

that they resented this big cutback in the funds available for teachers, for schools, for facilities to help impacted areas, and for less privileged children in the schools that they are attending.

So I would say, Mr. President, that Senators would do well to ponder and consider the full import of the amendment, for a number of reasons.

In the first instance, this is not an amendment that the American people are likely to approve. In the second instance, it is not an amendment that the House of Representatives is likely to agree to. We have before us a bill which is essential to maintain the existing level of revenues. This bill should be passed. The national interest really requires that the bill be passed and signed into law before April 1, which is Monday. So the bill, in the national interest, really must be signed some time Sunday, and it must be on the President's desk, in order for him to sign it on that day. Between now and then, meanwhile, we will find it necessary to confer with the House of Representatives and discuss this matter. In my judgment the matter involves proposals which will not meet with the approval of the majority of the House of Representatives, thus, even it having discussed the matter, the amendment is agreed to in conference, I would anticipate that the House is likely to refuse to accept it. If the House does refuse to accept it, but would accept a smaller surcharge, it is quite likely that the amount which they would accept would not meet with the approval of the Senator from Delaware. In that event those who think as he does, and strongly approve the amendment, would probably oppose the conference report here on this floor.

If that should be the case, it is quite possible that this bill might not become law in time to meet the deadline, which as I just mentioned is only a few days before us.

So, I would hope that when the Senate considers the matter on tomorrow, after having had a chance to analyze the amendment further, it will not see fit to agree to it.

Mr. WILLIAMS of Delaware. Mr. President, I point out that the amendment was introduced on the 31st day of January. Hearings were held before the Finance Committee for 4 days, and not one of the objections mentioned by the Senator from Louisiana was raised either by the administration or by any Senator. Surely one can make any kind of a fantastic argument when he is against the bill. My good friend, the Senator from Louisiana, forgot to bring in mothers. Does that mean he is not all for motherhood? One can bring in a lot of arguments on the matter when he is against any spending cuts of any description.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. In just a moment. The amendment is very clear.

It was considered by the Finance Committee. None of these arguments were raised in the committee hearings. There is no basis for such an argument here today. The amendment was approved by the Senate this afternoon. It was debated extensively, and having had it agreed to I have no desire to continue with the debate. I do not see the need for it.

Mr. LONG of Louisiana. I hope that the Senator knows that the Williams substitute has not come to a vote.

Mr. WILLIAMS of Delaware. The Senator is correct, but this proposal was approved by the Senate on a rollcall vote.

Mr. LONG of Louisiana. We voted on one section of it, and we voted on another section. But the Senators who voted for one part were not the same ones who voted for the other part. Some voted for one part and against the other part.

The package, we might say, has not been voted upon by the Senate as yet. I hope that by the time the Senate votes on the whole package, it will be constrained to vote against it. But if it does not, that is the privilege of the Senate.

ADJOURNMENT UNTIL 11 A.M.

Mr. LONG of Louisiana. Mr. President, if there is no further business to come before the Senate, I move, in accordance

with the order previously entered, that the Senate stand in adjournment until 11 a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 53 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, March 27, 1968, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate March 26, 1968:

U.S. DISTRICT JUDGE

William C. Keady, of Mississippi, to be U.S. district judge for the northern district of Mississippi, vice a new position created by Public Law 89-372, approved March 18, 1966.

U.S. ATTORNEY

Rowland K. Hazard, of Rhode Island, to be U.S. attorney for the district of the Canal Zone for the term of 8 years (reappointment).

ASSISTANT SECRETARY OF THE AIR FORCE

J. William Doolittle of Illinois to be an Assistant Secretary of the Air Force.

ASSISTANT SECRETARY OF THE ARMY

William K. Brehm of Michigan to be an Assistant Secretary of the Army.

ASSISTANT SECRETARY OF THE NAVY

Randolph S. Driver of Pennsylvania to be an Assistant Secretary of the Navy.

Barry James Shillito of Ohio to be an Assistant Secretary of the Navy, vice Graeme C. Bannerman, resigned.

IN THE ARMY

The following-named officers to be placed on the retired list in grades indicated under the provisions of title 10, United States Code, section 3962:

To be general

Gen. Dwight Edward Beach O18747, Army of the United States (major general, U.S. Army).

To be lieutenant generals

Lt. Gen. William White Dick, Jr., O18384, Army of the United States (major general, U.S. Army).

Lt. Gen. Robert Hackett, O18380, Army of the United States (major general, U.S. Army).

Lt. Gen. Lawrence Joseph Lincoln, O18968, Army of the United States (major general, U.S. Army).

Lt. Gen. Edgar Collins Doleman, O19131, Army of the United States (major general, U.S. Army).

EXTENSIONS OF REMARKS

Vietnam GI Knows Why We Are There

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. EDMONDSON. Mr. Speaker, judging from what we read in the press and hear on radio and television these days, we seem to have no shortage of Vietnam experts. And every self-styled expert has his own theory about why the U.S. policy is wrong, and why we should simply give up and get out.

I would like to bring to your attention the views of another Vietnam expert. He probably does not consider himself an expert, but he has earned his right to talk about Vietnam by serving in combat over there and coming back minus his left hand.

The Muskogee Daily Phoenix carried a story about this disabled hero, Marine Capt. Boyd L. Barclay, of Oklahoma City. The title of the story is "GI's Morale Is High," and the comments of Captain Barclay put the homefront Vietnam demonstrators in realistic perspective.

So that all Members may read the truth about Vietnam as seen by a man who shed his blood there, I insert the newspaper story in the RECORD:

[From the Muskogee (Okla.) Daily Phoenix, Mar. 16, 1968]

GI'S MORALE IS HIGH—ANTIWAR EFFORTS HURT

OKLAHOMA CITY.—American troops in Vietnam have "quite high morale, for the conditions," but anti-war efforts back home are harmful, a disabled Marine captain said Sunday.

Marine Captain Boyd L. Barclay, 27, lost his left hand in Vietnam on a helicopter mission over Khe Sanh last June, but landed

the crippled craft "in some trees, using the stub of my hand and my knee." His copilot was killed.

Barclay, an Oklahoma City native, spent his recuperation time in Japan and an Oakland, California, hospital.

Emphasizing that he has no objection to "responsible criticism," Barclay said many of his fellow amputees at Oakland were accosted on the street by anti-war demonstrators and "ridiculed for losing both arms or both legs."

"It doesn't help any to see on television a group in Berkeley accepting a plaque from the North Vietnam government for their anti-war efforts either," he added.

He also criticized "the ones who carry the signs saying 'Hey, Hey, LBJ, How many kids have you killed today?'"

"They're calling me and everybody over there killers of kids," Barclay said.

The demonstrations in the United States are a great morale booster for the Viet Cong, the young Marine feels. Dead enemy soldiers frequently have translated news clippings "about the anti-war demonstrations" in their pockets, he recalled.

Currently undergoing training for an insurance job, Barclay says he spends a lot of time speaking to college groups.

"My main objective is to get them to support the war effort," he says.

A veteran of two Vietnam tours of duty—although the last one was only 18 days old when an enemy machine gun bullet "blew my hand off"—Barclay said the war is a tough one to fight, because of the conditions in Vietnam and the turmoil at home.

"Our troops believe in what they're doing," he said. "They believe in getting down on a people-to-people basis—helping people on a people-to-people basis."

Although he's been home for nearly a year, he feels the key to the war effort is gaining the confidence of the South Vietnam villagers.

"We have to show them we can help them and protect them," he says. "If they know we're going to leave, they won't co-operate. The Viet Cong have spies and . . . they'll be murdered if we pull out and they've helped us."

The South Vietnamese "really don't care" in some areas, but "you can see the attitude change after we go in . . . and make it apparent we're going to stay." Asked if he felt the South Vietnamese could be convinced that American troops can protect them, he said, "I really don't know."

Stressing that he is not "a military expert," Barclay parried several questions about the overall war effort, but lashed out at bombing curbs.

"It's a war and you don't have any time outs and you aren't playing games," he said. "I think we need to pull out all the stops to win and get out of there."

He advocated bombing Haiphong Harbor, saying pilots would be making a combat run and "they'd look at Haiphong and see ships flying French flags" and flags of other countries, all carrying supplies for the Viet Cong.

Science and Race

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, March 26, 1968

Mr. THURMOND. Mr. President, in recent weeks the U.S. public has been presented with much material on the urban crisis and the so-called racism of American citizens, both white and black. In my judgment, much of this material is inflammatory and pseudoscientific in character. I would like to call attention to the recent remarks of Dr. William Shockley, one of the most distinguished scientists of our time, and coinventor of the transistor. Dr. Shockley points out that public welfare, instead of alleviating the cause of poverty, is actually increasing the chain of enslavement of the poor, which he says may provoke "extremism of racism with resultant misery for all our citizens."

The Charleston News and Courier, South Carolina's most outspoken newspaper and one of the great newspapers of our Nation, had the courage to call attention to Dr. Shockley's disturbing proposals. Despite Dr. Shockley's great reputation, there are few newspapers that would be bold enough to present his opinions on this delicate subject to the people.

Mr. President, I wish to commend the Charleston News and Courier for this

fine editorial entitled "Science and Racism" of Thursday, March 21, 1968, and ask unanimous consent that it be printed in the Extensions of Remarks of the RECORD.

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

SCIENCE AND RACE

A scientist who still believes in science based on knowledge and practice rather than on theory is reopening a taboo aspect of race in the United States. He is meeting, we regret to note, with hostility among some of his fellow scientists, who ought to be above the political clouds obscuring truthful appraisal of ethnic facts.

Dr. William Shockley of Stanford University nevertheless courageously continues to talk about matters that ought to concern everyone regardless of color, creed or political persuasion. In a recent address to engineering students at Amherst, Mass., Dr. Shockley mentioned race and relief—meaning government welfare programs.

"The available facts lead me to fear," Dr. Shockley said, "that ghetto birth rate patterns are lowering Negro hereditary potential for intelligence."

The result, he said, is a form of genetic enslavement that may provoke "extremes of racism with resulting misery for all our citizens."

Dr. Shockley is a co-inventor of the transistor, one of the most important technological discoveries of our time. He is no cloistered scholar without practical sense to guide his scientific learning. He offers a line of thought entirely different from the "white racist" condemnation by the Kerner commission on riots.

Statistics prove, Dr. Shockley said, "an actual loss of ground for Negro genetic potential for intelligence" during the last 30 years—something he regards as "an unfortunate by-product of the encouragement that our welfare programs have given to the least effective elements of our population who have large families."

In laymen's language, we interpret Dr. Shockley's statement to mean that public welfare is sapping the intelligence of a large segment of the population, chiefly Negroes, and breeding inferior citizens of the future. If this is true, Negroes should be even more concerned than white people to find the truth and apply effective remedies. Dr. Shockley has opened important channels of thought that ought not to be ignored or dismissed as "racism."

William Randolph Hearst, Jr., Suggests Options Available to Our Present Policy in Vietnam

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. EVINS of Tennessee. Mr. Speaker, William Randolph Hearst, editor in chief of the Hearst newspapers, in a recent newsletter has outlined and suggested alternatives or options available to our present policy in Vietnam.

Because of the interest of my colleagues and the American people in general in this issue, I ask unanimous consent that Mr. Hearst's report be reprinted in the RECORD.

Mr. Hearst's report together with an article by Don Tate, a Scripps Howard

newspaper writer, reporting from Vietnam follow:

WHAT'S THE ALTERNATIVE

(By William Randolph Hearst, Jr.)

More than seven months ago, on August 10, this column started off with a sentence which today can only be described as a remarkable understatement. It read:

"Both the American public and our lawmakers appear to be swept up in a new wave of frustration over the Vietnam War."

And anybody who is not a hermit knows that wave I talked about last summer has developed into a storm of doubt, dissent and confusion which reached some kind of crescendo in the week's news events.

It raged in the two-day Senatorial inquisition of Secretary of State Dean Rusk. It churned in the New Hampshire balloting and the startling political developments now impending. Its world-wide side effects were dramatically evident in the panic buying of gold in Europe's markets.

In the exact center of the storm is the lonely figure of President Johnson, still attempting to steer a steady course despite the buffeting from his critics in Congress, in politics and in the various press media.

At this point nobody can predict with certainty whether the President will succeed in his awesome task. But also at this point it certainly is incumbent on a supporter, like myself, to offer all the positive comment he can—so here goes some more.

What I ask the reader today—whether dove or hawk—is to consider if you will what to me is the single strangest thing about the present storm of dissension over Vietnam.

That strangest thing is that in the midst of all the criticism, all the discontent and all the frustration being voiced, there are no sensible and specific alternatives being offered to the course of action now being taken.

Right off the bat I will have to declare again that the old cry for a stop to the bombing is no sensible alternative, in my judgment, and for the same old reasons patiently explained again this week by Mr. Rusk.

He told his would-be hecklers on the Senate Foreign Relations Committee what they already knew but insist on ignoring. We have stopped the bombing—time and again—only to have the enemy ignore or take advantage of what had been intended as a peace initiative.

In a word, as the Secretary of State emphasized, it takes two to talk peace. And in spite of propaganda declarations by the enemy, not one of our now almost countless offers to stop fighting and negotiate have met with a reasonable reciprocal reaction from the enemy.

So what else did the dissident Senators led by the arch-dove J. William Fulbright have to offer to the millions of television viewers watching their big show? All the viewers got from them was an interminable series of long-winded speeches expressing unhappiness over the war and calling for new tactics.

All of the criticism—point by fuzzy point—was answered with what seemed to be infinite patience by Mr. Rusk, whose calm determination, high moral principles and detailed knowledge of the war problems came through in sharp contrast to the confusion of his questioners.

If Mr. Rusk said nothing that is new about the administration's Vietnam policies, and the reasons for them, it was because he had nothing to say but the truth about grim realities he and his chief must meet with actions.

And if there were any sensible and detailed alternatives to those actions advanced at the hearing by any of the Senatorial critics, I for one didn't hear them.

The same absence of detailed and workable alternatives marks every single one of

the politicians—Democrats and Republicans alike—who have their eyes on the White House these days.

Minnesota Sen. Eugene McCarthy, unquestionably a sincere and troubled man, got 42 percent of the New Hampshire Democratic primary vote merely by offering himself as a peace candidate in opposition to President Johnson.

Peace is a most attractive goal, and no one has sought it more diligently than the President, but how can it be achieved when the enemy insists not only on fighting but escalating the conflict? Mr. McCarthy has offered no blueprint.

Neither has New York Sen. Robert F. Kennedy, who entered the Democratic race yesterday now that Sen. McCarthy has blazed a trail. In a televised interview with CBS correspondent Walter Cronkite last Wednesday night, Bobby kept saying how the nation needed new leadership so we can "move in a different direction" in the war.

Not once did he say how this could be achieved. All he offered was a lot of generalities reflecting discontent and a desire for getting the conflict over.

On the Republican side specifics also are missing. Former Vice President Richard Nixon boasts that if elected he will "end the war and insure the peace," but he refuses to say how he proposes to achieve this miracle. New York Gov. Nelson Rockefeller, Mr. Nixon's most visible potential rival, has ducked discussion of the war completely, although he has now promised to clarify his stand within the next couple of weeks.

And so it goes. The criticism is there. The discontent and frustration are there. The hope of change is dangled before the public in many quarters. Somehow, peace could be just around the corner.

How? Nobody says.

Meanwhile it is President Johnson who has the responsibility for dealing with an implacable, determined and ruthless enemy. His options are as simple and clear cut as the ideas of his critics are confused and non-specific.

The options are three in number. One is to drop the bomb on North Vietnam or otherwise blast it off the map. Another is to pull our forces out and thus admit defeat and the worthlessness of a solemn commitment. The other is to keep on doing more or less what we are doing now.

I do not see, in spite of the uproar, how the President can do other than continue on his present course and hope the majority of the American public will continue to support his program.

It is only the President who is offering real leadership in the crisis, even in the gold buying panic I mentioned earlier. Time and again he has pleaded with Congress and it has failed to act.

Mr. Johnson is the President, not a dictator. He cannot force the legislators to do what is clearly necessary in the monetary drain danger.

The President also cannot force action on a proposal I advanced in this column last Sunday. That suggestion was that it is high time the still-free countries which are menaced by Communist aggression in Southeast Asia pitch in and do their share of the fighting in Vietnam.

Those nations can—and should—field at least a million men to help us fight their Asian land war for them. Unless they do something of the sort, I wrote, it may eventually be necessary for us to conclude that our own efforts are unjustified under the circumstances.

During the past week I have traveled from New York to Washington, to Seattle, to San Francisco, Los Angeles and back again. In all these places my idea evoked generally enthusiastic response.

Unfortunately some people got the impression I was becoming dovish about the war. This was by no means my intention. My idea

was simply to try to steam up some help from countries which are ducking their duty to help protect themselves.

Exactly how this could be accomplished I don't know, but there are many methods of persuasion which could be exerted.

Meanwhile, for the record, I am for the President all the way in this mess. He knows more about the war and what is involved than all his critics put together.

[From the Washington (D.C.) Daily News, Mar. 25, 1968]

AMERICANS IN VIETNAM ASK: IS IT WORTH IT?

(By Don Tate)

DONG HA, SOUTH VIETNAM, March 25.—The Marine gazed moodily across the rice paddies. A few miles to the north was Con Thien. Just beyond was the Demilitarized Zone. Down the dusty road to the west was Khe Sanh.

He had been to all those places. Twice he had been wounded.

"The war has got to be worth fighting," said Pfc. David Graham of Virginia Beach. "I mean would I be getting shot up for nothing?"

It was a good question with no good answer. Americans all over Vietnam are asking it.

Pfc. Graham wasn't exactly mad at the war. "But it sure has changed me," he said.

MOOD OF CHANGE

Graham is just one of the people the war has changed. The whole mood of the war in South Vietnam today is one of change. There is anger and frustration in the land.

The mood of questioning, re-examination, searching for a new logic, a new strategy, anything different from what we have been doing, seems as intense among the men down in the dirt fighting the war as it does among those armchairing it back home.

Few seem satisfied with the status quo any more. The Tet offensive was the catalyst. Minds that seemed set in concrete suddenly began to move in new directions.

That single, solid military point of view that all we had to do to win the war was "Nap (Napalm) 'em, zap 'em, hit 'em again harder, harder" isn't heard so much these days.

The victory yells of the military cheerleaders are no longer so convincing. They still come on strong with winning-as-usual statistics. But since Tet who listens?

OFF THE RECORD

Thruout Vietnam the real talking and listening is done off the record. "That's because nobody knows what the record is any more," said an ex-nap 'em, zap 'em advocate. "Today's conclusion is tomorrow's miscalculation. Since Tet second guessing has become a fine art form."

Some of the second guessers seem caught in a creeping gloom.

"I've been in the Marine Corps since I was 17," said one distressed officer. "I love the Corps. But for the first time I'm not proud of the job we have to do."

"I keep asking myself: 'What is our objective here? To stop communism by killing one billion Asians? If we keep it up, that's what it is coming to. There won't be enough pieces left of Vietnam to count. And there won't be many pieces of us left either.'

"You know what I think of this war? I think it's insane."

SENSE OF FUTILITY

Others have been enmeshed in a sense of futility bordering on defeatism.

"We're plain tired," said an American working in a Can Tho hospital. "What we do is not appreciated. What we try to do, the South Vietnamese find a hundred reasons why it cannot be done. It's all a waste and a mess and I don't believe in it any more."

There is bitterness: "I wish Johnson could see this," said the tight-faced airborne lieu-

tenant, staring down at the five green body bags stamped "dead."

"I would die for my country," he muttered. "But I don't want to die for the Administration."

However the post-Tet reaction of some has been in terms of neither defeat nor retreat.

"I'll tell you," said a front-line First Cavalry colonel, "if I was in Khe Sanh right now with those 5000 Marines I'd put 500 men on the perimeter, take the rest and attack. I wouldn't stop attacking there. I'd keep attacking until the other side quit."

Others, who thought the limited pre-Tet war was the reasonable way to do things, have suddenly become hawks of the "let's-win-this-damned-thing-or-get-out" kind.

ANOTHER GROUP

There is another larger group here which before Tet functioned mechanically in their jobs without seeming to worry much about consequences. Today they seem seriously concerned about their roles and the role of the United States in Vietnam. They have looked up from the jobs before their noses and started wondering and talking about the war as never before.

"What are we doing here?" they ask, as tho for the first time, "and are we doing it right?"

Thinking is no longer by-the-numbers. The men who are doing the job are asking "why?"

The 50th Anniversary of Byelorussian Independence

HON. EDWARD W. BROOKE

OF MASSACHUSETTS

IN THE SENATE OF THE UNITED STATES

Tuesday, March 26, 1968

Mr. BROOKE. Mr. President, this week marks the 50th anniversary of the proclamation of the freedom, sovereignty, and political independence of the Byelorussian Democratic Republic. But instead of representing an occasion which we and the Byelorussian people can joyously celebrate, we must sadly note that this date marks the beginning of a long and desperate struggle by the Byelorussian people to secure in reality the freedom that they enunciated on paper half a century ago.

Shortly after the proclamation of independence, the Soviet Red army reoccupied Byelorussia and subjected it to Soviet rule. In its subsequent history the freedom of that state was trammled by partition, occupation, police terror, and totalitarian policy directives of every conceivable nature. And yet the national spirit and desire for independence of the Byelorussian people has not been lost.

After World War II, the Kremlin intensified its efforts to obliterate all forms of national freedom and cultural distinction. The work of Byelorussian writers and artists was labeled unorthodox or revisionist by the Soviet regime. Byelorussian students were found guilty of "insolent demonstrations" against the state.

But the love of freedom lives on in Byelorussia. These people continue to adhere, with inner conviction, to the democratic ideals which they professed 50 years ago. Let us, therefore, take this opportunity to reassure the Byelorussian people that we sympathize with and deplore their plight, and will continue to

encourage, by contact and example, the realization of freedom and human dignity throughout the world.

The Effect of Statutory Minimum Wage Increases on Unemployment

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. CURTIS. Mr. Speaker, in a recent speech, Dr. Yale Brozen, professor of business economics at the University of Chicago, discussed the effect of statutory minimum wage increases on unemployment.

The largest rate of unemployment exists among teenagers, especially the nonwhite teenagers, despite a rising average level of education in this group. From past observations we see that each time an increase in the minimum wage occurred, teenage unemployment increased. Dr. Brozen feels that increases in the minimum wage have been occurring too frequently and are not fully digested before another is enacted.

Dr. Brozen states:

We find that the groups of employees whose wage is affected by the statutorily imposed minima . . . do not simply lose one set of jobs and then find better jobs becoming available as a consequence of increased minima. They lose one set of jobs and then are either forced to take lower wage employment in non-covered occupations or remain unemployed.

