of China conducts the drug export business quite openly. A headquarters for this trade is located along the railroad from Canton to the Hong Kong colony, just before one reaches the British area. This writer first learned about this at Hong Kong when he was gathering material that went into his book, "Brain-Washing in Red China." The drug trade, more responsible than any other element for the debauchment of American youth and our crime wave, is directly related to this red strategic commerce.

TERRORISM STRIKES MORE AT THE BLACK MAN

Communist terrorism, wherever it has been imported, supports the pro-red minority in its false claims to speak for all by inflicting merciless atrocities in the ranks of the majority. The terrorism is indiscriminate, recognizing no difference between mere non-communists and anti-communists. The aim is to silence all except pro-reds. The anti-anticommunist propaganda climate in the United States is the first stage in this campaign, that unless crushed inevitably progresses to outright terror. The so-called crime wave in the United States makes its most deadly inroads in the black-skinned communities.

The difference between a crime wave and terrorism is that while the former is motivated primarily by criminal personal considerations, the latter is essentially political. The immediate objective may be robbery or rape, but the long-term objective is political "change," in the Orwellian use of this word as a synonym for anarchy, socialism or communism. These all work out the same in practice, and arise out of conspiracy. The "psywar" screen for this planned terrorism is provided by the anti-anticommunist climate, that insists that each incident in the conspiracy be regarded as spontaneous.

The use of atrocity needlessly or unrelated to the immediate victim is the main characteristic of terrorism. Its primary objective is to soften up a people, neutralizing or eliminating resistance, and achieving a forced collaboration that can be propagandized as support. Our cultural program with communist countries provides an ideal facade for this behind the iron curtain. More and more, we are becoming accustomed to reading about the senseless murder of perhaps an elderly shopkeeper, after he has fearfully handed over everything the robbers demanded. This is indoctrination of criminals themselves in terrorism. Meanwhile, the public is being indoctrinated into accepting such terrorism as normal. This is brainwashing, exercised against an entire population, precisely in the manner perpetrated against the lone individual.

The most devilish aspect of this calculated program of terrorism is that it uses normal crime as a front, encouraging and expanding it as a political weapon. Decent Americans have no alternative but to combat this, for it should not take much foresight to see that they cannot escape its increasing inroads into our society. The time may very well come when it will no longer be one's neighbor who has been bludgeoned into insensibility, or raped and robbed, but oneself and one's loved ones. Now is the time to forestall this.

GOVERNMENT HAS FALLEN INTO A TRAP: THIS IS OUR MAJOR OBSTACLE

The major handicap to the restoration of law and order with progress in the United States is its government. It is the seat of power. A government—any government—possesses tremendous power. If this power is exercised wrongly, it is practically impossible to remedy an adverse state of affairs. One can fight a rearguard action, slowing up a deterioration, but until the government is changed, or changes its policy fundamentally, there can be no real cure.

The anti-anticommunist policy in which our government is trapped permeates every facet of our operations at home or abroad. Our no-win policy in foreign relations assures the enemy of survival or a possible victory, making our best efforts at negotiations futile. Hanoi would be stupid to end a war in which its foe had guaranteed it against defeat. This is the price of our no-win policy abroad.

What no-win boils down to in the United States is anti-anticommunism. They are the two sides of the same coin. What Americans have failed to realize is that opposition to anti-communism constitutes, in effect, a no-win policy domestically. The equivalent in the United States of the military front abroad is the fake "peace" front in the United States. This is where the no-win

policy of our government applies at home. Our national attitude, as determined by our government, and demonstrated by daily events, is the implementation of this anti-anticommunist/no-win policy to our Orwellian "peace" front. The form this warfare takes domestically is the guerrilla type, characterized by a growing crime wave that is slowly evolving into the type of terrorism that the reds impose abroad. This is the price of our no-win policy domestically.

ADMINISTRATION ADHERES TO NO-WIN IN EVERY SPHERE

This is the trap into which the Marxists have led the Administration. Such contemptible reactions as "better red than dead" are its natural consequence. The palsied hand penetrates everywhere in our society, bringing with it corrosion of character and our traditions, corruption whose example is set in the highest places, and unprecedented crime, both in numbers and in violence. This can happen because the no-win psychology has settled into our government agencies, everywhere from the Department of Defense to the Justice Department, from our police departments to the courts.

The lesson that we should have learned by now is that the no-win or anti-anticommunist line is static, and therefore contrary to the natural laws that govern life. One must seek to win, or one loses. Life is a struggle, the word used in dialectical materialism to encompass both the military front, and the civilian or fake "peace" front. Barely disguised surrenders to crime and terrorism ensue from such a policy.

This is disclosed by many symptoms that escape our notice. When workers at the U.S. Government Printing Office protested against overtime at night because of nightly attacks and robberies, the only solution the Administration was able to come up with was to spend more of the taxpayers' money providing them with taxi fares, so they could escape the brigands and terrorists. Protection against crime is becoming as old-fashioned a concept as patriotism and honor. Suppression of crime is more and more becoming, in effect, an infringement of the civil rights of crooks and communists. Worded this way, this sounds merely oratorical, but in practice, this is the way it is working out. Orwell isn't waiting for 1984.

The idea that a frontal attack might be made upon crime through emergency measures no more enters the heads of our over-intellectualized administrators in government than the thought that we need not sit back and watch Saigon burn in a tug-of-war, but set Hanoi afire, and that we might stem the invasion of South Viet Nam by permitting the invasion of North Viet Nam. We could seize the initiative, but this is another of those taboo conceptions under our anti-anticommunist and no-win policy.

REDS SETTING THEIR OWN AND OUR POLICY

Initiative is something that is not eliminated in a struggle, but is surrendered. Initiative is excluded by our no-win approach domestically as well as abroad. The initiative is passed by this to the reds, who thus are able to manipulate our policy as well as set their own. Certainly, all except the purposely blind have noticed the way in which our policy vis-a-vis the reds appears to coincide with what they want us to be doing. We are engaged in a land war in Asia, something that until we actually began it was considered the last thing we ever would do, because it tactically coincides so neatly with enemy needs. Our governmental approach facilitates what ordinarily would be recognized as treason.

Nothing less than the abandonment of the disastrous and consistently losing no-win policy is required for us to put a halt to the deteriorating situation domestically and in our foreign relations. Our artificially maintained anti-anticommunist policy would fade away. This is our need, for the sake of our survival.