The Employment Incentive Act—H.R. 13777 and S. 2601—proposed by Senators PERCY and JORDAN of Idaho and myself, is a means of mitigating the undesirable side effects of minimum wage increases. The bill offers an incentive for employers to hire and train those unemployed persons with low levels of skill and experience who find it difficult to get a job at or above the minimum wage.

The incentive would be in the form of a Federal refund to the employer approximating the difference between the productive value of the worker and the minimum wage. The refund would be contingent on the employer's offering a program of formal or on-the-job training and agreeing to afford participating employees a full opportunity at or above the minimum wage after expiration of the refund period.

I feel that, before any further increases are contemplated, it is essential that we carefully analyze the employment and wage consequences of these increases. Dr. Brozen's speech is a significant contribution to the discussion of the effects of minimum wage increases and I include it in the RECORD at this point:

THE EFFECT OF STATUTORY MINIMUM WAGE INCREASES ON UNEMPLOYMENT¹

(By D. R. Yale Brozen, professor of business economics, Graduate School of Business, University of Chicago, Chicago, Ill.)

The effect of increases in the statutory minimum wage rate on employment appears to be an unsettled question. Economic theory tells us that there are two possibilities. If labor markets for skills affected by the mini-

imum wage are competitive, the number of jobs decreases when the minimum is raised and is not completely nullified by a proportionate inflation. If, on the other hand, the labor markets for the affected categories are monopsonistic, it is possible that no unemployment occurs. Employment may even increase, provided that the rise in the minimum is not too drastic.²

Economic theory gives us no answer, then, to the question of what effects follow from a minimum wage increase. However, we now have some fairly extensive experience with increases in statutory minima at the national level as well as changes in minima in a large number of states. Minimum rates were set by the Fair Labor Standards Act of 1938 at \$0.25 an hour with built in provisions for further increases to \$0.40 an hour. The Act was amended to raise rates to \$0.75 in 1950; amended again to raise minima to \$1.00 in 1956; amended still again to raise rates to \$1.15 in 1961 and to \$1.25 in 1963 (with lower minima in newly covered occupations to reach \$1.25 in 1965). The most recent amendment to the Act raised minima to \$1.40 in February 1967. A further increase to \$1.60 is to go into effect in February, 1968 (with lower minima in newly covered occupations scheduled to reach the \$1.60 level in 1971).

With this experience, it should now be possible to make some appraisal of the employment effects of the Act with its several amendments. However, the appraisal is not an easy one to make. Many other forces have been at work influencing wage rates and job opportunities at the same time that changes in minima have occurred. Real wage rates have consistently increased in the American economy for at least a century, judging by the available data. They have continued to increase since the passage of the 1938 Act and its successive amendments as well as doing this before 1938. Money wage rates have increased even more than real rates.

Given this circumstance, increases in the statutory minima, to the extent they have had any effect, may simply have brought about an increase in wage rates a little sooner which would have occurred anyway in a longer period. In that case, a major part of the employment effects may be transitory. Increases in employment or in unemployment, depending on whether markets are monopsonistic or competitive, would be produced for very short periods and then fade away with the normal progression of economic development.

THE TIMING OF WAGE INCREASES

When we examine patterns of change in average wage rates in industries where minimum wage rate changes have had any effect, it becomes apparent that the timing of wage rate increases has been influenced by the Fair Labor Standards Act. Average hourly earnings in the seamless hosiery industry in 1949, for example, were only 10 cents an hour above the \$0.75 minimum established in January, 1950. A rise in wage rates was forced for those workers more than 10 cents below the average. As a consequence, a 10 percent jump in the average occurred between 1949 and 1950. In contrast, average hourly earnings in all manufacturing rose less than half as much, rising by 4.5%.

In the following three years, average hourly earnings in seamless hosiery continued to rise, but at a much slower pace. They rose at a 4.1% annual rate between 1950 and 1953 for a total rise of 12.8%. In contrast to this, average hourly earnings in all manufacturing rose at a 6.5% annual rate from 1950 to 1953 for a total rise of 20.8%. By 1953, average hourly earnings in seamless hosiery apparently were about the same as they would have been without any rise in the statutory minimum.

The same pattern of change occurred in other manufacturing industries where the 1950 minimum had any effect. As Table 1 shows, wage rates in the industries with low average hourly earnings increased more than

all manufacturing when the new minimum went into effect in 1950. In the following years hourly earnings went up much less in these industries than in all manufacturing. By 1952, their wage rates had again come into approximately the same relative position they occupied in 1949 before the minimum was increased.

The timing of wage rate increases occurring when the minimum was raised to \$1.00 an hour in March 1956 shows the same pattern (see Table 1). Average hourly earnings jumped much more in the low wage industries than in all manufacturing when the new minimum went into effect. In the following years, wage rates rose more slowly in the affected industries than in all manufacturing. Again, wage rates a few years later were approximately where they would have been if no increase in the minimum had occurred.

TABLE 1.—CHANGE IN HOURLY EARNINGS 1949-52

SIC No.	Industry	Hourly earnings, 1949	Percent change		
			1949-50	1950-52	Sum
2252	Seamless hosiery	\$0.853	10.2	10.7	20.9
212	Cigars	.884	9.6	10.4	20.0
232	Men's and boys' furnishings	.920	7.6	9.1	16.7
2341	Women's and children's underwear	.980	6.4	9.3	15.7
	Average increase		8.5	9.9	18.4
	All manufacturing	1,378	4.5	14.6	19.1

1955-60

SIC No.	Industry	Hourly earnings, 1955 ¹	Percent change		
			1955-60 ²	1956-60 ³	Sum
2252	Seamless hosiery	\$1.13	10.6	12.8	23.4
232	Men's and boys' furnishings	1.13	11.5	5.8	17.3
212	Cigars	1.19	8.4	11.6	20.0
2341	Women's and children's underwear	1.20	10.0	5.7	15.7
2391	House furnishings	1.25	7.2	8.2	15.4
2392		1.25	7.2	9.0	16.2
2254	Knit underwear	1.25	7.2	9.0	16.2
	Average increase		9.2	8.9	18.1
	All manufacturing	1.87	5.4	14.7	20.1

¹ March 1955-February 1956 average of monthly hourly earnings.

² Change from March 1955-February 1956 average to March 1956-February 1957 average of monthly earnings.

³ Change from March 1956-February 1957 average to 1960 average of monthly earnings.

Source: Bureau of Labor Statistics, "Employment and Earnings Statistics for the United States, 1909-60" (Washington: Government Printing Office, 1961), Bulletin No. 1312.

Note: Industries were selected whose average hourly earnings were within 25 cents of the new minima.

In the case of the more recent minimum wage increases, the successive rises have followed each other more closely than the 1950, 1956, and 1961 increases. The result has been that the 1961 increase to \$1.15 was not fully digested when the \$1.25 minimum went into effect in 1963 (see Table 2). Similarly, the 1963 increase had not been fully digested before the 1967 increase became effective (see Table 3).

In the earlier experience with the 1950 and 1956 increases, we must look at the short interval following their imposition to see their effect since the impact on the wage structure apparently faded away within a few years. Inflation and rising productivity lifted wage rates to levels where they would have been in any case without the imposition of increases in the statutory minimum. This is less true in the 1960's with step-ups in the minimum succeeding each other much more quickly.

However, because of the variations in the timing of cyclical forces in the 1950's as

compared to the 1960's, and the necessity of disentangling these effects from minimum wage effects, it is no easier task to analyze the 1960's despite the lack of full digestion of the increases which occurred in the latter period.

EMPLOYMENT EFFECTS: TEENAGERS

Since the overwhelming majority of workers have always had pay rates exceeding the minimum, most pay rates and most workers have not been affected by changes in the statutory minima from time to time. The effects, if any, can be expected to appear primarily in the pay and, consequently, the employment of low skill workers and of workers in disadvantaged areas of the country suffering from remoteness from markets and sources of materials and ancillary services.

TABLE 2.—CHANGE IN HOURLY EARNINGS, 1960-63

SIC No.	Industry	Hourly earnings, 1961 ¹	Percent change		
			1961-62 ²	1962-63 ³	Sum
2328	Work clothing.....	\$1.27	8.0	1.2	9.3
2252	All other hosiery.....	1.30	7.2	2.2	9.3
232	Men's and boys' furnishings.....	1.34	5.6	1.1	6.7
2015	Poultry dressing and packing.....	1.38	3.6	.7	4.3
2341	Women's and children's underwear.....	1.40	4.1	-2.0	2.1
	Average increase.....		5.7	.6	6.3
	All manufacturing.....	2.29	3.4	2.5	5.9

¹ September 1960-August 1961 average of monthly hourly earnings.
² Change from September 1960-August 1961 average to September 1961-August 1961 average of monthly hourly earnings.
³ Change from September 1961-August 1962 average to September 1962-August 1963 average of monthly hourly earnings.

Source: Bureau of Labor Statistics, "Employment and Earnings Statistics for the United States, 1909-66" (Washington: Government Printing Office, 1967).

TABLE 3.—CHANGE IN HOURLY EARNINGS, 1963-66

SIC No.	Industry	Hourly earnings, 1963 ¹	Percentage change		Sum
			1963-64 ²	1964-66 ³	
2328	Work clothing.....	\$1.39	6.1	4.7	10.8
2321	Men's and boys' shirts and nightwear.....	1.41	6.1	5.3	11.4
2252	All other hosiery.....	1.42	5.4	8.0	13.4
2341	Women's and children's underwear.....	1.43	7.8	6.5	14.3
2015	Poultry dressing and packing.....	1.44	6.3	9.1	15.4
2327	Men's and boys' separate trousers.....	1.44	4.7	5.3	10.0
	Average increase.....		6.1	6.5	12.6
	All manufacturing.....	2.43	3.2	8.0	11.2

¹ September 1962-August 1963 average of monthly hourly earnings.
² Change from September 1962-August 1963 average to September 1963-August 1964 average.
³ Change from September 1963-August 1964 average to 1966 average.

Source: Employment and Earnings and Monthly Report on the Labor Force, March 1967.

The largest single category of unskilled workers for which we have data consists of teen-agers. An examination of unemployment rates among this group in the month before an increase in the statutory minimum as compared to the rate in the month in which the increase took effect indicates that the market for teen-agers' services is competitive. That is, each time an increase occurred, teen-age unemployment increased (see Table 4).³

If the unemployment rate among teen-

agers always went up from month to month, this tabulation would prove nothing. However, it does not. In the nineteen years covered by the available data, the month to month change was downward more than half of the time (119 downward changes, 104 upward changes, five no change). The upward change in the months in which minima were raised occurs too often and too consistently to be accounted for by even the most wildly improbable chance of accident or coincidence.

In addition to these increases in unemployment among teen-agers from the month before new minima went into effect to the month in which the new minima became effective, we also find that there is a persistent upward trend in the relative amount of unemployment among teen-agers despite a rising average level of education in this group. In order to eliminate cyclical effects on teen-age unemployment, we can look at periods of comparable cyclical position such as 1949-50 and 1961 when the general unemployment rate was the same in both periods. In 1961, the seasonally adjusted teen-age unemployment rate was nearly 20% greater than in 1949-50 (and the participation rate was lower).

Despite the manufacturing wage data of 1949 to 1960 indicating that the economy had fully digested the increases of 1950 and 1956 in terms of the wage structure, there had apparently been changes in work force composition and hiring standards, perhaps as a result of initial adjustments to new minimum wage levels, which were adverse to teen-agers.

If we remove cyclical effects on teen-age unemployment by using the ratio of teen-age to general unemployment, the 75¢ minimum imposed in January, 1950, apparently caused a rise in the relative amount of teen-age unemployment. The ratio rose from 2.2 in the year preceding the increase to 2.3 in the following. The effect was slight, in the year immediately following the increase, apparently being blunted by draft calls with the outbreak of the Korean war.

Very large effects from the minimum wage on teen-age employment appeared in the 1960's when the minimum was raised from \$1.00 to \$1.25. Unemployment among teen-

agers was 2.5 times the rate of unemployment in the total work-seeking population before the \$1.25 minimum went into effect in previously covered occupations and the \$1.00 minimum in newly covered occupations in September, 1961. In 1961-62, the year following the increase, the teen-age unemployment rate jumped to 2.7 times the general incidence of unemployment. Teen-age unemployment rates rose farther to 3.4 times the general incidence of unemployment in 1963-64 after the \$1.25 minimum went into effect in previously covered occupations and a \$1.15 minimum in newly covered occupations. This was a jump to an unprecedented level of teen-age unemployment for the period covered by the data (see Table 5).

TABLE 4.—SEASONALLY ADJUSTED UNEMPLOYMENT RATES, 16- TO 19-YEAR-OLDS

	Teenage unemployment rate	Minimum wage	General unemployment rate
Dec. 1949.....	15.4 (13.7)	\$0.40	6.6 (6.0)
Jan. 1950.....	15.2 (17.7)	.75	6.5 (7.6)
Feb. 1956.....	11.4 (12.6)	.75	3.9 (4.8)
Mar. 1956.....	11.5 (11.4)	1.00	4.2 (4.7)
Aug. 1961.....	17.1 (13.8)	1.00	6.6 (6.2)
Sept. 1961.....	18.0 (15.8)	1.15	(1.00) 6.7 (5.8)
Aug. 1963.....	16.2 (12.6)	1.15	(1.00) 5.4 (5.2)
Sept. 1963.....	17.4 (15.2)	1.25	(1.15) 5.5 (4.8)
Aug. 1965.....	13.9 (10.6)		(1.15) 4.4 (4.5)
Sept. 1965.....	14.8 (12.8)		(1.25) 4.4 (4.2)
Jan. 1967.....	11.0 (11.7)	1.25	3.7 (4.2)
Feb. 1967.....	13.2 (13.2)	1.40	(1.00) 3.7 (4.2)

¹ Although the seasonally adjusted unemployment rate fell from December 1949 to January 1950, this occurred despite a fall in the number of teenagers employed. Seasonally adjusted employment of teenagers fell by 37,000. Officially defined unemployment fell, nevertheless, because 52,000 teenagers gave up looking for jobs (seasonally adjusted) and were no longer classified as unemployed. (Nonseasonally adjusted employment of teenagers fell by 306,000 and unemployment rose by 121,000). The downward seasonal adjustment in this figure appears to be unduly large, particularly in view of the fact that an adjustment by the same proportion as that occurring for January figures in the mid-1950's would have produced a seasonally adjusted figure of 16.6 percent.

Source: Employment and Earnings and Monthly Report on the Labor Force, March 1967.

Note: Minimum wage figure in parentheses for 1961-65 is for jobs not covered prior to September 1961. Minimum wage figure in parentheses for February 1967 is for jobs not covered prior to February 1967. Unemployment rate figure in parentheses is the raw data not adjusted for seasonal influences.

TABLE 5.—RATIO OF THE INCIDENCE OF TEENAGE UNEMPLOYMENT TO THE INCIDENCE OF GENERAL UNEMPLOYMENT

12 months	[Averages of monthly seasonally adjusted data]			
	Unemployment (ages 16 to 19)	Unemployment (general)	Ratio	Minimum wage
January-December 1949.....	13.5	6.1	2.2	\$0.40
January-December 1950.....	12.2	5.2	2.3	.75
March 1955-February 1956.....	11.0	4.2	2.6	.75
March 1956-February 1957.....	11.0	4.1	2.7	1.00
September 1950-August 1961.....	16.4	6.8	2.5	1.00
September 1961-August 1962.....	15.4	5.6	2.7	1.15 (\$1.00)
September 1962-August 1963.....	16.4	5.6	2.9	1.15 (1.00)
September 1963-August 1964.....	18.3	5.4	3.4	1.25 (1.15)
September 1964-August 1965.....	15.6	4.8	3.3	(1.15)
September 1965-August 1966.....	13.2	3.8	3.5	(1.25)
February 1966-January 1967.....	12.5	3.8	3.3	1.25
February-September 1967 ¹	12.7	3.8	3.3	1.40 (1.00)

¹ Not comparable with earlier data because of the exclusion from the unemployment count of those seeking future jobs and not currently available for work. Also, seasonal adjustments in 1967 lowered the unemployment rate from the raw data relative to the seasonal adjustments made in 1966. (For example, the July 1966 unadjusted rate of 13 percent was increased to 13.1 by seasonal adjustment. The July 1967 unadjusted rate of 13.8 percent was decreased to 12.6 percent by seasonal adjustment).

Note: Minimum wage figure in parentheses is for jobs not covered prior to September 1961 and February 1967.

Source: U.S. Bureau of Labor Statistics, Employment and Earnings and Monthly Report on the Labor Force, vol. 13, No. 9; vol. 14, No. 4 (March 1967 and October 1967).

The relative level of teen-age unemployment has increased (despite a marked decline in the participation rate) over the last seventeen years despite the usual decline in the years following the jump occasioned by an increase in the statutory minimum wage. Increases in the minimum are following too closely on the heels of previous increases with

the result that one increase is not fully digested before another is enacted. As a consequence, incidence of teen-age unemployment has increased more than 50% (measured relative to the general incidence of unemployment) since the enactment in 1949 of the \$0.75 minimum.

Footnotes at end of speech.

THE IMPACT ON NONWHITE TEENAGE
EMPLOYMENT

The effect of the minimum wage on employment opportunities for non-white teenagers has been far more vicious than on teenagers in general. Non-whites are an increasing proportion of unemployed teen-agers. The ratio of non-white teen-age unemployment to white teen-age unemployment has increased by eighty per cent since 1954, rising from 1.4 to 2.5 (see Table 6).

Of all groups who have suffered any impact from the minimum wage, the non-white teen-ager has suffered the most in terms of employment experience. While the employment of white 14-19 year olds rose by 49% between 1956 and 1966, negro employment in this age group increased by only 19%. Why this is so is a complex problem in which employment discrimination plays only a minor role.⁴

TABLE 6.—TEENAGE UNEMPLOYMENT RATIOS, NONWHITE
AND WHITE

[Both sexes, 16 to 19]

	Non-white	White	Ratio	General Unemployment rate
1954	16.5	12.1	1.36	5.5
1955	15.8	10.3	1.53	4.4
1956	18.2	10.2	1.78	4.1
1957	19.1	10.6	1.80	4.3
1958	27.4	14.4	1.90	6.8
1959	26.1	13.1	1.99	5.5
1960	24.4	13.4	1.82	5.5
1961	27.6	15.3	1.80	6.7
1962	25.1	13.3	1.89	5.5
1963	30.4	15.5	1.96	5.7
1964	27.2	14.8	1.84	5.2
1965	26.2	13.4	1.96	4.5
1966	25.4	11.2	2.27	3.8
1967 (January-September) ¹	26.5	10.6	2.5	3.8

¹ Not strictly comparable with earlier figures because of exclusion of persons seeking future jobs and not currently available for work.

Source: Employment and Earnings and Monthly Report on the Labor Force, October 1967; Manpower Report of the President.

First, we must recognize that the employment qualifications of the average non-white teen-ager are inferior to those of the average white teen-ager seeking a job. His educational level is lower and he is a more costly worker to employ in terms of the supervision required. At the same wage, an employer will prefer the average white teen-ager to the average non-white teen-ager. Without a minimum wage floor, the non-white teen-ager could offset his disadvantages by working for less than the white teen-ager.

That still leaves us with a puzzle to explain such as the fall in white-teen-age unemployment from 1955 to 1956 when the minimum was raised to \$1.00 and from 1966 to 1967 when the minimum was raised to \$1.40 while non-white teen-age unemployment rose in both periods. Why did we not get a rise in unemployment in both groups instead of these opposite movements?

To explain this we must apply the economics of information to the field of job-search. Jobs at, let us say, \$1.25 to \$1.35 were being refused in 1966 by many white teen-agers who expected they could find better paying jobs. Because they were taking the time to search for these better paying jobs and foregoing poorer paying jobs, their unemployment rate averaged 11.2%. The jobs refused by white teen-agers were accepted by non-white teen-agers.

With the rise in the minimum wage to \$1.40 on February 1 of this year, employers who had been offering, let us say, \$1.25 had to offer \$1.40 to workers filling these jobs if they did not eliminate them. At \$1.25, only non-white teen-agers, let us say, had been willing to accept these jobs, white teen-agers choosing to search further. At \$1.40, white

teen-agers now find these jobs as attractive as those they expected to find by searching further. Their decrease in time spent searching meant a decline in their average duration of unemployment and a decline in their unemployment rate. However, the unemployment rate among non-white teen-agers went up because many of the jobs formerly left to them by white teen-agers were now filled.

Another factor playing a role in the differential experience of white and non-white teen-agers in August-September 1965 (when non-white seasonally adjusted teen-age unemployment jumped from 21.9% in August to 28.3% in September while white teen-age unemployment dropped from 13.0% to 12.8%) is the change in coverage occurring as a result of the 1961 Fair Labor Standards Act Amendments. Prior to 1961 Negro teen-agers unable to find jobs in covered occupations had increasingly occupied non-covered jobs. When many of their jobs were newly covered by the 1961 amendments at \$1.00 an hour (a \$1.15 minimum being applied to previously covered jobs) the relatively low minimum had little effect at that time or in September 1963 when it went to \$1.15. The increase in September 1965 however to \$1.25 for these newly covered jobs where Negro teen-agers had previously found an entry to the labor force produced a sufficient impact on the number of jobs available to non-white teen-agers to send their unemployment rate soaring.

MINIMUM WAGE EFFECTS ON EDUCATIONAL
OPPORTUNITY

An even more pernicious result of the large number of teen-agers deprived of jobs by the minimum wage statute is that they are thereby deprived of an education which would equip them to earn much more than the minimum⁵ in later life. As a consequence they arrive at maturity without the skills required to obtain the positions which would provide a decent living for their families. The result is that their families are then doomed to poverty—a result which would not have occurred if jobs had not been foreclosed by the minimum wage when they were teen-agers.

The counter argument offered by supporters of the minimum wage is that the jobs available to teen-agers at below minimum rates are blind alley jobs which lead nowhere. What do they learn as elevator operators, dish washers, or messengers which equip them for better paying jobs? The answer is that they learn to read a clock, they learn to report to work on time, they learn how to get around the city, they learn that they must bathe, they learn that dependability is not acceptable if they wish to retain a job, they learn not to fight with their fellow workers, they learn not to spit in the foreman's face, they learn acceptable means of communications—they learn, if you like, to "wear shoes." The supervision that must be given to inexperienced workers is very expensive to employers. They cannot afford to both pay high rates and give such supervision. The company which must hire a nurse to teach its female employees the elements of hygiene finds, when the minimum is raised, that it is cheaper to dispense with the nurse and hire the experienced workers available when it is forced to pay higher rates rather than take the inexperienced workers who were all that was available at a lower rate.

THE EFFECT ON EMPLOYMENT

The fact that increases in the statutory minimum wage causes some people to lose their jobs is hardly debatable. The evidence is more than ample. A New York Times story on February 13 from Greenville, Mississippi, for example, told us that spot checks by civil rights workers indicated that 100,000 people were being deprived of all farm income this year because agricultural workers were being covered by the Fair Labor Stand-

ards Act for the first time and they had to be paid \$1.00 an hour.⁶ A Wall Street Journal story on September 7, 1965, reported the lay-off of 1,800 women in North Carolina crab meat packing plants when the minimum went from \$1.15 to \$1.25.⁷

A U.S. News & World Report story, in the August 17, 1964 issue, described the effects of the \$1.25 minimum on the operation of a shop producing mountain-made novelties at Paintsville, Kentucky.⁸ The shop was closed ending the jobs of 200 part-time employees when a new wage hour office in Pikeville pressed for strict compliance with the minimum wage law. A Wall Street Journal sampling of retailers, reported August 31, 1961, found that package wrappers were being dismissed, work weeks were being shortened, and sub-standard employees were being laid off because retail stores were to be covered by the minimum wage law as of September 3, 1961 as a result of the new amendments to the Fair Labor Standards Act.⁹ The Southern Pine Industry Committee presented evidence in Senate hearings that imposition of the \$1 an hour minimum in 1956 was a major influence in the closing of numerous saw mills in the South. Professor John Peterson, of the University of Arkansas, in the article of "Employment Effects of Minimum Wages, 1938-50" which appeared in the Journal of Political Economy¹⁰ demonstrated that employment adjusted for output and trend fell in saw mills, men's cotton garments and other industries when the minimum was raised to \$0.75 in 1950.

A study of the seamless hosiery industry found a 13% drop in employment in mills whose average wage was less than the minimum when the \$0.25 an hour minimum was imposed in 1938 and subsequently raised to \$0.325 in 1939.¹¹ This does not include the decrease in employment in mills which went out of business.

Of course, it may be argued that the fact that 100,000 cotton choppers have lost their jobs this year, that 1800 crab meat packers were laid off in 1965, that package wrappers were discharged in 1961, that saw mill employment dropped in 1956, that cotton apparel employment contracted in 1950, and that seamless hosiery workers were fired in 1938 does not mean that unemployment rose as a consequence. The supporters of minimum wage legislation tell us that the increase in purchasing power of the workers who retain their jobs and whose pay is increased will create more jobs. They tell us that employment in plants which were paying above the minimum will increase since those plants will no longer lose business to the employers paying less than the minimum.¹² In effect, then, workers who lose their jobs will find improved employment opportunities as a consequence of the rise in the minimum. They will find better jobs and end up better off than by retaining their sweat-shop jobs.

However, there is no evidence substantiating this point and there is contrary evidence. The contrary evidence indicates that either of two things happens to workers losing jobs because of increased minima. Either they remain unemployed (or find covered jobs that would otherwise be available to employees of similar skills and cause others to remain unemployed) or they go into occupations not covered by the Fair Labor Standards Act at lower wage rates than they previously received. In either case, unemployment or employment in non-covered jobs, they end up worse off—not better off—as a consequence of increases in statutory minimum wage rates.

First, what is the evidence relating to what happens to workers who suffer least when they lose their jobs in covered occupations—i.e., the workers who are forced to go into occupations not covered by the Fair Labor Standards Act. The major non-covered occupation is household employment of maids,

Footnotes at end of speech.

cooks, gardeners, etc. The wage for most employees in this occupation has consistently been below the minimum wage rate in the years following an increase in the minimum. The normal pattern of household employment is that it declines in periods when the economy is in a cyclical upturn. People leave low wage household jobs to take the higher wage jobs becoming available in industry in such times. However, each time the minimum wage has increased we find the opposite pattern. That is, the statutory minimum wage has always been increased during a time when the business cycle is in an upturn. During an upturn, we would expect household employment to decline. It always does in upturn years when there is no increase in the minimum. But when the minimum is increased, household employment increases instead of declining as it normally does.¹² The increase occurs in the face of the fact that the average pay in households has always been less than the new statutory minimum wage rate. Evidently, people take these jobs in spite of the lower wage rate because the availability of other jobs has been decreased by the rise in the statutory minimum. Evidently, the rise in the minimum does not increase purchasing power sufficiently to maintain the number of jobs available to industry. The lay-offs by some employers caused by the rise in the minimum wage is not offset by increased hiring by other employers unless the wage paid is lower than in the job lost.

Many people laid off end up worse off, then, even if employed elsewhere. They are forced to take lower wage jobs in non-covered occupations by the rise in the minimum wage. Perhaps I can best illustrate this by relating an experience I had in 1956. I used to visit Nashville, Tennessee each year to give lectures at Vanderbilt University. In the summer of 1956, the man with whom I stayed had a maid. He had not had one the year before. I asked if congratulations were in order. Had he received a promotion or a substantial salary increase?

He said, "No!" He did not have a maid the previous year because he could not get one for less than 90¢ an hour and he could not afford that. Girls were able to get 90¢ in textile mills in the area and would not take jobs as maids unless they could get at least 90¢. However, the increase in the minimum wage to \$1.00 an hour had caused mills to quit hiring and to lay off some of their people. As a consequence, he found that he could get a maid for 50¢ an hour, which he could afford, and he and his wife now could enjoy the luxury of some domestic help. From his point of view, the rise in the minimum wage had produced a very desirable result.

When the minimum wage was increased in 1956, it caused not only a shift to non-covered occupations but, in addition, caused unemployment. The teenage female unemployment rate went from 10.2% in 1955 to 11.2% in 1956 despite 1956 being a boom year relative to 1955. Non-white teen-age unemployment rose from 15.8% to 18.2%. Unemployment among women over 45 also rose going from 220,000 to 240,000. In a normal upturn year, unemployment in these three groups falls twice as rapidly as the fall in general unemployment. However, the normal behavior was reversed by the increased price that had to be paid for unskilled help in occupations covered by the minimum wage statute.

Women over 45 suffered the same experience in 1950 when the minimum wage was increased. Unemployment in this group went from 190,000 in 1949 to 230,000 in 1950 despite a general increase in employment from 59 to 60 million, 1950 being a year of cyclical rise in the economy while 1949 was a depressed year. These women were worse off, despite the return of prosperity and full employment, because they had been priced out of the market.

We find that the groups of employees whose wage is affected by the statutorily imposed minima, that is, such groups as unskilled teen-agers, women over 45, Negroes, and people living in economically handicapped sections of the country such as Appalachia and Southeast United States, do not simply lose one set of jobs and then find better jobs becoming available as a consequence of increased minima. They lose one set of jobs and then are either forced to take lower wage employment in non-covered occupations or remain unemployed.

HOW TO RAISE THE MINIMUM WAGE

This brings us to the point where we can discuss the appropriate means for raising the minimum wage. We do want the minimum wage raised. Passing a law, however, is not the way to do it despite this seeming to be the obvious method. Unfortunately, what the law has done is to lower the wage to zero for a great many people instead of raising their wage.

The minimum wage can be raised without producing undesirable effects by improving our technology, by increasing the amount of capital—the amount of tools, machines, and other equipment—and by allowing people entering the labor force to obtain jobs where they can learn the skills which will bring a much higher wage—an opportunity barred to many by the statutory minimum wage. If we were to double the quantity of capital per employee in the United States, output per man hour would rise by 30% and wage rates would rise, on the average, by one-third without any decrease in the number of jobs. The rise in the average would not occur by every rate being marked up by one-third, however. When wage rates rise as a result of market forces, we find that the low end of the wage scale rises more than the high end.¹⁴ A doubled stock of capital would tend to raise the low end of the wage scale by 35% or more and the high end by less than 30%.

To effectively raise the minimum without causing unemployment and slowing the rate of economic progress means, then, that we should do something to spur the rate of saving and investment. What can we do?

We have some experience which teaches us a lesson. In the 1920's, we saved and invested between 10 and 12% of the national income. Currently, we are saving and investing 7 to 8% of the national income. The main difference between the 1920's and the current situation is the tax structure. Corporate earnings are currently taxed at the rate of 48% as compared to 7% in the earlier period. Current income tax rates rise to a level of 70%, far above the maximum rate paid in the 1920's. Current business property tax rates often exceed 4%, double the highest rates imposed on business property in the 1920's.

We have already seen the effects of the slight downward revision in corporate tax rates to 48% from 52% and maximum income tax rates from 91% to 70% in 1964. The rate of savings and investment has already responded to those changes. Elimination of all income taxes in excess of one-third of income would, in the very short run, decrease income tax revenues by less than 10%. This would soon be offset to a large extent by the decrease in funds subject to high bracket rates going into such tax shelters as tax-exempt municipal bonds, high depletion allowance oil and mineral investments, and lightly taxed trusts and growth stocks.

Such changes in tax rates with the resultant speed up in capital formation, in growth of output per man hour and wage rates will eliminate poverty far more rapidly than the programs now under way. The resultant demand for manpower will spur the vocational training and rehabilitation programs sponsored by employers to even higher levels than those now prevailing as well as raising real wage rates across the board.

CONCLUSION

Minimum wage statutes have benefited a few by slight amounts ranging from the average five cent an hour increase for a few hundred thousand employees in 1938 and 1950 to 15¢ an hour average increases for two million employees in the most recent legislation. These increases would have come in most cases within two to four years after the time they did come since the wage rates of low paid employees have been rising at a pace ranging between 3 and 10 per cent per year and averaging more than 4% per year.

What the minimum wage amendments have done is to jump rates in the year of application. Very slow rates of increase then occur in the years following the jumps. The total increase differs little between the industries affected by minimum wage increases in 1950 and those not affected in the longer period within which the 1950 minimum wage increase occurred. This was repeated in the case of the 1956 increase.

If all that happened as a result of the minimum wage statute was a change in the timing of wage rate increases, there would be little to concern us. However, in the interval between the time that the minimum wage is raised and the time that productivity catches up with the earlier increase, tens of thousands of people are jobless, thousands of businesses fail which are never revived,¹⁵ people are forced to migrate who would prefer not to, cities find their slums deteriorating and becoming over-populated, teen-agers are barred from obtaining the opportunity to learn skills which would make them more productive, and permanent damage is done to their attitudes and their ambitions. This is a very large price to pay for impatience.

FOOTNOTES

¹ Presented before Faculty-Student Seminars at Fisk University and Tennessee Agricultural and Industrial University, October 25, 1967 and Hampton Institute, November 29, 1967.

² George Stigler, "The Economics of Minimum Wage Legislation," American Economic Review, June 1946.

³ It has been argued that unemployment increases in the month of the minimum wage increase from the month preceding because inventories are built to abnormally high levels before the minimum wage increase in order to beat the cost increase. However, this argues that additional employees are available at the previous wage below the minimum and, therefore, the labor market for low wage skills is not nonoptimistic.

⁴ While the ratio of non-white to white teen-age unemployment rose from 1.8 (1956) to 2.5 (1967), the ratio of non-white to white unemployment in other age groups little affected by minimum wage rates declined from 2.4 (1956) to 2.1 (1967) for men and 2.1 (1956) to 1.8 (1967) for women.

⁵ Employment Enterprises Development Corporation of Ann Arbor, Michigan, which devotes itself to training the hopelessly unemployed who cannot qualify for Government job training programs, finds that on-the-job training is much cheaper and more successful than the expensive instructional courses used in the Federal Manpower Development and Training Act programs. Roger Rapaport, "Wanted in Ann Arbor: 'Unemployables,'" Wall Street Journal, June 1, 1967.

⁶ "In Mississippi Delta, More Pay Means Less Work."

⁷ "Last Section of 1961 Minimum-Wage Law Takes Effect: Brunt is Felt in Southeast."

⁸ "How Wage Law Hit Small Shop."

⁹ "New Wage Floor: Retail Clerks May Not Get Expected Benefits After Coverage Sunday."

¹⁰ October 1957.

¹¹ H. M. Douty, "Minimum-Wage Regula-

tion in the Seamless Hosiery Industry," Southern Economic Journal, VIII.

¹² J. Shister points out that the drop in employment in seamless hosiery plants paying less than the minimum was offset by a rise in employment in plants paying more than the minimum between 1938 and 1940. However, he fails to take into account the fact that total demand for seamless hosiery rose between 1938 and 1940 (by 7%) because of cyclical recovery in the economy following a shift in monetary policy and that employment in the industry would normally increase in these circumstances instead of falling. Also, he fails to count those who lost their jobs in the mills that shut down. Even considering only the 91 mills that were still operating in September 1940 among the 97 mills which had been surveyed in September 1938, there was a 2.9% drop in employment (without adjustment for increased output) among these mills. Economics of the Labor Market, p. 325.

¹³ Yale Brozen, "Minimum Wages and Household Workers," Journal of Law and Economics, October 1962.

¹⁴ M. Reder, "The Theory of Occupational Wage Differentials," American Economic Review, December 1955. P. Keat, "Long-Run Changes in Occupational Wage Structure, 1900-1956," Journal of Political Economy, December 1960.

¹⁵ D. Kaun, "Minimum Wages, Factor Substitution and the Marginal Producer," Quarterly Journal of Economics, August 1965.

Hidden Enemies of the Family Farm

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Tuesday, March 26, 1968

Mr. METCALF. Mr. President, on November 1, I introduced S. 2613, a bill to amend the Internal Revenue Code to prohibit persons who are not bona fide farmers from using losses incurred in their farming operations as an offset to income from other sources. Since its introduction, companion legislation has been introduced in the House and referred to the Ways and Means Committee for its consideration.

On March 19, my colleague and good friend from South Dakota, Senator McGOVERN, addressed the National Farmers Union convention in Minneapolis, Minn., on this very subject. Senator McGOVERN, a cosponsor of S. 2613, made some very important observations to those assembled at the convention that are well worth sharing with the rest of our colleagues in the Senate. For that reason, I ask unanimous consent that his remarks at the convention be printed in the extension of remarks.

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

HIDDEN ENEMIES OF THE FAMILY FARM

(Remarks of Senator GEORGE MCGOVERN, of South Dakota, at the National Farmers Union convention in Minneapolis, Minn., March 19, 1968)

If I were a Martian who had been asked to rocket over to earth and address a farm meeting in the United States of America this evening, there would be one chance in ten that I should open by saying: "Mr. Chairman, and members of the Board."

A little more than 10 percent of agricultural production in this country is now by corporations.

There would be about twice as much chance, one in five, that I should open by saying: "Mr. Mayor, and residents of urban America..."

Out of 3 million farm income tax returns in 1965, there were 680,000 or 22 percent filed by people who deducted farm losses from non-farm income and still had some income tax to pay on their non-farm income. That included 86 percent of all persons who paid on \$1 million income or more, 84 percent of those who had \$500,000 to \$1,500,000 income, and 73 percent of those with \$100,000 to \$500,000 income.

Since I dwell on earth, in Farmers Union country, and I know that you want to discourage corporate farming, and urban tax-loss farming, I shall greet you as my Farmers Union friends, and salute you for what your great organization is attempting to accomplish. In the process of eliminating unfair competition for family farming from corporations and urban tax avoiders, you will not only serve yourselves well, but you will also save Uncle Sam 200 to 400 million dollars of tax revenues by plugging a major tax loophole.

I have been looking into the changing pattern of agriculture because I share your concern over the social consequences of liquidating family farms. I have run into a few facts which might very well change our concern into alarm about what is happening to American agriculture.

This nation of ours had three patterns of agriculture in its early history. First, we had family farms in the North and East. Secondly, we had Southern plantations operated with slaves. Thirdly, out in the Southwest we had some estancias owned by holders of large Spanish grants and worked by peons who, while supposedly free men, were actually enslaved by low wages and poverty. One of the early Congresses wisely chose family farming for the American pattern when it decided to release public lands for settlement in quarter sections and rejected a proposal to sell or grant million-acre tracts.

We have had many serious social and political problems as a consequence of the two "big agriculture" patterns, including a Civil War, riots in ghettos, and violence on the large fruit and vegetable farms of the Southwest as impoverished field hands sought decent wages, housing, and living conditions.

We have built a sturdy nation out of the strength and the capital generated by our family farmers, whom Thomas Jefferson described as "the most precious part of the state."

Only in recent years, and particularly in the last three decades when farm numbers have declined from 6.8 million to 3 million, have we seen a weakening of our basic commitment to family farms. We still have the 160 acre limit in reclamation law, pretty badly battered and stretched, as Angus McDonald will tell you. There are still acreage limitations in public land laws, but they are of no practical consequence for land suitable for homesteading was long ago taken up. While we have not eliminated the symbols of our commitment to family type agriculture, neither have we shown enough concern over the trend toward corporation, absentee, or tax-loss farming by wealthy urbanites.

We are all indebted to the Farmers Union for directing attention to the corporate and tax aspects of the farm problem. It is becoming increasingly clear that our tax structure as well as technology has something to do with the decline of family farms. Whether the cause is technological advances, or tax loopholes, it is time for us to ask some very searching questions about both the social and economic costs of driving farmers out of farming into crowded cities. We are told those cities already need a trillion dollars worth of improvements to bring their housing, transportation and public services up to acceptable levels.

It is a cardinal rule of speechmaking not to use statistics. But I am going to risk some statistics Senator Lee Metcalf and I have obtained on corporate farming, and tax-avoidance farming, which we think deserve close attention from both the public and Congress. As long as I am going to break the rule about using figures, I am going to do it up thoroughly. You won't remember them all. But I believe you will get their import and that they are so important they will soon be available in print so you can refresh your memory on them.

The Internal Revenue Service will soon publish a Source Book of Statistics of Income which will contain for the first time a table on corporations whose principal business is farming. It doesn't include big food companies that farm as a minor part of a processing, or distributing, or manufacturing business. Such farming operations can be mighty big, of course, and still be a minor part of a chain operation. The table analyzes only the returns of the 17,578 corporations which are primarily farm operators. They have total assets of over \$5 billion and had gross receipts in the 1964-65 fiscal year of \$4.3 billion. The total gross income of all farmers in the United States, including government payments and the value of farm perquisites such as use of the house and home produced foods, was \$42.2 billion in 1964, according to the Department of Agriculture. That makes the corporate gross of \$4.3 billion a little more than 10 percent of the total gross income of all farmers in the United States that year.

One might conclude that if the number of corporate farms in the United States were multiplied by 10, to about 175,000, they could take over production from our remaining 3,000,000 farmers, but that really wouldn't be a very meaningful projection. There is another which might be made.

Of the 17,578 farm corporations, as of June 30, 1965, roughly 5,000 of them have assets under \$50,000. Another 9,000 have assets between \$50,000 and \$250,000. Around 3,500 have assets between one-quarter and a million dollars. There are 766 with assets over a million dollars, 34 more with assets over \$5 million, 21 with assets over \$10 million, 7 with assets over \$25 million, one with assets of \$50 million, another with assets of \$152 million, and one great giant with assets of \$293 million.

The big fellow—the farming corporation with nearly \$300 million in assets dramatizes how the corporation operates.

This one farming corporation had total gross receipts of \$432 million. That was more than 1 percent of the total gross receipts of all the farmers in the United States in 1964. One hundred corporations like this one already in existence would equal the operations of all the 3 million remaining family farms. Of course, the members of 100 boards of directors would have trouble milking enough cows to feed the Nation. But, they could hire milkers, and we are rapidly moving toward a society of employees, instead of independent entrepreneurs. Of one thing I am sure: if American agriculture is ever concentrated in the hands of 100 corporations, or 1,000, or even 10,000, the consumers in the United States who worry so much about farmers getting a little more money for their produce will be relieved of their worries; they will all have apoplexy! We will have managed prices, and the 5 percent of consumer income which now goes to the farmers of America will become as archaic as nickel hamburgers, new Ford cars at \$495, or new tractors at \$700.

The gross income of that one big farm corporation was greater than the total gross farm income, including home consumption of foods and rental value of buildings, of all the farmers in each of more than a dozen States. It was more than half the gross income of all of the farmers in South Dakota, or North Dakota, or Tony Dechant's State of Colorado.

It is an interesting fact that this one big

farm corporation paid only \$970,000 of federal tax as a result of its \$432 million gross. The table shows that it had \$232 million "cost of sales and operations," but it also listed \$11 million in repairs, \$17 million depreciation, \$3½ million for advertising, over \$5 million pensions and employee benefits, and an amazing \$127 million of "other deductions" not itemized in the table. It showed a net income of only \$3,194,000 out of a \$432 million gross, and after special deductions they didn't have anything that was taxable except \$3,880,000 of long term capital gains at the maximum 25 percent capital gains tax rate.

Out of all of the 17,578 farm corporation tax returns only 9,244 had taxable income. They wound up with only \$199 million of income subject to tax out of \$4.3 billion gross receipts. They owed \$74 million of income tax for the year but they took about \$5 million investment and foreign tax credits. So they finally paid Uncle Sam as corporation income tax about 1½ percent of the \$4.3 billion they grossed.

Because the figures I have been citing are new, I cannot tell you what is the trend, or growth, in the corporate share of farm production. The Internal Revenue Service heretofore has published a combined "minor industry" figure lumping the extractive industries, agriculture, forests and mining. We now have for only one year, 1964-65, the data on corporations whose major source of income is farming, which I have been quoting. I have joined Senator Metcalf, who is on the Senate Finance Committee which handles tax bills, in asking for additional data covering corporations which run farms, feedlots, ranches or other agricultural production operations as a minor sideline, perhaps to switch non-farm income into capital gains. These figures are not available yet.

Some of the income of the corporations I have discussed would be nonfarm. The bulk is from farming, however, and the tax experts assure me that the farming operations of other corporations not included because it was a minor activity, indicates that at least 10 percent of gross farm income goes to corporations.

The federal tax people are beginning to take a closer look at the practice of avoiding payment of income tax through investment in farms by corporations as well as individuals; so we are going to get further data on the tax avoidance subject.

We have already obtained some new data on the extent to which individual income taxpayers—individuals as contrasted with corporations—avoid high income tax rates by establishing farm losses which are later recaptured as capital gains. Senator Metcalf late last year called attention to the fact that 381,000 residents of our 85 biggest cities filed farm returns in 1965. Those figures showed that "Farmers" in Los Angeles, claimed \$42 million more in losses than profits from farming, while the "Farmers" in nearby Anaheim said they lost \$6 million on farms.

The "Farmers" in Dallas, Texas, claimed \$10 million net farm loss, Houston "Farmers" lost another \$20 million, Fort Worth \$5 million, and San Antonio \$5 million.

The "Farmers" who dwell here in Minneapolis and St. Paul, possibly because they own fewer oil wells, only claimed \$½ million more in farm losses than profits.

In thirty-five of those 85 biggest cities, and in the entire States of California, Louisiana and Nevada, the farm loss claims exceeded farm income reported. The Department of Agriculture says that net farm income in California was \$896 million in 1965, but taxpayers in the State reported to the Internal Revenue Service that they lost \$6 million more than they made.

This can only mean that a lot of high income urban residents were in the business of farming to convert ordinary income, taxable up to 70 percent into capital gains, taxable

at a maximum of 25 percent. Well-to-do urban residents who make a good deal more on tax avoidance than a farmer can make from production amount to subsidized, unfair competitors for bona fide farmers. They are little concerned about the price depressing effect of their production. They can pay much higher prices for land, "double-cropping" it as they do, than the farmer who must make his living only from his produce.

The Internal Revenue Service recently supplied me with a new table which is intended to indicate the total amount of farm losses being claimed by non-farmers to offset non-farm income. It shows that 661,000 taxpayers in 1964 deducted \$1,016,000,000 from non-farm incomes, and that 680,000 in 1966 deducted \$1,036,000,000, and still had non-farm income left over on which taxes were due. We don't know how many non-farmers hid all their non-farm income with farm losses, paying no taxes at all. Available statistics on such returns include both farmers and non-farmers, if a return was filed at all. We do know that persons in the higher income brackets were claiming the largest farm losses. In 1964 there were 76 individuals with incomes over \$1 million who claimed \$4½ million in farm losses, or nearly \$60,000 each on an average. They would have had a tax savings of about \$40,000 each, which would be a mighty good living by itself for any of us at this convention.

Tax officials have given me a "curbstone" judgment that \$200 million of ordinary individual income tax is being avoided yearly by those nonfarmers who are able to charge off a part of their non-farm income by establishing farm losses.

When we are able to segregate and add the taxes avoided by non-farmers who manage to charge off all their non-farm earnings supposed farm losses, the total tax avoidance may be twice \$200 million. So we are looking at a major tax loophole as well as a system for putting bonafide farmers out of farming and closing the stores, churches, schools and rural communities which farmers build and support.

There are now probably less than 3 million farms in the United States. There were 3,057,000 on January 1 according to the Department of Agriculture. They are declining at a rate of 80,000 to 100,000 a year.

We have fewer farms than anytime since 1872—nearly a century ago when farm numbers in our growing nation moved above 3 million on the way to a peak of 6.8 million in 1935.

It is already too late to save a major remnant of our farm units; 56 percent of the 1935 peak are already gone.

It is high time that we decide whether we are going to continue the tax loopholes and accept as inevitable the trend now destroying our last major stronghold of independent enterprise, or will we plug the tax loopholes and make technology serve society instead of further degrading it.

We need to take a careful look to determine whether the new society toward which we are heading—a sort of corporate collectivism with a managerial elite and millions of jobholders—is what we really want for a land of free men.

It isn't what I want, and I know it isn't what you want.

The Scientific and Technological Impact of NASA; Cathedral High School Science Workshop

HON. EDWARD P. BOLAND
OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. BOLAND. Mr. Speaker, the research carried out under the National

Aeronautics and Space Administration is providing a stimulus to almost every field of scientific and technological inquiry.

Hiram R. Haggett, education director of NASA, points out that the research programs aimed at putting a U.S. astronaut on the moon are generating scientific knowledge and techniques useful throughout our society.

Speaking before a science workshop held March 23 at Cathedral High School in Springfield, Mass., Mr. Haggett emphasized that 90 cents of every dollar spent in the space program "accrues to the benefit of the Nation and the benefit of mankind."

The 1,200 students taking part in the workshop, the eighth that Cathedral High has sponsored in as many years, demonstrated by the sophistication of their research papers the effect the space program has had on science education alone.

The Springfield Republican and the Springfield Daily News both carried articles outlining Mr. Haggett's talk before the science workshop. With permission I include these articles in the RECORD at this point:

[From the Springfield (Mass.) Daily News, Mar. 23, 1968]

HS SCIENCE WORKSHOP: NASA DIRECTOR TELLS STUDENTS "IT'S UP TO YOU"

(By Lee Mullane)

Stripping the national space program of its glamour, a National Aeronautics and Space Administration (NASA) educational director delivered a straight-from-the-shoulder account of its worth today before 1200 high school students participating in the eighth annual High School Science Workshop at Cathedral High School.

"Telling it like it is" Hiram R. Haggett, NASA director of education at the Cambridge office, called astronauts "future taxi drivers" and emphasized the total NASA program.

CAREER POTENTIALS

"In a few years the scientists and technologists will emerge as the key figures in our space effort," Haggett said.

Stressing the effect the national effort in space will have on the students in his audience, Haggett told of the career potentials immediately affected by the requirements of space.

"In the field of medicine," he said, "hospitals will be using the same monitor technique now installed in spacecraft for recording the heart beat and respiration of the astronaut."

"Using the same electronic techniques, a hospital can administer to a whole floor of patients. One nurse can watch 100 patients at once. She would almost be able to project when a patient needs care, before he knows himself—by watching a monitor board."

CONTROL RATE

The heart beat regulator is an outstanding application of astronaut monitoring, the NASA spokesman continued. Reversing the process now used in space travel, a doctor can use an electronic apparatus to send impulses to the heart to control the rate of the pulsation.

Haggett reminded students that their stereo systems are now superior because of circuitry developed in space craft.

"Because of research in the field of space travel, more has happened there than people realize."

He noted that battery-powered machine tools, power drills, saws, are results of NASA. "Technology is doubling every year," Haggett said. "Tomorrow everything may be different."

Hammering his point home, the educa-

tional director said, "To survive you will have to keep on learning, every day."

HEAVY BACKUP

"Your future and the future of this country depend on your attitude toward research and development. Science is pure. Its application can be constructive. That is up to you."

Although emphasizing the value of higher education, the speaker said that increased technology is providing more opportunities for the high school graduate.

"There is a heavy technological backup emerging as a result of research completed by the college trained scientists. For every scientist there are 10 technologists performing supplementary functions which employ knowledge they have acquired on the job."

Following his talk, Haggett listened in on a few of the 19 seminars in which the students from 37 high schools in western and central Massachusetts and northern Connecticut discussed research problems and current scientific fields.

DRUG RESEARCH

Two students presented research papers during the afternoon session. Timothy Anderson of Cathedral High School read his thesis on "The development of a method of plastic analysis through beta particle backscattering, and Catherine Collins of Marion High School, Worcester, read her work on "Effects of drugs."

Taking part in the workshop were the following high schools: Holy Name, Chicopee; Holyoke Catholic; Holyoke; MacDuffie School for Girls; Sacred Heart; Marion, Worcester; St. Joseph, North Adams; and Cathedral. Sister Dorothy Mathias of the Cathedral High School science department was director.

[From the Springfield (Mass.) Republican]
YOUTHFUL CATHEDRAL SCIENTISTS TOLD NEW
WORLDS AWAIT THEIR EXPLORATION

(By George Robillard)

"There's not a second to waste combing your beards!" Hiram R. Haggett, educational programs director of the National Aeronautics and Space Administration, told 1,400 students and teachers gathered in Cathedral High School from 10 schools Saturday for the eighth annual Science Workshop.

Haggett, here from Washington as keynote speaker, emphasized the "tremendous by-products" of the country's space program over and above space exploration. He said 90 cents out of every dollar spent "accrue to the benefit of the nation and to the benefit of mankind" in by-products. He cited such discoveries as the use of the rocket fuel hydrazine in the treatment of mental disease and the miniaturization of electronic circuitry as just two of many benefits.

From this miniaturization, full-performance radios the size of a period point have been developed and controls devised to fit on contact lenses to allow paralyzed patients to control wheelchairs simply by blinking their eyes. He claims this to be the most exciting era in world history, with no time to waste if an apparently limitless field is to be explored to its fullest.

If the N.A.S.A. representative's opening address was inspiring to students—as response indicated—so was the impressive list of science seminars chaired by students under the engineering hand of Sister James Francis, S.S.J., Science Department chairman.

"The trend is away from the 'Science Fair' type display of a few years ago, to concentrate on the seminar and research paper approach in over 20 specialized fields of science," according to Sister Dorothy Mathias, S.S.J., chairman of the program.

"The students have completed research, compiled the papers and devised the illustrative techniques on their own with no direct instruction and a minimum of supervision," Sister Dorothy Mathias said.

Among the seminars conducted in the va-

rious instruction halls with the "interest level" indicated for the age groups in attendance were: Cancer, interest level—general, Karen Krzyminski, chairman; Digital Computer Programming Techniques—interest level—general, Charles Duquette, chairman; The Prospect of Immortality-Cryogenetics—interest level—10 through 12 grade, Ronald Ware, chairman; Cryobiology—interest level—general, Steven Quintori, chairman; Comparative Vertebrate Anatomy—interest level—general, Robert Brodeur, chairman; Development and Use of Apparatus for Measuring Metabolism in Laboratory Mice—interest level—general, Karen Menders, chairman; Properties of Complex Ions—interest level—10 through 12 grade, Timothy Cutler, chairman; Science Defined—interest level—9 through 10 grade, Milton M. Post, chairman; Experimental Techniques—interest level—8 through 9 grade, James Demers, chairman; and Diversified Applications of Ionizing Radiation—interest level—10 through 12 grade, Thomas Anderson, chairman.

Following lunch, illustrated student research papers were presented in the auditorium by Thomas Anderson on Development of a Method of Plastic Analysis through Beta-particle Backscattering, and by Thomas Cardaropoli on the Effect of Gamma Radiation on Daphnia.

Afternoon seminars included: Questionnaire Analysis of Three Teenage Problems—interest level—general, Jane Marie Welch, chairman; Causes, Diagnosis and Treatment of Asthma—interest level—general, Marcia Soisburg, chairman; Can D. O. P. be Taught?—interest level—general, Theresa Skehan, chairman; Caution: Breathing May be Dangerous to Your Health—interest level—general, James Murray, chairman; Photosynthesis—A Marvel of Plant Life—interest level—general, Jane Powers, chairman; Space Biology—interest level—general, Peter Backus, chairman; Life Before Birth—interest level—general—Ellen Fay, chairman; The Expanding World of Chemical Photography—interest level—general, Ann Oriltzki, chairman; and Electricity and Electronics for Everyone—interest level—general, Jason Mallette, chairman.

Participating schools were: Holy Name High School, Chicopee; Holyoke Catholic High School, Holyoke; Holyoke High School, Holyoke; MacDuffie School for Girls, Marian High School, Worcester; Sacred Heart High School; St. Joseph's High School, North Adams; and host school, Cathedral High School.

Student chairman for the program was Timothy P. Cutler '68 and the welcoming address was given by the Rev. Edward J. Kroyak, director, Cathedral High School.

Byelorussian Independence Day

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Tuesday, March 26, 1968

Mr. JAVITS. Mr. President, yesterday marked the 50th anniversary of the Byelorussian Independence Day—an anniversary of great importance for American citizens of Byelorussian descent. They are a loyal group who have been doing everything they can to protest Soviet oppression and to regain the independence and freedom of Byelorussia.

The Most Reverend Archbishop Vasili, of the Byelorussian Autocephalic Orthodox Church, spoke most eloquently when he delivered the opening prayer in the Senate. Because the flame of freedom burns brightly in Byelorussian

hearts, in spite of harsh restrictions, deportations, imprisonments, and other repressive measures, and because their hope for independence is still strong, it is important that the United States keep alive this hope of freedom for the long-suffering Byelorussian people, and on behalf of the freedom of all the peoples of the captive nations.

Possible End of Tax Exemption for Industrial Revenue Bonds

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. BLACKBURN. Mr. Speaker, recently the Internal Revenue Service announced that it was revoking the tax-exempt status of industrial development bonds.

Georgia and many other States of the Union have benefited from the tax-exempt status of industrial development bonds. These bonds have helped create new jobs for hundreds of thousands of Georgians by attracting new industries.

Gov. Lester Maddox sent a telegram to me outlining the benefits which industrial development bonds has brought to Georgia. For my colleagues' information, I am inserting the following telegram into the RECORD:

MARCH 7, 1968.

It is my understanding that the Treasury Department will propose very soon, by administrative ruling, to end the tax exempt feature of revenue bonds, and possibly general obligation, for industrial development purposes.

My information is that this date may be March 15th.

Such a ruling will gravely affect Georgia in obtaining new industry and expansion of existing industries in the state. For your information, since 1960, the total value of bonds issued in Georgia has been approximately \$212 Million with 74 issues, creating over 14,000 new jobs with an estimated additional payroll of \$43 million. Already, in 1968, we have over \$13 million in two issues and there are many more in the offing.

The following is a listing of issues of industrial revenue bonds by Congressional Districts:

ADDITIONAL BOND
[Dollar amounts in thousands]

District	Bond issues	Jobs created	Payroll	Value
1st.....	9	3,105	\$8,030	\$22,510
2d.....	17	3,295	4,417	59,581
3d.....	9	1,229	5,220	4,375
4th.....	1	100	500	2,500
5th.....	None			
6th.....	9	1,977	7,426	30,080
7th.....	3	748	3,050	8,850
8th.....	14	1,070	5,560	26,936
9th.....	8	1,425	3,620	16,250
10th.....	4	1,078	5,263	40,225
Total....	74	14,027	43,086	211,307

NOTE.—14 Companies did not report payroll figures. I am of the positive opinion that if industrial revenue bond financing with its tax free exemption is ended, our industrial expansion will be severely and gravely curtailed. I request that you make every effort possible to block the treasury department's actions and all other similar actions on this matter.

LESTER MADDOX,
Governor of Georgia.

The NLRB

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES
Tuesday, March 26, 1968

Mr. GRIFFIN. Mr. President, I ask unanimous consent that a statement I presented this morning before the Subcommittee on Separation of Powers of the Judiciary Committee be reprinted in the Extensions of Remarks of the RECORD.

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

STATEMENT OF U.S. SENATOR ROBERT P. GRIFFIN, BEFORE THE SUBCOMMITTEE ON SEPARATION OF POWERS, COMMITTEE ON THE JUDICIARY OF THE U.S. SENATE, MARCH 26, 1968

Mr. Chairman and members of the subcommittee, first, let me commend the subcommittee for undertaking this study. It is long overdue.

I fervently hope that your important work will serve not only to focus attention upon a very serious problem, but also that it will prove to be a significant step in reversing what has become a dangerous trend. I refer, of course, to the continuing, accelerating usurpation of legislative power by the executive branch and by the administrative agencies in defiance of the fundamental concept of separation of powers which undergirds our system of government.

Your choice of the National Labor Relations Board as the first agency to be studied is particularly appropriate. Since enactment of the 1959 Labor-Management Reporting and Disclosure Act (often referred to as the Landrum-Griffin law), I have followed the decisions of the NLRB with more than a passing interest.

I regret to say that it became apparent to Congressman Landrum and me, soon after enactment of the bill which bears our names, and particularly after the appointment in 1961 of two new Board members, that our efforts to close certain loopholes in the Taft-Hartley Act were being frustrated.

We were so disturbed, in fact, that we took the floor of the House of Representatives on April 10, 1962, and delivered a joint statement to call attention to the developing pattern of Board decisions which were so obviously undercutting the purposes of Congress. Some of the remarks I made then are just as timely this morning:

"If the Constitution made anything clear, surely it is that policymaking is primarily the function of Congress.

"The pattern of * * * decisions by the NLRB has given rise to a serious concern that policies laid down by Congress, in the Taft-Hartley and Landrum-Griffin Acts, are being distorted and frustrated, to say the very least.

The decisions themselves are startling enough. However, when viewed in the light of some * * * extrajudicial pronouncements by Board members, there is reason to wonder whether the NLRB—which was created by Congress—even concedes the Constitutional authority of Congress to legislate and establish policy in the labor-management field.

"For example, my attention has been called to a press release issued February 10, 1962, by the National Labor Relations Board. It is entitled 'Member Brown Views Labor Board as Policymaking Tribunal.'

"The press release referred to an address * * * by Mr. Brown in which he said, simply and plainly: 'In my view the Board is unquestionably a policymaking tribunal.'

"In discussing decisions handed down since he came to the Board, member Brown said on that occasion:

"The present Board has freed itself from the self-inflicted dedication to *per se* rules.

"Fixed rules are easy to apply and provide the parties with knowledge upon which to predicate their actions. These are desirable results and must, of course, be accorded some weight. Certainty necessarily follows from the implementation of mechanistic rules, but it is a superficial certainty destined for disrepute."

"When read in the light of its * * * decisions, this extra-judicial pronouncement seems to articulate quite candidly an attitude on the part of some Board members which indicates very little regard for either the policymaking role of Congress or the doctrine of *stare decisis*.

"Let there be no mistake about the fundamental issue, then, which underlies our discussion here today. The issue concerns responsibility for determining public policy."

Mr. Chairman, in that statement before the House we went on to review a number of Board decisions which had ignored or circumvented the clear language of the 1959 Act and the intent of Congress in enacting it.

On June 18, 1963, Congressman Landrum and I felt compelled to take the floor of the House of Representatives a second time to focus attention again upon the obvious and determined efforts of the Board to re-write the law which we had co-authored.

Mr. Chairman, I have copies of both of the statements to which I have referred, and I submit them this morning as part of my testimony before the subcommittee.

At that time, our documented charges against the NLRB evoked some reactions of surprise and shock. However, since then, I must say that the attitude and bias of the Board have become almost a matter of common knowledge. For example, the well-known TV newscaster, David Brinkley, made this comment one evening in 1966:

"The NLRB is supposed to be an unbiased adjudicating body, something like a court. It usually behaves like a department of the AFL-CIO, and is about as neutral as George Meany."

In the minds of some, any criticism of the NLRB is casually dismissed as just part of a power struggle going on between big business and big unions. Nothing could be further from the truth. More often, those who actually suffer from the distorted and twisted rulings of the Board are the individual workers, small unions, small businessmen and the public at large.

Let me turn to some examples:

Richard Price, a 33-year-old veteran and father of five children, began working back in 1951 as a helper at Pittsburg-Des Moines Steel plant in Santa Clara, California. Price did not object when a union shop contract required him to join the United Steelworkers. Advancing job by job, Price finally became a crane operator. But as the years passed, he became disillusioned with the Steelworkers union.

Price not only dared to voice his opinion, but one day he drove 50 miles to the National Labor Relations Board's San Francisco office seeking some advice. Assured by a government lawyer at the NLRB that he had every right under the law to circulate a decertification petition, Price returned and proceeded to seek support among his fellow employees for a move to replace the Steelworkers local with a different union.

The leaders of the Steelworkers local reacted immediately and scheduled a June 1964 meeting to put Price on trial for "undermining the union". Gaveling down a request for a secret ballot vote, the local president called for a show of hands. With less than a third of the local's membership present and voting, Price was "convicted" by a vote of 20 to 15.

Thereupon, Price was suspended from the union, fined \$500, and charged the cost of his trial. Price then filed a charge with

NLRB and asked for its protection. While awaiting help from the Board, Price stated that he found himself the target of continued harassment.

Finally, Price's case was decided, but the NLRB gave Price no help and no protection. The NLRB's decision conceded that under the law Price had a "right" to file the petition as he did. Nevertheless, the Board held that the union's "disciplinary action" against him was permissible. *Richard Price v. NLRB and United Steelworkers of America, AFL-CIO #4208, 154 NLRB 692.*

As I said in a law review article in 1962:

"If there is a single, most important principle underlying the complex of labor laws enacted by Congress, surely it is the principle that workers should be free to choose collectively whether or not they wish to be represented by a particular union, or by any union.

"A cardinal objective of the the Wagner Act was to guarantee this freedom from coercion on the part of employers. With enactment of Taft-Hartley in 1947, Congress evidenced a balancing concern about coercive union practices * * * which interfere with the freedom of workers to make such a choice."

One would think that where the statutory right of employees to choose their bargaining representative came in conflict with the power of a big union to impose discipline, the Board would recognize the right of the employees. But *Price* and a long line of decisions has demonstrated that when employees' rights and union power come in conflict, the employee gets trampled on.

Consider the treatment meted out to a group of United Auto Workers members at Wisconsin's huge Allis-Chalmers Manufacturing Co. On February 2, 1959, thousands left their plant to attend a strike vote meeting, only to see pickets already marching. There was testimony that the strike vote meeting which followed was a sham, and that anyone who was opposed to strike action was hooded down.³

When more than 170 union members refused to engage in the strike, the UAM proceeded to place the non-striking workers on trial, and assessed fines against them ranging up to \$100.

Non-striking workers then filed charges with the NLRB against the union for violating workers' rights guaranteed by Section 7 of the Act. Although the NLRB conceded that the union's action was "coercive", it decided that the union fines were legal and amounted to an "internal matter."⁴

As the subcommittee knows, Section 7 of Taft-Hartley, as amended specifically gives employees the right to engage in concerted activities and " * * * the right to refrain from any and all such activities."

Section 8(b) (1) (A) of the Act makes it an unfair labor practice for a union to "restrain or coerce" employees in the exercise of rights guaranteed by Section 7.

A proviso to Sec. 8(b) (1) (A) preserves the right of a union " * * * to prescribe its own rules with respect to the * * * retention of membership therein."

Both the *Price* case and *Allis-Chalmers* turned on the interpretation of the proviso to Sec. 8(b) (1) (A).

In *Price*, the Board could have ruled that the proviso gives a union the power to prescribe rules, and to impose discipline for a breach thereof, so long as such rules do not conflict with rights specifically conferred by the Act upon employees. In *Price*, it can be said that there was a conflict between two provisions in the Act, one conferring rights on the employee and the other granting power to the union. The Board bowed to union power.

In *Allis-Chalmers*, there was not a clear conflict between two provisions of the Act.

As already indicated, the proviso to Sec. 8(b) (1) (A) preserved only the power of a

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union to prescribe its own rules " * * * with respect * * * to the retention of membership therein."

Upon carefully reading the Act, any worker would reasonably conclude that by exercising his right "guaranteed" by statute to "refrain" from engaging in a strike and going to work—which at the same time would be a violation of union rules—he might subject himself, at most, to a loss of membership in the union.

However, in *Allis-Chalmers* the union did not attempt to expel from membership the workers who dared to go to work. Instead, it levied fines and brought proceedings in court to compel payment of the fines.

In *Allis-Chalmers*, the Board was confronted with a choice between (1) protecting the employee's statutory right to refrain from engaging in a strike and going to work, or (2) extending by its own interpretation the meaning of "retention of membership" to give the union the power not only to expel from membership but also to impose and collect fines. Of course, the Board bowed again to union power.

The Board's ruling in *Allis-Chalmers* is particularly disturbing in light of the legislative history indicating clearly what the framers of the Act intended. As Justice Black of the U.S. Supreme Court pointed out in his dissent, some of the Senators who opposed Sec. 8(b)(1)(A) expressed their concern during the debate that the provision would impair the effectiveness of strikes. Addressing himself specifically to that concern, Senator Taft replied:

"It would not outlaw anybody striking who wanted to strike. It would not prevent anyone using the strike in a legitimate way * * * All it would do would be to outlaw such restraints and coercion as would prevent people from going to work if they wished to go to work." CONGRESSIONAL RECORD, vol. 93, p. 4436.

At another point in the debate, referring to Section 7 of the Act, Senator Taft said this was amended (to include the right "to refrain" from engaging in concerted activities) in order " * * * to make the prohibition contained in Sec. 8(b)(1) apply to coercive acts of unions against employees who did not wish to join or did not care to participate in a strike or picket line." CONGRESSIONAL RECORD, vol. 93, p. 6859.

Obviously, the Board has so twisted the law that it now operates in a way which is exactly contrary to the intent clearly indicated by Senator Taft.

It is true that in the two cases cited, *Price* and *Allis-Chalmers*, the ruling of the NLRB was affirmed upon appeal to the courts. However, it should be borne in mind that many Board decisions are never appealed because of the expense involved or because the issues become moot. Of course, even when a Board decision is appealed, there is no right to a new and unbiased hearing. On appeal a court is required to sustain findings of fact if supported by "substantial" evidence. And, too often, the appellate court defers to the supposed "expertise" of the NLRB in the labor-management field.

In 1959, had we any idea that Taft-Hartley would be construed to permit unions to impose coercive fines on workers as a means of nullifying their rights guaranteed by Section 7, we would have attempted to add an appropriate amendment at that time. However, we were certain then, as was Senator Taft was certain in 1947, that the provisions of § 8(b)(1)(A) clearly prohibited unions from restraining or coercing employees in the exercise of their protected rights. We did provide in the Landrum-Griffin Act that it shall be unlawful for a union to "fine, suspend, expel or otherwise discipline" a member for exercising any right set forth in the "Bill of Rights" of the 1959 Act.

There are numerous examples of the way the NLRB has substituted its policies for those of Congress. Permit me to focus on two

more. I have chosen these two examples because I am personally familiar with the intent of Congress, having participated in the drafting of the statutory language in 1959.

The *Barker Bros. Case*, 138 NLRB No. 54 (1962), *rev. den.*, 328 F. 2d 431 (9th Cir. 1964), involved an interpretation of Section 8(b)(7), a provision added by the 1959 amendments. This section was written with the well-documented intent of halting a practice referred to as "blackmail organizational picketing", i.e., picketing by a union for the purpose of compelling employees to join the union and forcing the employer to recognize it. By its terms, Section 8(b)(7) prohibits "recognition" or "organizational" picketing unless a petition for an election is filed by the union within 30 days after such picketing commences. A proviso to that section was added in conference to make it clear that constitutional free speech in the form of purely informational picketing would not be affected if the picket signs are truthful and if such picketing does not hinder deliveries to or from the employer.⁵

The essential and undisputed facts in the *Barker Bros.* decision were that, without filing a representation petition, the union picketed an employer for more than 30 days (1) for the purpose of recognition; (2) with signs that were untruthful, and (3) with the effect of stopping or delaying deliveries and services to the employer on at least five (and probably more than fifteen) occasions.

Even if the picket signs had been truthful, which they were not; and even if there had been no interference with the deliveries, which there was, this organizational picketing (which was not informational picketing) and should have been enjoined as precisely the type of activity which Congress by Section 8(b)(7) sought to eliminate.

Nevertheless, the Board ingeniously managed to find a way to excuse the union's conduct. The Board admitted that the picket signs were not truthful but then said it found no evidence that anyone had been deceived. Of course, no evidence had been presented to show deception because the statute does not speak of deception—it speaks of truthfulness.

The Board conceded that the picketing resulted in delivery stoppages but then proceeded to ignore the statute on the ground that there was no showing that the delivery stoppages had disrupted business. Again, there was no such showing because the test laid down by Congress was "delivery stoppages"—not disruption of business.

The effect of the Board's decision in *Barker Bros.* and other cases has been to virtually repeal Sec. 8(b)(7), legalizing once again the practice of blackmail organization picketing.⁶

A more recent example of "legislating" by the NLRB can be found in the *National Woodwork* decision, 386 U.S. 612 (1967). In this case, the Board "legalized" boycott activity which Congress sought in the 1959 amendments to prohibit. I refer to the product boycott.

In the *National Woodwork* case, a carpenters union obtained an agreement with a contractors association which provided that contractors could not use precut and pre-fitted doors.

In order to outlaw such boycotts, Congress in 1959 added Section 8(e) to the Taft-Hartley Act.⁷ This new section makes it unlawful to enter in an agreement requiring an employer to refrain from handling the products of, or doing business with, any other employer.

Although the language of 8(e) is unambiguous and although the boycott activity in *Woodwork* clearly fell within its terms, the Board determined that it should nevertheless examine the legislative history to see if Congress meant what it said. Then, relying heavily on statements of those who opposed the 1959 Act—instead of those who wrote

and supported it—the Board proceeded to conclude that Congress actually didn't mean what it had said.⁸

Section 8(e) was included in the 1959 Act following a decision by the Supreme Court in the *Sand Door* case⁹ which held that an agreement allowing a union to refuse to handle prefabricated doors was a lawful, but unenforceable, contract under Taft-Hartley.

In 1959, we specifically pointed to the *Sand Door* case, and Section 8(e) was drafted to close a "loophole" created by that decision.¹⁰ The scope of Section 8(e) was discussed at great length during the debate in both Houses. As one kind of a practice we intended to prohibit, I recall referring to the *Burt Mfg. Co.* case, 127 NLRB 1629, which involved a refusal on the part of the Sheet Metal Workers Union to install products manufactured by the Burt Co.

In the *National Woodwork* case, the Board found that the product boycott was legal and not covered by Section 8(e) because the object of the agreement was "to preserve work" for employees covered by the agreement.

But, there is no reference in the statute to "work preservation" as an exception to the ban on boycotts.¹¹ This theory is nothing more than a Board-legislated proviso to Section 8(e).

The full reach of this theory is not yet fully disclosed for, although the Board initially talked only of "work preservation" in the sense of protecting work traditionally performed by members of a particular union, the Board is already busily engaged in broadening the concept to include "obtaining" or "reacquiring" work performed in the past. See, e.g., *United Association Pipe Fitters Local Union No. 455, et al.* (*American Boiler Manufacturers Association*), 167 NLRB No. 79.

It is important to recognize that in many cases where the NLRB "legalizes" the use of boycotts by certain unions, it does so at the expense of other unions. Generally speaking, work that is "preserved" for the members of one union is denied the members of another union who produce the boycotted product. And, of course, the public suffers because such practices restrain and restrict the use of more, efficient and less expensive methods of construction or production.

Over the years, the Board has clearly revealed a bias which works not only against individual workers and the public, but also against certain unions if their interests happen to conflict with favored unions. For example, an independent union rarely prevails before the Board if it dares to compete with an AFL-CIO affiliated union.¹²

Mr. Chairman, I hope the subcommittee will afford spokesmen for some of the fine independent unions in this country an opportunity to appear because I know their testimony would be illuminating.

As you realize, Mr. Chairman, I have barely scratched the surface. However, I know that you have many excellent witnesses scheduled.

As I have reflected on the pattern of Board decisions since enactment of Landrum-Griffin, I have come to the conclusion that the Board, as currently structured, is not an appropriate instrumentality to implement Congressional purpose in this field.

Perhaps the nature of the problem is best illustrated by the shifting interpretations of the law which the Board hands down on particular issues. In the *Bernel Foam* case,¹³ for example, the Board decided in 1964 that a union which had lost a representation election could nevertheless demand recognition on the basis of union authorization cards which it had obtained prior to the election. This ruling overruled an earlier Board decision in 1954 (*Aiello Dairy Farms*, 110 NLRB 1365), which in turn had overruled a 1951 decision (*M. H. Davidson Co.*, 94 NLRB 142). Such a trail of confusion and uncertainty is

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not unusual in this field presided over by the NLRB.

One commentator has pointed out that the Board's contract bar rule, which applies in connection with representation elections, has changed six times in 29 years. [Raoul Berger, 115 University of Pennsylvania Law Review 371 (1967)]. But the statutory purpose of Congress has remained constant throughout.

I know of no complete and exhaustive study of the shifts that have taken place in Board decisions from election to election. However, it is obvious that they have not been limited to any one Board.¹⁴

Mr. Chairman, the NLRB does not act like a judicial body because it is not a court. It is a politically appointed, politically oriented agency that is too close to political and other pressures. The terms of its members are too short. Two of the present Board members are not even members of the bar.

Mr. Chairman, I have concluded that the time has come to abolish the NLRB and to replace it with a U.S. Labor Court patterned after the U.S. Tax Court. As you know, I have introduced a bill (S. 1353) to achieve this purpose. I shall not take time this morning to discuss its provisions in detail. I concede its inherent weaknesses, and I admit that it may not be the ultimate or perfect answer to all problems in this field. But I commend this legislation to your subcommittee and to the full committee on Judiciary for consideration.

Thank you.

FOOTNOTES

¹ On November 23, 1964, the union withdrew the fine but left in effect all other penalties imposed on Price.

² The Court of Appeals affirmed the Board. [373 f.2d 443 (9th Cir. 1969)] Appeal to the Supreme Court is pending (No. 399, October term 1967.)

³ See *Local #248—United Auto Workers v. Benjamin Natzke*, County Court—Milwaukee County, Wisconsin, October 16, 1962, Case #514-292. The Union also contended in this case that an earlier "blank check" strike authorization vote justified the strike in question.

⁴ 149 NLRB 67 (1964).

⁵ Section 8(b) (7) (C). Section 8(b) (7) also prohibits organizational picketing (A) if another union has been lawfully recognized; or (B) if a valid election has been held within the preceding 12 months.

⁶ The Board openly admitted that it would not read the statutory language literally as this would "do a disservice to Congress."

⁷ It shall be an unfair labor practice for any labor organization and any employer to enter into any contract or agreement, express or implied, whereby such employer ceases or refrains or agrees to cease or refrain from handling, using, selling, transporting or otherwise dealing in any of the products of any other employer, or to cease doing business with any other person, and any contract or agreement entered into heretofore or hereafter containing such an agreement shall be to such extent unenforceable and void.

⁸ Mr. Justice Stewart pointed out in the dissent that: "The Court undertakes a protracted review of legislative and decisional history in an effort to show that the clear words of the statute should be disregarded in these cases. But the fact is that the relevant history fully confirms that Congress meant what it said, and I therefore dissent." (386 U.S. 612, dissenting opinion.)

⁹ *Local 1796, Carpenters, v. N.L.R.B.*, 357 U.S. 93.

¹⁰ CONGRESSIONAL RECORD, vol. 105, pt. 11, p. 14347.

¹¹ This term first appeared in *Teamsters Local No. 546 (Minnesota Milk Company)*, 133 NLRB 1314 (1961), and *Ohio Valley Carpenters District Council, etc. (Cardinal Industries, Inc.)* 136 NLRB 977 (1962). In the latter case, particularly, the Board discussed a

"work preservation" doctrine, basing its reasoning on what it termed "fundamental concepts of the Act," while disregarding the statutory language and its background.

¹² Cf. *General Motors Corp.*, 42 LRRM 1143; *Trico Products Corp.*, 169 NLRB 58; *Associated Spring*, 7 R.C. 7820 (1967). See also House Report No. 3109, 76th Congress, 3d Sess. (1941).

¹³ 146 NLRB 1277.

¹⁴ See, e.g., "Politics, Policy Making, and the NLRB," by Clyde W. Summers, 6 Syracuse Law Review 93 (1955); "The NLRB Under Republican Administration: Trends and Their Political Implications," Note, 55 Columbia Law Review 852 (1955); "Policy-Making by the New 'Quasi-Judicial' NLRB," by Mozart G. Ratner, 23 University of Chicago Law Review 12 (1956). (Eisenhower Board) and "The National Labor Relations Board: Labor Law Rewritten," by Harry L. Browne, 49 American Bar Association Journal 64 (1963); and "The New Frontier NLRB," by Kenneth C. McGuiness, Labor Policy Association (1963). Also see "Stare Decisis and the NLRB," by Robert J. Hickey, 17 Labor Law Journal 451 (1966); and "Ad Hoc Ad Infinitum," by Theodore F. Weiss, 23 Texas Law Review 215 (1964). (Kennedy Board.)

One Hundredth Anniversary of the Pennsylvania Dental Association

HON. EDWARD G. BIESTER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. BIESTER. Mr. Speaker, it is a privilege for me to record the achievements of an organization that for 100 years has served not only the people of Pennsylvania but also many citizens of our Nation. The Pennsylvania Dental Association celebrates its 100th anniversary this year. A century ago, when this association was formed, the practice of dentistry was largely in the hands of unskilled and untrained men. A small group of dedicated men joined together to raise their art and science to the high level of a profession.

From its earliest days, Pennsylvania has been a leader in dentistry. Some of the outstanding dentists of the 18th century practiced in this State. What is now the country's second oldest dental college was founded in Philadelphia in 1863. It was then the Philadelphia Dental College, and is now the School of Dentistry of Temple University. The Pennsylvania Association of Dental Surgeons, one of the country's oldest dental societies, was organized in Philadelphia in 1840.

The founders of the Pennsylvania Dental Association saw the need for protecting the public from the irresponsible practitioners who still abounded in the middle of the 19th century. They saw the need for creating a society in which their members could exchange knowledge and discuss the new discoveries that were being made at a phenomenal rate. They saw the need for creating dental journals in order to record and disseminate the scientific papers that were being read at the meetings of the dental societies already in existence. Therefore, on December 1, 1868, representatives of seven existing local societies and of the two dental colleges in Pennsylvania met and

organized the Pennsylvania Dental Association.

The association has grown to be one of the strongest and most effective dental organizations in the country. It has been a leader in promoting dental care for people of all economic classes and has cooperated with all Federal health programs. It has encouraged and enabled its members to continue their professional education after their graduation from college. Students and graduates from every part of the United States and many from other countries come to Pennsylvania to study dentistry. Finally, the three dental colleges in Pennsylvania today produce 10 percent of the country's dentists.

I salute the Pennsylvania Dental Association on its significant anniversary, and I extend to its officers and members my best wishes for many more years of growth and progress.

Iranian Medical History Memorialized at the International College of Surgeons in Chicago

HON. CHARLES H. PERCY

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Tuesday, March 26, 1968

Mr. PERCY. Mr. President, I was interested to read the recent remarks of His Excellency, Hushang Ansary, Ambassador of Iran, before the International College of Surgeons in Chicago. This was on the occasion of the inauguration of the Iranian room in the College's medical hall of fame and the presentation of busts of Razi and Avicenna by the Iranian Association of Physicians. These two, as we recall, were among the world's foremost men of medicine.

I was particularly interested in Ambassador Ansary's description of the rural health services being provided in the remote sections of Iran by the Health Corps, a body of Iranian medical graduates of draft age.

I ask unanimous consent that Ambassador Ansary's extremely interesting remarks be printed in the RECORD.

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

REMARKS BY HIS EXCELLENCY, HUSHANG ANSARY, AMBASSADOR OF IRAN, BEFORE THE INTERNATIONAL COLLEGE OF SURGEONS, FEBRUARY 2, 1968

Dr. Compere, members of the International College of Surgeons, friends of Iran, it is indeed a privilege to be with you on this occasion, which marks the inauguration of the Iranian Room in the Hall of Fame of the International Museum of the Surgical Sciences and the presentation to the International museum of the busts of two of the world's greatest men of medicine—Razi and Avicenna—by the Iranian Association of Physicians.

The two men we honor truly stand among the immortals of medicine. Each has made enduring contributions to medicine, to the world's thought and learning, and to the boundless realm of ideas. For a thousand years the names of Razi and Avicenna have exemplified the curiosity and the desire for factual knowledge which led civilization from

the Dark Ages through medieval times into the modern world.

In the field of medicine these two served, as Iran herself has served so many times through the centuries, to provide a bridge between East and West. Their teaching, their experience, their writings were the principal sources of medical knowledge for Europe and the Western world, as they were for Islam and much of Asia.

Razi, or Rhazes as he is generally called in your reference books, was born in 865 A. D. and died about 932—the exact date is uncertain. He is called “undoubtedly the greatest physician of the Islamic world” and the foremost clinical genius of his time. The renewed emphasis which clinical medicine is receiving today testifies to Razi as a man of modern thought, a forerunner of modern medicine by a thousand years.

Like many intellectual leaders who took part in the reawakening of the Middle Ages, Razi was an independent thinker whose explorations ranged into many fields. He was a rebel who frequently ventured beyond the bounds of orthodox thought. A poet, singer and musician in this youth, Razi's studies in his mature years were not limited to medicine. They extended into theology and philosophy as well, and his philosophical writings, neglected for centuries, have come to be appreciated again only in the Twentieth Century.

Razi was fully conversant with the medical and philosophical thought of the West. He was an admirer of Socrates and, in fact, felt that he fulfilled in his own time the function of Socrates in philosophic dialogue. His commentary on Plato's *Timaeus* was prized by European scholars because it preserved so much of the original Latin, which had been lost in European versions.

In the field of medicine, Razi is best known for *Al-Hami* or the “Comprehensive Book.” This massive work surveyed Greek, Syrian, and Arabic medicine in their entirety, much of Indian medical knowledge, and treated all of them in the light of his own extensive medical experience. Razi's manual was still being used in the 18th Century—eight hundred years later—and was published hundreds of times in Arabic, Greek, Latin, and Indian.

He formulated the first known description of smallpox, which he differentiated from measles. History records that Razi became blind of cataracts, but refused an operation that might have restored his sight when his surgeon could not tell him the number of muscles in the human eye.

Avicenna, who lived from 980 to 1037, exerted profound influence in both the Islamic world and the Latin Middle Ages.

In his contributions to the intellectual life of Islam, Avicenna may be compared with Leonardo da Vinci and his contributions to the Renaissance of the West. Avicenna's insatiable mind searched across the whole range of man's existence, seeking answers to life and its meaning. He was an accomplished physician by his eighteenth year. He studied logic, philosophy, and theology. He was an expert in religious law, mathematics, and the natural sciences. He developed a theory of atomic structure and even a concept of relativity in his studies of time and space.

In medicine Avicenna's greatest work was his *Canon*, an encyclopedia of the medical knowledge of his time. For centuries the *Canon* was regarded as the most important medical work in the Islamic world and was used as a text book in the great universities of Europe. Chaucer's *Doctor of Physick* in the “*Canterbury Tales*” was proud of having studied Avicenna. And Dante accorded him unconcealed admiration in the “*Divine Comedy*.”

In comparing Avicenna with Leonardo da Vinci, it is interesting to note that where Leonardo sought expression in the visual arts, Avicenna turned to music. Though an accomplished musician, his principal inter-

est was in the relation of music to science, and he developed a treatise on the therapeutic value of music and the effect of different kinds of music on mood and personality.

Avicenna possessed the candor and frankness of the great. He tells us in his autobiography that he read the *Metaphysicka* of Aristotle “forty times and still could not understand it.” Fortunately, he tried once again, the mystery became clear, and he went on to make his own contributions and extensions of Aristotle's thought.

Razi and Avicenna are the logical and infinitely outstanding fruition of Iranian culture, which has always had a lively interest in medical science and the principles of health and hygiene. In ancient Iran sickness and ill health were regarded as manifestations of evil, and anyone struggling against sickness was considered to be striving for the victory of God.

This regard for medicine is further evidenced by the creation of the University of Gondi Shapur in the late Fifth Century, the greatest medical center of the age, and by the support given medical study by most Iranian monarchs starting with Darius the Great 2500 years ago.

In the Vatican Museum is a tablet brought to Rome by the Emperor Adrian from Egypt. Its inscription, written by the priest of an ancient Egyptian temple, reads:

“Darius, King of Kings, King of Upper Egypt and of Lower Egypt, at the time when I was living at his Court, commanded me to go to Egypt and to found a school of medicine in the Capital and to prepare the means necessary to teach medicine to the Egyptians. I went to Egypt and there did as the King of Kings had commanded me. I prepared the necessary books and instruments for this university and I summoned young people and put them in the care of experienced teachers. For the King of Kings knew well the value of medicine and wished in this manner to save the lives of sick Egyptians.”

Today the concern of the Shahanshah with the health of Iran's people is in the same context of paramount traditional importance. In his book, *The White Revolution*, the Shahanshah said:

“... The revolution of Iran demanded that we should not content ourselves with the administrative and social activities which were being carried out by ordinary day-to-day procedures, but should use revolutionary methods to meet the vital needs of the vast masses.”

One of these revolutionary methods was a frontal attack on rural health problems mounted with the help of a newly organized Health Corps, comprised of young Iranian medical graduates of draft age. The mission of the Health Corps was, in the words of the Shahanshah, to inject the Iranian villages “with concentrated doses of Twentieth Century progress and constructivism.”

Thus, instead of health being an indirect concern of the people through remote government, it became the direct responsibility of the people through their own hands, working in their own communities. This led to prompt and energetic action to carry modern health techniques to the masses of rural Iran and to correct the gross disparities that had grown up between urban and rural health facilities.

The Health Corps, some 2,000 young men who receive military training and discipline in addition to their medical specialty, is made up of doctors, dentists, pharmacists, engineers, and medical technicians of all kinds. Their mission is to carry modern medicine to the villages and rural areas of Iran. This they are now doing through 500 medical units which serve some five million people—more than a fourth of Iran's population.

Their service to the nation is not limited to providing medical treatment and preventive medicine. With their military and engineering training, and with the active par-

ticipation of the villagers, the Health Corps members are digging wells, laying pipelines, building modern sanitation systems, and constructing public health clinics. The next objective of this “Sacred Army” of Iranian youth is the construction of rural hospitals, with trained professional staff and modern equipment.

The activities of the Health Corps are of course only a part of Iran's total health program. A network of medical offices and provincial health departments is rapidly expanding health services and is providing additional hospital beds and services throughout the country. Training of medical personnel is one of our priorities.

As you may already know, Iran has now terminated the program through which the United States gave aid to my country. Termination of the program has in no way diminished the close bonds of friendship between our countries. It has instead given new vigor to the cooperation between us through private and voluntary channels—in health and education, resource development, business and trade—and promises much greater and more lasting benefits for both our nations.

We know in Iran, as you know so well in America, that the greatest resource of a nation is the health of its people.

In good health a nation can build a prosperous and productive economy, develop its natural resources, and make full use of the education and talents of its people.

In good health the people find strength, confidence, and self-reliance. Secure in the knowledge of their strength, a healthy people can stand on their own feet, fulfill their responsibilities among nations, and go forward with the building of peace and stability and harmony among men.

This, ladies and gentlemen, is Iran's hope and purpose.

Time To Discard Our Blinders

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. BARING. Mr. Speaker, I recently received a letter from one of my constituents that clearly points out the issues facing us today and also asks the question: “Can it be possible there are no men in Washington who see the picture clearly enough to believe it is time we discard the blinders, admit the methods we are using are unworkable, and look to new methods, new concepts, new ideas?”

The letter points out quite clearly for one and all to see the stupidity of our trying to “deal” with the Communists and the apparent lack of interest by our Government to collect the moneys due us by foreign countries.

I commend my colleagues to read the following letter:

RENO, NEV.,
March 22, 1968.

HON. WALTER BARING,
Rayburn Office Building,
Washington, D.C.

HONORABLE SIR: Once before, several years ago I addressed you thus, and it remains the same privilege today.

With that as a springboard, may I now continue in a sort of “openletter to the House of Representatives” vein? Thank you.

During this past month in our Nation's history we have watched the appalling events in Vietnam, we have watched the full coverage of the Senate hearings with Mr. Rusk, we have seen men in high places sweep aside

all the pretense of decency in the name of political expediency, and watched with growing alarm the crisis in financial circles, the gold speculation at home and abroad, and we have seen and heard the beginning of the "Long, hot summer" promised in many areas. It is increasingly difficult to find one reassuring bit of news in the day's media.

Can it be possible there are no men in Washington who see the picture clearly enough to believe it is time we discard the blinders, admit the methods we are now using are unworkable, and look to new methods, new concepts, new ideas! And is it hopelessly naive to believe there must surely be some Senators and Congressmen who recognize we are not simply at war with North Vietnam, but with the world-wide Communist Ideology, and that Vietnam is but the currently expedient spot in the game of "let the United States defeat herself"? And that the road to world peace is as far off as there are areas left in which they can continue to start new "cold wars" secure in the knowledge that the good old U.S.A. with her well known honorable ideas, will come running to put out the fires? And they can continue to do so in full assurance that we will continue to fight the Non wars on the terms which are currently all in their favor—we will be forced to avoid certain areas, because our "friends" have interests there which must remain inviolate. Naturally, we must not be upset when these interests are the supplying of all the tools of war they are furnishing to the enemy. Perish the thought! After all, an American pilot or marine is no more dead if he is slain with a friendly bullet than with an enemy one. Wonderously devious are the ways of Foreign Aid—under his one title, we can even, in the words of our President, on a day in October, 1966, and I quote: "It is necessary that we extend most favorable tariff treatment to Eastern Europe Communist Nations." End quote. And one week later, according to the New York Times, and again I quote: "The United States put into effect today one of President Johnson's proposals for stimulating East-West trade by removing restrictions on the export of more than four hundred commodities to the Soviet Nation and Eastern Europe." End of second quote. The Times went on to report that special treatment had been given Poland and Rumania, and within two weeks they were reporting this little bit of information, that the Soviet Union and its allies, meeting in Moscow, had agreed to extend to North Vietnam assistance in materials and money amounting to about one billion dollars, and added that Poland's contribution would be about 30 million. Was this 30 million the amount of the "relaxed" debt we had given to them? It would seem then that under the guise of Foreign Aid we are in fact not only hopelessly bogged down in a war we are not permitted to win but are forced to wage, but that we are actually supplying the enemy with the tools to wage war against us.

And is it also naive to think in terms of a demand that certain nations pay their just debts and/or portion of the upkeep of the so-far inadequate United Nations? Most notably, why not begin with France, and Demand the payment be in gold? After all, they are currently reaping the benefit of our foreign policies which permit them to demand payment for goods in gold—if this one thing were done, the vast majority of the citizens would accept whatever "austerity" measures are necessary to secure our Nation's financial structure. And the same majority would do whatever is required to get the job done in the areas of Civil Rights, poverty, crime in our streets, drug addiction, and all the other crying needs at home—as soon as we can see some evidence that the causes of racial equality are not buried under the litter of racial privilege and license—when we see the men like Senator Brooke and Justice Marshall being heard in-

stead of the H. Rap Brown and the Stokely Carmichaels and the Martin Luther Kings; when we begin to see we cannot equate racial equality with special privilege for any ethnic group, when we begin to question the high cost of administering the poverty funds, and demand a better ratio than the current 80-20 one in use; when we begin to eliminate grants to study "the social habits of Blackbirds," "the Comics," the "sign language of monkeys" and the purchase of tickets to support sagging Broadway shows; when we take from the Supreme Court edicts the power to curb lawlessness in the streets by placing the blame where it belongs, and not on a nebulous "society," when we can reclaim our colleges and universities from the hands of the "intelligencia" and put them again in the hands of dedicated educators; when any or all of these things are evident, then the citizens of this nation will get behind the leaders and go full speed ahead until the job is done.

In the ensuing months we will hear much of "the issues" as the campaign trails become crowded. I have been talking lately with many fellow Nevadans, and what I have written here is the essence of what they and I consider to be vital issues. I have taken far too much of your valuable time already, but I hope you will bear with me just a bit more.

Those who are addicted to the "late" show on T.V. are apt to see many old Western movies, and invariably there will be an Indian who will make the classic remark, "White man speak with forked tongue." You, Sir, are one who does not speak thus, and I pray to God you will be able to inspire others of your colleagues to forgo the political expedient in favor of the future of our Nation. For we surely need White man, Black man, Red man—all men who will speak the truth so desperately needed in this fight for the survival of free men, not only in this nation, but if the way to real lasting peace is to be found for the world. A negotiated peace on Communist terms is no peace—and a continuation of the ruinous policies at home and abroad is not the way to cure the many ills which beset us. Soon or late, we must learn the cure only appears after the cause has been determined. Let us then seek the causes—and the cure will surely then follow.

May God bless you with abundant strength to continue in your great service to the State of Nevada, the United States of America, and the causes of true justice and peace in the whole world.

Sincerely and gratefully,
Mrs. FRANCES R. HERBERTH.

Easter Seal Stamp

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Tuesday, March 26, 1968

Mr. FANNIN. Mr. President, it is especially appropriate that we, at this time, call attention to the Easter Seal Society and their work with crippled children and adults.

The Easter Seal Society has long been a source of help and encouragement for thousands of needy families. The coming year of 1969 will be noted as the 50th anniversary of their services to the handicapped.

I hope that other Senators will join me in encouraging the Post Office Department to issue a commemorative stamp that will bring this fact to the attention of the American public and as-

sist in recognition of its worthy effort due to public subscription and voluntary help during this period of time.

Many of my constituents in Arizona have expressed their interest in this project and I simply wish to call the Senate's attention to this worthy project. Perhaps they will also wish to encourage the Post Office Department to give favorable consideration to this request.

One Hundred Forty-Seventh Anniversary
of Greek Independence

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. BURKE of Massachusetts. Mr. Speaker, we in this Chamber and the citizens of this Nation share a deep appreciation of the grandeur of Greece.

Greece has given the world the beginnings of Western civilization. The world will always be indebted to the Hellenic heritage for its contribution in scholarship, mythology, drama, literature, language, architecture, and sculpture.

Five hundred years before Christ, Greek scholars, the likes of which the world has never seen, were formulating political and moral philosophies that are the basis of teaching today. No other nation has contributed the equals of Socrates, Plato, Aristotle, Hippocrates, Demosthenes, or Pericles. The philosophies that they formulated in their time are the basis for government and human reason today.

Greek contributions to beauty and romance and love through the arts is almost unimaginable. So long as man inhabits the earth, ancient, medieval, and modern Greek painting, sculpture, drama, literature, language, and architecture will affect the esthetic qualities of man and influence his approach to all other forms of the arts.

It is important to add that these contributions of which I speak are not necessarily confined to ancient Greece. For example, the revolution of 1821, which we celebrate today virtually brought a new era to Greek literature. Since 1821 there has been an abundance of Greek drama of an extraordinarily high quality that is praised daily by the theater community around the world.

Some of the most delicate and breathtaking sculpture in the history of man comes from Greece, and that sculpture today continues to influence that art form. The Hellenistic influence on architecture abounds here in Washington in this Chamber and the Capitol Building. The most famous and most popular monument in this city, the Lincoln Memorial, has a number of authentic examples of Greek architecture and has often been compared to the beauty of the Parthenon on the Acropolis in Athens.

It is with a great deal of pride, pleasure, and humility, that I send to our friends, the Hellenes, our best wishes on their 147th independence anniversary.

They laid the foundations from which all mankind has helped to build the world as it is today.

Use of Public Funds To Finance Industrial Enterprises

HON. CLIFFORD P. CASE

OF NEW JERSEY

IN THE SENATE OF THE UNITED STATES
Tuesday, March 26, 1968

Mr. CASE, Mr. President, I have been concerned for some time about the increasing practice of using public funds to finance large industrial enterprises, a subject the Senate is considering today.

I ask unanimous consent that a newsletter I have prepared on this matter be inserted in the RECORD, as well as a letter from the chairman of the Department of Economics, Princeton University, Princeton, N.J., which appeared in the Washington Post last Friday.

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

SENATOR CLIFFORD P. CASE REPORTS TO YOU

After several years of inaction, the Treasury Department this month announced its decision to remove the tax exempt status of industrial bonds.

Whether a decision which may have such sweeping consequences should be made administratively or by legislation, it has become quite clear that, unless the use of tax free industrial bonds is ended, there will continue to be adverse effects on New Jersey's job market. Further, the ability of many municipalities to borrow for schools, roads, sewers and other public purposes may be seriously impaired.

Industrial bond financing, begun 14 years ago to stimulate economic growth in rural areas, is a method whereby public funds are used to finance the construction of new manufacturing plants. The scheme has since spawned a nationwide scramble for industries, pitting state against state and often town against town.

I have no quarrel with the tax-free treatment accorded by the Federal Government to municipal bonds issued to finance legitimate governmental functions. But this privilege was never intended to be used as a Federal tax subsidy to enable states and municipalities to pirate industry from one area to another.

Yet the tax loophole has contributed to such fierce competition that more than 40 states have now authorized the use of industrial development bonds, compared to only 13 states in 1960.

For New Jersey, which does not use this type of financing, this has meant, according to the Department of Conservation and Economic Development, "a substantial loss of jobs to other states." The President of the New Jersey AFL-CIO has estimated that the tax abuse has helped siphon off more than 50,000 jobs in the last few years.

Last year a major nationally-known company expressed interest in acquiring the facilities of the New York Shipbuilding Corporation in Camden. Since then it has decided to expand its shipyard in Mississippi through a large tax-exempt industrial bond issue. Other examples—in Newark, Plainfield and Bayonne, to name a few—are a matter of record.

Moreover, the sharp jump in the volume of industrial bonds now being issued—a 161%

increase in 1967 over 1966—has resulted in an increase in the interest rate of all tax-exempt issues.

This, of course, means that local taxpayers must pay more for their schools, water plants and sewer systems because small communities are forced to compete with large industrial corporations in the tax-exempt bond market. According to the Investment Bankers Association of America, U.S. taxpayers will have to pay approximately half a billion dollars in excess interest costs for the public improvement bonds issued last year.

That figure is certain to be even higher this year unless industrial bond financing is ended. In some instances, soaring interest rates caused by the competition for investment funds have forced communities to cancel financing plans for schools, sewers and other public services.

The Treasury Department's proposal, although late in coming, is a welcome indication that the Administration now recognizes the extent of the municipal tax bond abuse.

Yet it is by no means certain that the Treasury ruling will be permitted to stand. Just a few days ago the Senate narrowly defeated an attempt to stay Treasury's decision.

There is legislation currently before the Senate which would accomplish what the Treasury Department has proposed to do administratively. In my judgment, there are compelling reasons for the Senate to adopt this legislation.

A TAXPAYERS' MATTER?

(NOTE.—The writer is chairman of the Department of Economics, Princeton University, Princeton, N.J.)

This is the first time that this taxpayer has complained about being taxed more heavily so that the government can subsidize others. I am glad to have some of my tax dollars used to help the unfortunate and needy. I don't even complain when my money is used to help shaky business firms that don't have access to the capital markets and might otherwise fail. I can even see the point of using my money to subsidize firms to industrialize some of the backward areas in Arkansas, Alabama or Mississippi.

However, my patience is now being strained. Could you tell me why I should pay more taxes to enable some of our leading corporations to finance themselves cheaply through tax-exempt bonds issued by cooperating municipalities and public authorities which assume no responsibility whatever for either principal or interest? Total issues of some \$200 million of these bonds were recently announced on one day. They were for the benefit of such worthy firms as U.S. Steel, Spring Mills Inc., Ashland Oil and Refining Co., Chicago and Northwestern Railway, Courts & Co., Reliance Electric and Engineering Co., Iowa Beef Packers, Inc., Sweetheart Plastics Inc., American Automatic Vending Corp., and Eastern Stainless Steel. Some of the funds will indeed be used to build plants in underdeveloped states. But are Delaware, Illinois, Ohio, Michigan, Nebraska and Iowa in this category?

These are indeed worthy firms, and their stockholders are undoubtedly worthy people. But why should we taxpayers subsidize them? Have they demonstrated need or some special merit? Have they promised to reimburse taxpayers by lowering the prices of their products? In this process, are we getting more efficient locations of industries, or less efficient?

Perhaps you or your readers can provide information which will make this form of subsidy seem reasonable. In the meantime, I can only say that the whole process is cockeyed, if not scandalous, and those members of Congress who want to perpetuate it must not have thought the thing through.

LESTER V. CHANDLER.

Senator Eugene J. McCarthy: "How To End the War in Vietnam"

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. EDWARDS of California. Mr. Speaker, critics of the war in Vietnam constantly face the question of, But what would you have us do? The fact is that alternative analyses and proposals have not been lacking, that critics have for many months been pleading specific suggestions for an honorable resolution of this tragic war. One of the finest outlines and rationales for a change in our course of action appears in the April 1968 issue of Glamour magazine written by Senator EUGENE J. MCCARTHY. Senator MCCARTHY brilliantly and cogently reviews the serious flaws in administration thinking, concluding that in the most fundamental way this policy is wrong. He urges deescalation as a first step toward unfreezing the stalemate and proceeds to outline eight means by which the United States can extricate itself from this conflict. These steps are consistent both with the reality of the situation today and the full panoply of American interests and are deserving of our immediate attention. Under unanimous consent I include this article, "How To End the War in Vietnam," by Senator EUGENE J. MCCARTHY, in the RECORD at this point:

HOW TO END THE WAR IN VIETNAM

(By Senator EUGENE J. MCCARTHY)

Administration leaders regularly challenge critics of American policy in Vietnam to "bring just one workable solution to end the war" or to formulate one "positive proposal." It is difficult for the critics to respond satisfactorily to this kind of challenge because the Administration reserves to itself the right to say what is workable or positive.

I believe that our Vietnam policy is misconceived and that it is contrary to the national interest. The only solution is to be found in reversing the process of military and political escalation in which we have been engaged for almost five years.

I have been recommending a set of proposals by which this tragic war can be moved toward an honorable end—an end that will not be detrimental to the vital interests of the United States. Proposals to bring the war to an end must be based on the best judgment one can make as to the realities of the war in Vietnam.

The Administration describes the war in Vietnam as "foreign aggression from the North" and insists that the way to peace is, as Dean Rusk has said many times, "for Hanoi to stop doing what it is doing." In reality, the war is, or at least was until America became involved, basically a civil war, a struggle for control of the South between a military government allied to the landlord and mandarin classes, and on the other side the National Liberation Front (the Viet Cong). The NLF's principal strength is Southern, with strong Communist influence, and its rebellion has been aided, particularly since 1965, by North Vietnam.

The Administration also maintains that our vital security interests and "the credibility of our commitment" under our collective defense treaties require that we pursue our present policy. However, Vietnam is not vital to American security, and far from

making our commitments more credible, our Vietnam policy has isolated the United States from its traditional friends in the world and called into question our ability and willingness to meet other international obligations.

Vietnam has a long historical tradition of resistance to Chinese political pressure. It is very much in our interest that the political structure that finally emerges in Vietnam be strong enough to fulfill that traditional role. In this respect, our increased pressure against North Vietnam, which has been remarkably resistant to the Chinese, is likely to increase Hanoi's dependence on China. For centuries the Vietnamese have fought as nationalists. They have fought the Chinese as nationalists. They have fought the French as nationalists. Now, many of them are fighting the Americans as nationalists. If necessary, in the future they will, I believe, fight the Chinese as nationalists.

The maintenance of the United States position with reference to Asia does not require the commitment of American ground troops on the Asian mainland. Our naval and air power have been able, for almost twenty years, to deter the Chinese Communists from attempting to capture two small islands off their coast. That power is surely adequate to protect both our bases and territories in the Pacific as well as to protect the United States mainland.

I reject the claim that if we do not pursue our present policy in Vietnam today, we will be fighting the Communists in Hawaii or San Francisco in the near future. Events in Southeast Asia will have little effect on revolutionary movements in Africa or Latin America, where attempts to promote the Chinese version of revolution have been quite unsuccessful.

The United States should not try to suppress all revolutions in the underdeveloped nations. We must not assume the role of world policeman for the status quo.

The solution to the war in Vietnam, as far as the United States is concerned, is to be found in Washington and not in Saigon or Hanoi. The first step, from which all others will follow, is the need for deescalation of our objectives.

Our stated objectives in Vietnam are in reality different from our practical ones. We proclaim that our ultimate purpose is support for self-determination, to let the people of South Vietnam work out their own future free from foreign interference. In reality, we have interfered in South Vietnam and have continued in power in Saigon a government dependent on the United States. This was the policy of John Foster Dulles in 1954. It is the policy of Dean Rusk today.

It has become evident that there is a wide gap between what we want for the people of South Vietnam and what they want for themselves. We assume that a continuation of resistance to the NLF and the building of an American-style Great Society is their cause as well as ours. If this is true, why is the South Vietnamese Army less than enthusiastic about fighting? Why are the South Vietnamese parliament and public opinion resisting the decree, not as yet put into operation, lowering the draft age from twenty to eighteen and tightening up on deferments? Why do the Vietnamese seem to care less about fighting the Viet Cong than we do?

An American official who had just been in Vietnam told me that the question most frequently asked of him by Vietnamese was "When will there be peace?" The Vietnamese know that only an American can give the answer.

There is reason to believe that the Vietnamese more and more see the struggle as an American war for American objectives, and they are not anxious to fight it.

The South Vietnamese Government, although dependent on us, seems to feel that it cannot afford to appear to be the puppet of the American Embassy. It manifests its in-

dependence from time to time in petty harassments: Anti-American comment appears in the government-sanctioned press; American officials' cars are impounded on the grounds that the registration is faulty. Some reactions are more serious: Reform of the South Vietnamese Army by eliminating corruption and by curbing the warlordlike independence of the Army Corps commanders languishes, so that Saigon can assert authority.

As the American presence has grown, and particularly since the civilian pacification program—which also languishes—was turned over to the military, many Vietnamese who had held onto some hope of finding a middle way are reported to be abandoning that hope. They are said to feel that the present governmental structure, "legitimized" in the recent elections, cannot and will not address itself to the basic problems confronting Vietnamese society. Intellectuals, youth and even the religious groups, both Christian and Buddhist, are coming to feel that there are only two choices: cooperation with the Americans or with the National Liberation Front; and they are tending toward choosing the latter.

If the 1967 elections in Vietnam had any significance, they demonstrated the people's desire for peace and for a less rigid attitude on the part of the Government toward the NLF.

Continuation of our present policy of escalation and ever-deepening commitment to a regime that has never been representative and which is increasingly out of touch with the people is not in the American interest. Our objective—in actions as well as in words—should be a government in Saigon that reflects as nearly as possible what the people of Vietnam want. They were not given an opportunity to express their real views in the last election. Candidates who advocated "neutrality" or negotiations were barred from the race on flimsy pretenses. Popular figures such as General "Big" Minh, who might have offered a significant challenge to the incumbent military junta, were not permitted to run.

I do not believe that the NLF, the successor to the Viet Minh which defeated the French and which, in the eyes of the Vietnamese people, freed the country from the yoke of Western imperialism, can be denied a role as a political force in the future of South Vietnam. The Front is the government in large parts of the country. In some areas, such as the Central Highlands where some of the bloodiest and most useless fighting has taken place, the Viet Minh, or the Viet Cong, has been the only government the people have known for ten to twenty years.

Prior to the anti-Communist coup in Indonesia, we were apparently reconciled to possible Communist takeover of that nation, a nation of infinitely greater resources, population and strategic value. I see no reason why we should not recognize the political and social realities in Vietnam.

Once the decision is made in Washington to come to grips with the political realities in South Vietnam, specific steps of military deescalation can follow:

1. Stop the bombing and seek negotiation.
2. Halt the escalation and freeze troop strength.
3. Cease "search and destroy" missions, many of these are missions of questionable military value, as we do not hold the areas captured. Hill 875, taken at such great cost in the fighting around Dak To at Thanksgiving last year, was abandoned by American forces about a month later.
4. Cease attempts to uproot the Viet Cong from areas they have controlled for many years. It is just not feasible to try to "roll back" a political structure that is deeply rooted in the thoughts and feelings of the people; nor is it necessary from the point of view of American interests.
5. Conduct a gradual disengagement in

the South and a cease-fire on a trial basis in some areas while pressing for negotiation.

6. Insist that the South Vietnamese take on greater military responsibilities.

7. Reexamine military policy.

8. Press the authorities in Saigon to broaden their own political base by bringing into the government some of the civilian opposition elements which were denied a role in the government even though they had received two thirds of the vote in the 1967 election.

While the United States should not insist on specific agreements, we should press the Saigon government to enter into negotiations with the National Liberation Front as a political force. The Vietnamese government will be in a much stronger position in such talks if elements other than the military are represented. I do not believe that the United States should press for one particular kind of political solution. The question of whether there should be a coalition government, or an interim government, or some other mechanism, can be settled among the Vietnamese themselves.

These suggestions apply mainly to the situation in South Vietnam, because I believe that is where the problem lies and where it must ultimately be resolved. I do not believe that Ho Chi Minh could, even if he wanted to, stop the war in the South. Even if supplies from the North to the South were cut off, the struggle in the South would probably go on. Prior to the massive entry of American forces, according to the evidence of State Department White Papers, only a small fraction of the enemy weapons in the South had come from North Vietnam. The Viet Cong were able to fight for years without very much outside help. There is little to suggest that they could not do so again on a reduced scale.

We must make it clear to the authorities in Saigon that our commitment is not open-ended, that they must begin to work out in the South the shape of their future.

But no plan, no proposal, no scenario has any meaning without the will to make peace. It is that will that is lacking. As long as the Administration is bent on achieving some kind of military victory, as long as they conceive of negotiations as the process of formalizing the elimination of the NLF rather than as a bargain between groups with rival claims to power, there can be no hope.

I am aware that what I suggest is not without risk. But I believe that the alternatives hold even greater risk. We cannot continue escalation without risk of spreading the war further and possibly involving China and the Soviet Union. Nor do I believe that it is possible to maintain the present regime in Saigon without increasing its political base under conditions other than those which would involve a prolonged occupation by large numbers of American troops.

There is never a totally painless way to pull back from either unwise, ill-advised, or outdated ideas or commitments. As with the French decision to permit self-determination in Algeria, following the honorable, though difficult, course would reflect credit on this nation in the eyes of the world and in the eyes of our own citizens.

Texas Suffers Incalculable Loss in the Death of Jim McKeithan

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES
Tuesday, March 26, 1968

Mr. YARBOROUGH. Mr. President, it is impossible for me to relate to the Senate or to anyone who did not know Jim McKeithan the tremendous loss

which this man's death means to my home State of Texas.

Dedicated, principled, just, fair, outstanding—all the normal words of praise fit this gentleman and his work, yet none of them are adequate to describe the kind of a person Jim McKeithan really was. He was only 36 years old, but he had the impact of men twice his age. He was in the private practice of law, yet his actions were more those of a man in the public service.

Jim McKeithan was the type of man who caused a heavy heart in his death—not just in his friends, but in all who worked with him or in opposition to him. Probably the real loss is that he cannot be replaced—his death meant the demise of an entire aura that surrounded him and his work.

Mrs. Yarborough and I have been friends of Jim McKeithan's parents, Dr. and Mrs. Dan McKeithan, for many years. Dr. McKeithan is a distinguished professor of English at the University of Texas, and Jim McKeithan grew up in a home dedicated to the higher things of life. All of his life Jim McKeithan honored his heritage, his education, and the bright hopes of his friends.

His loss casts a pall over south Texas. I am one of those who looked at him as the brightest hope for all south Texas, though he, the most modest of all, would never acknowledge such plaudits. All the Rio Grande seems more lonesome with him gone.

Like Adlai Stevenson, he was no boaster of his own capabilities, achievements, and contributions. His modesty causes us to miss him all the more.

I ask unanimous consent that the recent article entitled "Jim McKeithan," from the March 1, 1968, Texas Observer, a moving tribute written by his friend Ronnie Dugger, author of "Three Men in Texas," and "Dark Star: Hiroshima Reconsidered in the Life of Claude Eatherly of Lincoln Park, Tex.," be printed in the Extensions of Remarks, to indicate as much as words can the incalculable loss we have suffered.

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

JIM MCKEITHAN

AUSTIN.—James McKeithan drowned swimming in Natal, Brazil a few days ago. He had gone down there on some kind of international Jaycee project. He was 36, and practiced law in Mission, in the lower Texas valley.

I have known him since college. He was phenomenally brilliant; after the University in Austin he studied international law at Geneva, and could have had his pick of the great law firms. However, he chose to go to the Lower Valley.

That is a desolate, isolated place, if you are there for very long. There are a great many poor Mexicans, whose condition subtly oppresses the conscience and the spirit of the others. The Hoiles papers are a bane on the region, vicious retrograde, and next to valueless. The cities and the towns have a strange emptiness about them; except for what has to be in them, there is nothing. You take what comfort you can in the people you like and whatever activities and arrangements you can erect like a lean-to on the plains, against the boredom. It is a long way across desert and vacant rangeland—south, west, or north—to anyplace else, except for the Gulf of Mexico, which, in a way, is someplace else. The gayest thing is the night life across

the river; but after you have been spoiled by the cheap big steaks and cabrito a number of times, and have made sufficient calls on Boys Town, tourist or functional, as the case may be, you reach a point where you cannot continue to exclude from your feelings the beggary of the people, contrasting with your life. The Valley's time will come, but it hasn't yet, and that, I think is why Jim went there.

He was—even in his death, it must be admitted, he was—a liberal. He wore suits and cut his hair; he went to the civic club luncheons and taught Sunday school. He did not so need to be better and righter than everyone else that he became willing to overlook, justify, rationalize, or commit injustice in the cause of justice. He did not ease his sorrow of the world in the rhetoric of despair. He was very quiet. He would sit at the dinner table listening intently to what everyone else said, saying little, himself. He had a held-back quality. His thoughts were private to him. He had had, as a younger man, some harsh luck, first a skin condition, then a marriage that did not work out, a little daughter he had to go visit to see. But he could think better than most people, and this gave him a strength. He had a hard cut to his jaw, a head-on manner when you were with him, and a way of looking down, in thought, when others were talking to each other in his presence, in all an eloquence of manner that could not be contrived or intended, but was simply the way his inner life looked outside.

His thoughts were private to him but his acts he gave to others. He was a little puzzled how to help. A time or two he tried to get elected to the legislature from the Valley. Those people down there didn't know what they had—a man who ought to be governor, who ought to be senator; a man fit to be President. They just didn't know. For one thing, he was so quiet. For another, it's hard for people to believe the others, who are in the other circumstances, really exist. Those who knew Jim could not get him across to the others. Besides, he wasn't a Mexican. To be a liberal but not a Mexican, this, for someone running for office in South Texas, has become a misfortune. He lost and went on with the practice of law.

When the farm workers' strike started at the upper northwest corner of the Valley, the question arose, who would be the lawyer? Their strike infuriated and frightened the established Anglos in the Valley just as the first sit-ins inflamed Southern whites. Whoever took their case would be known. Many looked it over and decided. No. Good people did; they decided, however, No. But Dr. Ramiro Casso gave them medical care, and Jim gave them legal care. As the Rangers and the local police played out those transparent farces in which the *gendarmerie* are cast in feudal areas, Jim would negotiate with the authorities for the arrested or beaten farm workers and get them out of jail and advise them and defend them.

He was the city attorney of Mission, Texas, and it was a curious thing how the authorities in Mission looked on it. They, who had lived in the town with him, knew him, and with that lucidity about right and wrong which most people have at least in their private thoughts, they kind of closed ranks around him. I was down there enough and sensed it: they were not going to let anybody hurt him because of what he was doing if they could help it.

One night two of the farm strikers, both of whom had police records, were beaten as they were arrested. In the wee hours Jim drove upvalley at once to Rio Grande City, charged into the jail, and demanded to see his clients. The jailers, then the authorities, said no, not now. The hell, not now, McKeithan said: Now. I have been told by others who were there that this is the way it was, he told them he was going to see his clients or the *jefes* were going to have to beat him up, too. He saw his clients, and he got pictures of their injuries.

He knew, I am sure, that the farm workers would lose the strike. In several long interviews, he was perfectly objective; he distinguished carefully between what he knew and what was hearsay, and he never made that tell-tale mistake people at their wits' end or full of hate make, acting as though what they believe is the same thing as what they know. As a lawyer he was specific and cogent: from memory he recited the welter of alternating episodes and litigations, the salient details of what had happened and the essential legal theory. Never once did he speak of right or wrong. He had in him a tragic sense of life and a quiet in the midst of it that did not exaggerate the importance of his persistence for what he believed.

"He was a crusader," his mother said, "I guess the way we should look at it is that we were lucky to have 36 years with him." He did more good in his time than most people would do in ten times theirs. Death, final, always says more about our life than anything else does, and Jim McKeithan's death says more, to me, about our present society, than any other death has.

Byelorussian Independence Day

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mrs. BOLTON. Mr. Speaker, yesterday marked the 50th anniversary of the proclamation of independence of the Byelorussian Democratic Republic.

The known history of the Byelorussian people dates back to the ninth century. Also called White Russians and White Ruthenians, these people settled in the area south of the Baltic countries, north of Ukraine and east of Poland. They had a distinctive language and culture.

In the 18th century the Byelorussian lands were seized by the czars. Briefly, between 1918 and 1921 they enjoyed a productive freedom but soon the Russian Communists seized control and ever since the Soviet Bear has tried to stamp out national spirit and national culture. The Byelorussian delegation at the U.N. is a rubberstamp for the U.S.S.R. Soviet Byelorussia does not maintain diplomatic relations with other nations and is not permitted to have a distinctive identity. Relentlessly, the drive for russification continues, with young people being educated in Russia, decreasing publication of Byelorussian literature, use of Russian language in schools, Russian place names, severe religious persecution, and transfer of educated and technically trained citizens to other parts of the Soviet empire.

Discrimination and persecution continue, but those who have fled the slavery are keeping alive the hope of restored independence. Every week Communist propaganda attacks those who have emigrated and those nations which have offered sanctuary. This "hate campaign" indicates that the efforts of free Byelorussians encourage their enslaved compatriots and keep alive the longing for freedom.

Those of us who enjoy liberty won for us by our forefathers join the patriotic White Ruthenians in our midst in the observance of their independence day. And we dedicate ourselves anew to seek freedom and justice for all peoples.

Four Corners Regional Commission

HON. FRANK E. MOSS

OF UTAH

IN THE SENATE OF THE UNITED STATES

Tuesday, March 26, 1968

Mr. MOSS. Mr. President, 3 years ago, when I sat on the Committee on Public Works, we considered legislation which, it was hoped, would move to solve many of the critical economic problems of our rural towns, cities, counties, and even some urbanized population centers.

This legislative action came following creation of the Appalachian Regional Commission. During the consideration of the Public Works and Economic Development Act of 1965, the committee accepted my amendment which authorized the establishment of regional economic commissions in other areas of the United States which were to be designated by the President and the Department of Commerce. One of the most recent of the Regional Commissions to be established and begin functioning is the Four Corners Regional Commission, which takes in much of Utah, Arizona, Colorado, and New Mexico.

President Johnson appointed Orren F. Beaty, Jr., to be the Federal cochairman of the Four Corners Commission. Mr. Beaty came to the Commission from a position as an Assistant to Secretary of the Interior Stewart L. Udall, where over the past 7 years most Members of the Senate and House came to know him as a friend.

Earlier this month, Mr. Beaty spoke in Phoenix, Ariz., about the problems of our Indian families within the Four Corners Region. I ask unanimous consent that excerpts from Mr. Beaty's talk before the Indian Law Committee of the Federal Bar Association be printed in the RECORD.

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

EXCERPTS FROM REMARKS BY ORREN BEATY, FEDERAL COCHAIRMAN, FOUR CORNERS REGIONAL COMMISSION, BEFORE THE MIDWINTER SEMINAR, INDIAN LAW COMMITTEE, FEDERAL BAR ASSOCIATION, PHOENIX, ARIZ., MARCH 9, 1968

There is growing realization in this country that if we are going to enjoy general domestic peace and prosperity, we must be absolutely certain that our minority groups—so often disadvantaged in the past—enjoy the same opportunities the rest of us have learned to take for granted.

Only this week, President Johnson became the first chief executive in the nation's history to send a message to Congress devoted exclusively to Indian affairs.

Similar attention has been given to the needs and aspirations of other minority groups.

Here and there—as a reaction—you will hear voices of protest: a lawmaker or an editor will rise up and declaim in righteous wrath—

"We are spending too much already!"

or

"We must wait until the war in Vietnam is ended."

But most thoughtful persons will agree that we have waited too long already. They know that the cost of not meeting these needs and fulfilling these aspirations is going to be so high someday soon that we can't afford to pinch pennies now.

President Johnson noted that "it has been only 44 years since the United States affirmed

the Indian's citizenship: the full political equality essential for human dignity in a democratic society."

I am not sure that Indians are fully recognized as citizens even today in some places. For example, when their reservation roads and highways are inferior to those of adjoining rural areas they are not enjoying equal benefits of citizenship. And the same applies, of course, to unequal educational and employment opportunities.

But I am sure that if President Johnson and Secretary of the Interior Stewart Udall have their way, there will be equality of opportunity and equality of services and facilities on all Indian areas.

Secretary Udall has devoted vast amounts of time and energy to seeking better ways to meet the needs of our Indian citizens. When there has been a question on some issue, he has decided it in favor of the Indians.

He has worked with other agencies to improve Indian education facilities, to provide better vocational training, and to pave the way to industrial development—that means well-paying jobs and training in management skills—on Indian reservations.

Many of you here know that from personal experience.

It was a pleasure—as well as an education—for me to work with him five years in Congress and six and one-half years at the Department of the Interior as he concentrated on Indian problems. There are 23 or 24 other offices and bureaus, and he had to spend time on all of them. But the victories he won on Indian affairs, and the mistakes we made seemed to have more of an impact on his mood. I am sure he was never more pleased than when the President sent that message to Congress. It was one of the more encouraging things that has happened recently, and I refer particularly to that passage where the President listed a new goal:

"... one that ends the old debate about termination and stresses self-determination, a goal that erases the old attitudes of paternalism and promotes partnership self-help."

The President talked about area development, and that is where my job comes in. He asked for sizeable sums for: economic development of Indian lands, light industry on or near Indian lands, development of the Indian's natural resources, and development of tourist potential. This is already started in some areas, as you know. I am thinking of the White Mountain Apache Reservation in the Navajo development at Monument Valley, and the Blue Water Marina of the Colorado River Indian Tribes as a few examples.

There is no need for me here to repeat the well-known and gloomy statistics of the economic position of the American Indians relative to the national averages—or by contrast with non-Indians. There are inadequate highways, bad housing, isolation of communities, extremely limited job opportunities and lower educational and health services.

Let's focus for a few moments at least on the hopeful notes:

We'll determine the major problems of the area and inventory the resources. Then we'll decide, with help from the people involved, how to best use the resources to eliminate or reduce the problems.

We won't try to do it alone. We have had the help of President Johnson in establishment of the Commission. He is very interested in the economic growth of the Four Corners area and we may confidently look forward to his continued assistance wherever needed.

We will make use of every possible state and Federal program already in existence.

We will work with the local people, state and local officials, civic groups, chambers of commerce.

We must rely heavily on private enterprise—to help where it can. Ours is essentially a study and planning operation; planning to support business growth.

Only through such a planned and coordinated approach can this region get its share

of the one and one-half to two million new jobs which will come into being every twelve months.

We Must Control Inflation

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. CURTIS. Mr. Speaker, an editorial in the March 1968 issue of the Farm Journal cuts right to the heart of the largest single economic problem facing farmers today. The problem is inflation.

Inflation is increasing farmers' costs of production, has raised interest rates to the highest levels since the Civil War and is increasing farm debt at an alarming pace. Parity—a concept which has been used for years and is still the best economic indicator we have for measuring the economic well-being of the farmer—is the lowest since 1933. Since farmers cannot raise the prices on their output to make up for higher input costs as industry can, the farmer must produce more and more to remain in the same place.

The editorial calls for expenditure reduction to help dampen the fire of inflation. Mr. Speaker, I have long called for fiscal responsibility on the part of government. We are currently experiencing an inflation rate of 5 percent and predictions are for a Federal Government deficit of over \$20 billion for fiscal year 1968. Not only does this affect us domestically, but it also makes our exports more expensive and thus less competitive in world markets. Inflation hurts farmers more than any other segment of the American population with the exception of retired people on fixed retirement income. The real cause of this inflation is the current deficit financing and accumulated deficits over a number of years.

It is time for fiscal leadership and responsibility and I commend this article to your attention:

OPINION: A FIGHT YOU WANT TO WIN

Ask any farmer what's troubling him these days, and he'll start with, or soon get to, his high costs. He wonders where it will end.

Name most anything you buy, and it's higher priced. Besides that, farm help costs more, if you can find it. Bills are getting bigger for any kind of services, whether performed by doctors, lawyers, repairmen, barbers, or whoever. Taxes are skyrocketing. Yet farm prices aren't improving to match this upward march of costs.

In the last half dozen years, the prices we pay as farmers have gone up 14%. The prices we get have gone up only 5%. Your commodities might not have done that well. At any rate, we're like the fellow in the mud who took one step and slipped back two. Parity, which is a measure of the prices we get compared with the prices we pay, hasn't been so low since the depression.

In addition, farmers have gone nearly \$20 billion deeper in debt in the last six years—which is an alarming increase of 74%. Interest payments alone on the farm debt have jumped \$1.2 billion, while rates have soared to the highest level in a generation.

Most everyone else, it seems, manages to pass along his rising costs. Labor unions have an unbeatable formula—if the cost of living goes up, they strike to get wages to match it. As the industry becomes more pro-

ductive, the unions ask for, and get that. Businesses, in turn, try to add the higher wages into the price of the goods you buy.

What do farmers do? Since they can't, as yet, charge more for what they raise, they "adjust"—by getting bigger, by spending more on production, by getting more efficient, and by cutting the farm income pie into fewer slices. Still they aren't keeping up with the parade. They're beginning to feel as frantic as a squirrel on a wheel: The harder they run to stay ahead, the harder they have to run to keep up.

There's one thing that can help farmers right now—this year. And that's for Congress to put the brakes on inflation. This could be the biggest help of all.

The President wants to spend more for the "Great Society" and a war half way around the globe, all at the same time. And when the President spends more, you pay—either in taxes or through inflation.

The \$10 billion increase in the President's budget this year is \$50 more spending for every man, woman and child. That's on top of this year's budget spending, which comes to \$880 per person—which you and your family pay in your own direct taxes, or in somebody else's taxes hidden in the cost of the things you buy.

There's one hitch in that arithmetic: You aren't paying the government quite that much. The deficit between tax intake and projected spending this year will run around \$20 billion. It might be more. And it will be every bit as big next year without a tax rise. And even with the 10% tax increase that the President wants, the deficit would be \$8 billion or more.

The federal government, to put it mildly, "is running a little short." So in effect, it's printing the money. The result: inflation.

Inflation, when reduced to its effect on you and me, means that we pay higher prices for what we buy. If you can somehow latch onto more income during inflation, you can stay even with the board for now. That's why labor unions and businesses are reaching so hard for higher wages and prices. Inflation is the main culprit running up your costs, your interest charges and your taxes.

That's why you have so much at stake in the struggle between the President and Congress over spending. Rep. Wilbur D. Mills (D., Ark.), the able fiscal spokesman of the House, says that his Ways and Means Committee won't approve a tax increase unless the President makes some hard cuts in his budget, not just token reductions.

The President seems just as determined to go ahead and spend—recklessly throwing gasoline on the inflation fire while berating Congress for not trying to beat at the flames with a stick.

With financial danger lurking at every corner, it's time for fiscal leadership and responsibility. The economy minded members of Congress, led by Rep. Mills, need every assurance that you back them in this fight. Tell them so. Write them. It can do a world of good, and you'll be helping yourself. In fact this could be the most important thing you do today.

To Save a Stranger

HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Tuesday, March 26, 1968

Mr. BOGGS. Mr. President, it is a pleasure to call attention to an act of bravery by a young man from my State. He is 17-year-old Dennis Wayne Friedel, son of Mr. and Mrs. Ralph Friedel, of Middleford, which is near Seaford, Sussex County, Del.

An editorial published in the March 21 issue of the Seaford weekly newspaper, the Leader, describes the incident in which Dennis' presence of mind and courage were tested.

I ask unanimous consent that this fine editorial be printed in the Extensions of Remarks.

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

[From the Leader, Seaford, Del.,
March 21, 1968]

A SEAFORD BOY HAS DISTINGUISHED HIMSELF

Tuesday night of last week became a memorable occasion for 17-year-old Dennis Wayne Friedel. Young Friedel, son of Mr. and Mrs. Ralph Friedel, of Middleford, went to the rescue of two men who had accidentally plunged in their car into the icy waters at the upper Middleford Dam. He succeeded in pulling one of the men to safety. The other was drowned before he could be rescued. Then he helped with emergency first aid to revive the man he had pulled from the water. All in all, Dennis made quite a hero of himself. We are sure he will remember the night for the rest of his life.

What impresses us is the fact that this act of heroism was so unselfishly performed. Anyone with any knowledge of the temperature of the water at Middleford will realize immediately that Dennis plunged in water that was only a few degrees above freezing. He was so involved in his desire to help these two men that he actually forgot to pull off his spectacles, and made his icy swim with his glasses on. The night was dark and stormy and this plunge might very well have caused his own drowning in the murky depths, but the fact remains that he did a fine, heroic act, and a man is alive today because of it.

What kind of a hero's award he is entitled to doesn't matter. What does matter is that a fine, unselfish boy was willing to risk his life to save a stranger. It is a commentary on the kind of human being that he is and the kind of upbringing that he has had. It once again proves that our younger generation isn't going to the dogs as many of us elders would like to imagine.

All of us in Seaford are proud of you, Dennis. We appreciate and admire your bravery and your presence of mind. We know that the qualities you have proved that you possess will some day make you an outstanding man.

Massachusetts Mutual Life Insurance Co. Attacks Urban Problems

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. BOLAND. Mr. Speaker, Massachusetts Mutual Life Insurance Co. will spend \$2.5 million in my home city of Springfield, Mass., to help provide new jobs and housing for the poor.

I want to commend Massachusetts Mutual for joining in the effort to push back the physical and emotional blight eating into our cities. The company's decision, applauded throughout Massachusetts, stands as an example of the role private business can play in helping to resolve this Nation's urban ills.

Charles H. Schaaff, president of Massachusetts Mutual, said his company is contributing the \$2.5 million to Spring-

field's future because of "our concern over housing conditions and in furtherance of our determination to make Springfield a better place in which to live and work for all its citizens."

Mr. Schaaff said most of the \$2.5 million will be used for long-term first mortgage commitments to build rent supplement housing. Some of the funds, he said, will be made available as working capital for the expansion of small businesses that can provide new jobs. Still other portions of the \$2.5 million may be invested in the model cities area that Springfield is now planning.

Massachusetts Mutual's investment in Springfield is part of a \$1 billion program developed by the Nation's life insurance industry to help the urban poor rise up out of their plight. A total of 154 life insurance companies throughout the United States are taking part in this admirable program—one that deserves the respect and support of every Member of the Congress.

The Springfield Union published an editorial on March 23 paying tribute to Massachusetts Mutual and its fellow insurance firms. I include this editorial in the RECORD:

[From the Springfield (Mass.) Union,
Mar. 23, 1968]

A PUBLIC-PRIVATE JOB

The Massachusetts Mutual Life Insurance Co. made good news on two fronts yesterday by announcing it will invest \$2.5 million in rent-supplement multiple-family housing in Springfield.

First, the plan helps solve a pressing money problem. More importantly, it blazes a trail for other capital to follow.

Meanwhile, there will be continuing need for another ingredient: support from the general public—not money, not passive assent, but a willingness to cooperate in programs to give ghetto dwellers a better life.

As part of the billion-dollar commitment made last fall by the nation's insurance industry to improve housing and job opportunities for the poor, the \$2.5 million will go largely into housing loans insured by the Federal Housing Administration. While the amount is not a gift, it would not be available even as a loan without the industry's interest in core-city redevelopment. Part of the funds will go into capital to expand job-producing small businesses, and part probably will be used within the local Model-Cities program.

Making a better life for millions of American citizens is not a job that even federal, state and local government together can hope to accomplish. Realistic thinkers have long recognized the need for private concern and private capital. Together, government and business may be able to turn the poverty tide, again provided their efforts get more than lip service from the population.

They will have no guarantee of success or even great progress. But all available resources should be used without delay—in the name of humanity, let alone the need to fend off more of the violence bred by ghetto misery.

The overcoming of race prejudice may not prove the frustrating job it appears at times; the Deep South itself has made a few dramatic advances in civil rights in the past decade.

Meanwhile, the insurance industry's money—recognition that the cities' problems are those of the nation—may be a catalyst, increasing the flow of private funds a hundredfold. This would be a major battle won in the civil-rights campaign.

Happiness Study

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Tuesday, March 26, 1968

Mr. FANNIN. Mr. President, from time to time we hear calls from the opposite end of Pennsylvania Avenue concerning the "tightness" of the present and proposed Federal budget and how the White House is watching over every penny.

Mr. President, I think it is time we turned the lights back on. I think it is time that we turned on enough light so those administrators who are supposed to be in charge of the taxpayers' money can begin to read the fine print. Mr. President, the present budget, the past budget, the proposed budget—all of them—are shot through with such items as this one.

I have before me an article from the Washington Post of March 24 in which Mr. Thomas O'Toole describes a happiness study undertaken by the Public Health Service. After interviewing 1,500 people in Puerto Rico—an enchanting climate, very conducive to interviewing—the study has concluded that, "happiness is rather closely connected with the absence of negative feelings." The study also publishes such little-known conclusions as:

Healthy people are happier than sick people.

People with money are happier than people without it.

Mr. President, this flagrant abuse of money properly designated for legitimate medical research, places all Government-sponsored research under a cloud. I am amazed that the Public Health Service would authorize such a study and can, indeed, understand why they wished to keep it secret for 18 months as the reporter states.

We shall all be a great deal happier, Mr. President, if this administration will pay more attention to the use of the tax money extracted from each of us at this unhappy time of year.

I ask unanimous consent that the article to which I have referred be printed at this point in the RECORD.

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

WHAT IS THIS THING CALLED HAPPINESS?

(By Thomas O'Toole)

Would you believe a Happiness Study?

The United States Public Health Service believed it—enough to have psychologists and social scientists interview almost 1500 people in Puerto Rico to seek the answers to what made them happy.

It all began in 1963, when the PHS put up \$249,000 for six health studies in Puerto Rico. Five of them were straightforward, but the sixth (titled "The Demography of Happiness") was undertaken to find out "what people actually do in practice to make themselves happy or unhappy."

Published (and kept secret since) 18 months ago, the findings give one pause, if nothing else.

To begin: "Persons reporting a higher number of positive feelings rate themselves happier, report they are enjoying life more and are more likely to report themselves in good spirits."

SOME ACCENT NEGATIVE

In fact, the study went on, "only eight per cent of the people with no negative feelings said they were usually in low spirits." On the other hand, "the corresponding figure for people with six negative feelings was 69 per cent."

From this, the study said, "It would seem that happiness is rather closely connected with the absence of negative feelings."

These weren't the only blockbusters dropped in the Happiness Study.

For instance the study found that young people here were happier than elderly people and that educated people were happier than uneducated people.

This last finding was not as cut and dried as might be thought.

MONEY HELPS

"However much we would like to envision persons of education having learned to pursue the good, the true, and the beautiful," the study said, "the facts are that people with more education make more money."

This led the PHS to still another discovery—that people with money are happier than people without it.

"Persons with an income under \$1000 a year report themselves as very happy 10 per cent of the time," the study said, "while people with incomes of \$10,000 and over report themselves very happy 27 per cent of the time."

The study's last conclusion was its most spectacular—the healthy people are happier than sick people.

FINDING BACKED UP

To back that finding up, the study cited two statistics. One: 114 outpatients in a San Juan hospital had "more than twice as many negative feelings" as a similar number of hale and hearty people. Two: 22 per cent of those "with no conditions" were classified happy, while only 10 per cent "with five or more conditions" merited the label.

Confusion Over U.S. Policy

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. BLACKBURN. Mr. Speaker, many Americans are confused over the policy of our Government which has us fighting world communism in Vietnam, and at the same time allows Communists to flourish in the United States. The decisions of the Supreme Court have helped Communists more than any other force in our society.

For the interest of my colleagues, I would like to insert the following from Mrs. Arthur B. Jones, Jr., which shows the confusion facing many Americans:

DEAR SIR: I have come to a position in time and space where within my thinking abilities, I find great confusion.

I am an American and have tried to think objectively and stand with my country in whatever policies she chooses to support.

As I understand our situation now, we are putting forth a great defensive against "World Communism". This is good. I believe in our way of life against any, and all others. I don't however, understand how we are able to spend thousands of good American lives in Asia, while within our own borders we sanction the existence of communists by allowing them to teach in our schools, run for public office, and otherwise move at will without being identified as such. It causes me great concern when I think that while

my brothers are risking their lives on foreign soil, in an effort to control this force, my children could have their young minds bent to accept it within our public schools.

I am no diplomat, nor do I claim to understand all the functions of international diplomacy. I do feel if we are to rid ourselves of this force, we should, at no time, sanction it here nor should we trade or give foreign aid of any form to nations or peoples that are known communists.

I would like to be able to see my sons grow to manhood with some answers to these questions and to know that if they should be called upon to fight for their country against this force, they can do so knowing communism as a defined principle unacceptable to our way of life, rather than a paragon of confusion.

Sincerely,

Mrs. ARTHUR B. JONES, JR.

Major Address by Robert D. Partridge on the Challenge of Rural Development

HON. JAMES B. PEARSON

OF KANSAS

IN THE SENATE OF THE UNITED STATES

Tuesday, March 26, 1968

Mr. PEARSON. Mr. President, I want to call the attention of my colleagues here in the Senate a speech by Mr. Robert D. Partridge, the new general manager of the National Rural Electric Cooperative Association. In this address before the annual meeting of the NRECA in Dallas, Tex., on February 26, 1968, Mr. Partridge effectively describes the nature of rural-urban crisis and in persuasive terms outlines the key role that the REA co-ops working together and in cooperation with the NRECA will play in dealing with this crisis.

I share the view that rural electrification programs will be playing an especially important part in the necessary revitalization of economic development of rural America. I think, Mr. Partridge's closing comments are especially relevant:

I can look ahead and see the most exciting—the most innovative—the most challenging and productive years yet to come.

We have the opportunity to prove that rural electrification is not an outmoded program that has outlived its usefulness. We have the exciting opportunity of becoming a vital part of the future.

This is the challenge which confronts the rural electric movement today. It is essentially—to provide opportunity and hope, once again, for the countryside and—through the countryside—for the nation.

Mr. President, I ask unanimous consent that the address by Mr. Partridge be printed in the RECORD at this point.

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

OUR CHALLENGE

(Address of Robert D. Partridge, general manager, NRECA, 26th annual meeting, Dallas, Tex., February 26, 1968)

In selecting me to be the new General Manager of NRECA, your Board of Directors has done a great deal more than simply express its confidence in me as an individual. It has indicated its high regard for the thousands of career employees who carry on the day-to-day work of all the systems in this great program.

And your Board's action is also an expression of its confidence in all of you directors and managers who, through your foresight and diligence, have built this rural electrification career service.

So in accepting this position, I feel a deep personal bond with all of you who have worked through the past three decades to forge this organization we call NRECA.

It is now my responsibility to do everything within my power to carry out this awesome assignment which has been given me.

I will not dwell at length on my personal feelings at this time, for I don't have the words necessary to express them anyway. To say that this is the highest honor of my life and that I accept it with deep humility will have to suffice for now. The things about which we feel deepest are often the things we have the greatest difficulty in talking about . . . and this is my situation today.

What I do want to talk with you about is the crisis which is facing this nation and how we of rural electrification must face up to it and work to overcome it . . . not just for ourselves, but for the rest of the nation as well.

Before I do this, however, I must pay my respects to the man under whose leadership NRECA was developed into a cohesive, dedicated and respected organization during this past quarter century.

You all know who I am referring to—Clyde T. Ellis, general manager emeritus of NRECA. I am proud to have been associated with Clyde Ellis and this great organization he—and you—have built.

I could spend all my time here this morning recounting the many triumphs of your first general manager. But you are as aware of them as I. It is enough to say that there is but one Clyde Ellis.

It is my task, and in many ways it is an unenviable one, to follow in his footsteps. Even if I should try, I could not be another Clyde Ellis. But what I can do—and what I pledge to you that I will do is this: I will do my very best to provide the type of leadership which will enable your NRECA to continue to move forward as a dynamic force for a progressive rural America and as a champion of our rural people.

This I believe I can do, and this—with your help—I will do. "Well," you may rightfully ask, "what are these things that we in the rural electrification program must do during the years which lie before us?"

It is these years, and these things which I believe we must do—that I want to talk with you about at this time.

It is my deep conviction that we in the rural electrification program must see ourselves in the larger context of our times and the rest of our nation if we are going to be able to continue as an influential segment of our society.

I will go even further: We must play a larger role in the overall affairs of our nation and its people than we have ever done in the past if we are even going to survive.

The complex situation in which we must play our future role has come to be called "the rural-urban crisis." It affects us all—every man, woman and child in this nation. The farthest reaches of its influence are not yet known.

It is called the "rural-urban crisis" for good reason: It has its roots—and, I am convinced, its ultimate solution—in rural America. But its effects are no less devastating upon urban America.

The millions of rural people who have fled to the cities are the basic reason urban America is in trouble. Our cities are straining under the load of their ever-increasing population—and they are reaching the point of no return.

The eyes of the entire nation are focused upon urban America and the problems of the cities. With 70 percent of the people of this nation crowded into one percent of the

land area, the cities are literally bursting at the seams.

Yet hundreds of thousands of our rural people continue their trek—like moths drawn to a flame—into the cities every year.

This migratory trend is robbing our rural areas of many of our best young people—and it is adding to the problems of the cities with each passing day.

If this great migration to the cities could be slowed down, then stopped, and eventually reversed, the cities would find their problems more manageable—and our rural areas and small towns and villages would find their prosperity restored, their hope renewed, and their future more certain.

Can this great migration to the cities be reversed?

I personally believe it can be.

There are those in this country who regard this march of people to the cities as an inevitable process, a product of some kind of blind historic force upon which nothing can have any real effect.

Let me assure you here today that I do not agree with them.

I believe that *people make history*, not the other way around. I believe that the American people, rural and urban together, *can*—and *must*—solve this rural-urban crisis if the nation itself is to survive.

I would like to consider with you now the rural aspects of this crisis, as I see them, and explore with you some of the things which we in the rural electrification program have got to do, in my opinion, in the months and years ahead.

There are two key elements in the rural part of the rural-urban crisis which I want to discuss with you today. They are of utmost importance to those of us in the rural electrification program.

First, there is our basic problem of providing dependable electric service for the areas we serve.

And second, there is the broad problem of revitalizing the social and economic structure of our rural areas.

Let's look at these separately, and then see how they are bound together in an interdependent, interrelated pattern.

First, providing dependable electric service for our areas depends upon two basic ingredients: adequate financing and power supply.

We have known for some time now that adequate financing would be one of our greatest problems in the future. But this is no longer a future problem—it is upon us today.

Just a week before we left Washington to come to this meeting, we completed a preliminary analysis of our 1969 loan fund survey, based upon information you gave us.

Let me say this very clearly so there can be no mistake about it: If you apply for the loan funds you have told us to expect you to need in the next year-and-a-half, REA will run out of money. And not only that—it will have the greatest backing of loan applications in the entire history of the program.

This is a critical situation.

The ramifications of this loan fund shortage are so broad that we have already begun to mobilize for an intensive, all-out legislative battle.

Your Legislative Committee here has given top priority to this financial problem. Yesterday we met with leaders from the states having representation on the House Agriculture Appropriations Subcommittee. We have made plans to contact these key Congressmen before hearings begin.

You can follow up on this work as soon as you get back home by talking with your own Congressional delegation and telling them about your own loan needs.

The Long-Range Study Committee which will be reporting to you here at this meeting is dealing with our future financing needs

as well as many other highly important matters.

But our immediate task is clear: We must exert all the effort necessary to get the funds we need now.

And we intend to do just that.

The other factor involved in providing dependable electric service is power supply. The nation is entering the age of giant power. Huge generating plants, high-voltage transmission lines, and regional and inter-regional power pools will be the chief characteristics of this new age.

And the rural electrification program absolutely must be able to participate in these developments in order to share in the vast economic benefits of this new technology.

We must have generation and transmission facilities of our own. And they must be big enough and advanced enough so that we can join with other elements of the industry and share in the savings which will result.

We cannot, however, do this under the budget plans the Administration is now projecting. There are applications either in REA or nearly ready for REA that are crucial to our future. REA, under the dedicated and dynamic leadership of Administrator Norman Clapp, has demonstrated an understanding and support of our requirements in this area. We must make certain that Administrator Clapp and REA are given the opportunity, the support and the funds to continue the work they have begun.

Legislation will also be needed to protect our vital interests in power supply. The Electric Power Reliability proposal, if enacted, will enable the smaller electric systems of the nation to take part in the great power pools. And the Aiken-Kennedy nuclear power bill will provide an opportunity for us to share in the ownership and benefits of atomic power production. We need this legislation, and we intend to fight for its passage.

Let us turn now to the second great aspect of the rural-urban crisis as it affects us.

If we are really serious—as I believe we are—about slowing down and ultimately reversing the migration to the cities, then we have got to exert every possible ounce of effort necessary to revitalize the economy of our rural areas.

You have expressed, through your resolutions at annual meetings over the past several years, your strong feeling about the necessity for the redevelopment of our rural areas. There is no longer any reason to talk about the need to do this job or your willingness to get on with it.

But what can we do—now and in the months and years ahead—to improve our rural economy?

By working together on this vast undertaking, we can make the local rural electric system the focal point in communities across the nation, in this great effort to develop local industry and to improve local public facilities.

The local rural electric system, working with its Statewide Association, is of course, the vital keystone in this great building effort.

But we at NRECA *can*, and *should*, and *will* provide you with a full measure of assistance every step of the way.

Here are some of the things we—as your National Association—can do during the months ahead to help build stronger rural communities.

We can set up a national data-bank at NRECA, using facts and figures you can supply about your service areas. We want to have at our fingertips the kind of information businessmen require before they will consider placing an industry of any kind in a rural area—information about plant sites, taxes, labor supply, water, electric power supply, schools, housing, medical facilities, and all the other facts which businessmen need to make their decisions.

As soon as we have this information ready for businesses to draw upon, we can use all

the resources available to us to get the work out to business concerns telling them of the existence of our data-bank. Through advertising in business publications, through our public relations people, and through letters and direct contact with these business people, we can offer them assistance in their efforts to locate industries outside the urban centers. And we can show them why it is in their interest to do so.

We can provide you with information on how some of your fellow rural electricians are now operating development councils, some of them on a multi-county basis, which are of tremendous value to prospective industries.

We can get inventories of the labor force in rural areas—something that isn't even available today—something without which we are greatly handicapped in interesting prospective industries in locating in your service areas.

We will reassign the necessary staff people at your National Association to do this vital work. This will include a person who knows at all times the kinds and amounts of assistance presently available under existing government programs to help improve public facilities in your local communities—water and sewer systems, hospitals, housing, and all the other things which can help make your communities more attractive to industry.

We will work closely with the Statewide Associations and the G & T systems to coordinate our work with the work already being done by many of them in these areas.

We will continue to look for new ways in which we can actively participate in building a stronger rural America, and we will ask you for your suggestions and ideas on how we can be more effective in these areas.

We will seek the support of allies and potential allies in the cities as we move into this action phase of the redevelopment of rural America.

Although you have heard this many times during the past few years, I must re-emphasize it again here today:

The day is past when we in rural America can go it alone. The migration to the cities and the redistricting of Congressional districts have made it mandatory for us to seek support from urban Congressmen.

The way we get their support is by having urban organizations lend their weight to our efforts. We have done some of this during recent years, but we have not done nearly enough.

To get the support of such urban groups, we must lend our support to the things they are doing.

One of the most outstanding examples of this approach is in the area of consumer legislation. Following the directives laid down by you and your NRECA Board, we have taken strong positions on consumer issues. After all, consumers are the owners of rural electric systems.

Among the most heartening signs I have seen in the rural electrification program across the nation is the interest at the State level in support of consumer issues.

Rural electric Statewide organizations have taken the leadership in setting up consumer organizations in several states, including Kentucky, Pennsylvania, South Dakota, North Carolina, Illinois, Indiana, and others. Our rural electric people are serving as presidents and vice presidents of such organizations, and they are actively working for the betterment of their communities and their citizens.

Our people are taking the lead, not in just providing good electric service, but in providing desperately needed protection for their consumers and their fellow citizens from the predatory practices of unscrupulous individuals and firms.

It is not difficult to see that when our people prosper, our rural electric systems prosper.

But let it not be said of us that the only reason we do these things is because it is in our own selfish interest to do so. *Let it be*

said that we do these things because they are right.

We live in an age when people who do things because they believe they are right are sometimes called "square." If being "square" means having an interest in seeing that our citizens get a fair break in their dealings, an interest in trying to improve our communities and the lives of our people, then I am proud to be called square.

It is this kind of "squareness" which gave you the courage and the determination to build the rural electrification program when the experts said it couldn't be done.

It is this kind of "squareness" which has enabled us to face up to and overcome problems which more expedient organizations shrink away from in fear.

It is this kind of "squareness" upon which this great program and this great nation were built.

So let us be "square" in this sense. Let us mobilize our efforts behind these causes in which we have so great a stake:

Our financing and our power supply problems.

Our rural revitalization efforts.

The consumer-interest issues which affect our own members and our communities.

Our political action programs aimed at electing public officials who understand and support our efforts. This political work we can do through our non-partisan ACRE committee—the Action Committee on Rural Electrification.

I am happy to say that ACRE is off to a healthy start in 1968, and that this Committee will be able to play an active part in the elections coming up later this year.

Your support of ACRE is growing, but it still has a long way to go before we are over the top. I urge all of you who are not yet ACRE members for this year to join us in this great cause. I hope you will attend the ACRE barbecue here on Wednesday night.

There are many other areas which I would like to discuss with you in detail today, but cannot because of time. Among these is the declining farm income situation. We all recognize that, when rural income goes down, we are hit just as hard whether that income drops because of a decrease in farm prices, or because of the loss of a rural industry, or because of the departure of our own people.

We can, and I believe we should, as individuals, do more to exert our influence to remedy the farm income situation, through the exercise of our leadership in the farm organizations so many of us belong to.

I have spent a great deal of my time with you here today talking about the future. I have done this intentionally, because the future is where we are going to spend the rest of our lives.

The past—with all its tragedies and triumphs, its periods of despair and its moments of jubilation—is gone forever.

Today, we must turn our faces to the future—with all its unknown quantities—and lay the kinds of plans and make the kinds of resolutions which will enable us to play our parts as best we can in the unfolding drama of civilization in this final one-third of the twentieth century.

I have tried to touch on the major problem areas we are facing, and to offer what I believe are some of the solutions to them.

In the future, as has always been true in the past, the strength of this organization is in the determination and the direction you provide.

Your NRECA staff can do nothing without your support and your guidance; but with you, we can, and we will, tackle whatever stands between us and our objectives.

This is not an age for faint-hearted men and women. The problems of the past seem pale by comparison to the ones our nation and our program face in the present and in the future.

If we help solve the great problems facing our nation, we are, at the same time, helping

to solve the problems facing our own program. And it is in this broad, national context that we must see ourselves now and in the future.

We have a tremendous burden of responsibility and a monumental task ahead of us.

But there has never been any shortage of guts among the people who make up the rural electrification program. I know what a great reservoir of strength and courage you have to draw upon when you make up your minds to move.

And I have no fear of the future when I reflect upon this strength and courage.

We represent the areas with room for further development. I know we have the means to continue this development and I believe we have the will to see it through. If I did not believe this, I would not have wanted to be the General Manager of your National Organization.

So let us take up our task because it is in our own interest and in the interest of our country to do so. But let us also do it because it is right.

For this, in my judgment, is what the rural electrification program is all about.

As I stand here before you today, I can look ahead and see the most exciting—the most innovative—the most challenging and productive years yet to come.

We have the opportunity to prove that rural electrification is not an outmoded program that has outlived its usefulness. We have the exciting opportunity of becoming a vital part of the future.

If we are determined to build a better rural America, and if we will work with each other and with our allies, then I have no doubt as to our ability to do the job.

With the strength of millions in our ranks, with the inspiration of the cause to which we are devoted, and with the determination to fulfill our responsibilities, I am confident we will succeed.

This is the challenge which confronts the rural electric movement today. It is essentially—to provide opportunity and hope, once again, for the countryside and—through the countryside—for the nation.

The Strategy of the Weak in Vietnam

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. BINGHAM. Mr. Speaker, many Americans find it difficult to understand why it is, with all our military and economic power, we have been unable to achieve success in Vietnam. Considerable light on this subject is cast by an article appearing in last Saturday's New York Times by William Pfaff, an author who has visited Vietnam.

I commend this article highly to my colleagues and other readers of the RECORD, especially to those who cling to the belief that a military solution in Vietnam is possible.

Mr. Pfaff's article follows:

THE STRATEGY OF THE WEAK IN VIETNAM

(By William Pfaff)

The reason the Vietnamese war is so demoralizing to Americans—even to believers in its political necessity—is that we and the enemy share no understanding about what is important. When we fought the Kaiser's Germany, or the Japanese Empire, or even the Nazis, we understood what it would take to bring the war to an end. Victory and defeat both were recognizable.

This is not true today. In individual battles in Vietnam it often happens that we and the Vietcong both claim victory. This

is not simply propaganda, or misinformation or misunderstanding. There may actually have been victories for both sides, since both sides are fighting separate wars with contradictory values and expectations.

In Vietnam, in Asia as a whole, our strategy of the strong confronts a strategy of the weak. The struggle is between cultures radically different in what they expect of war and of peace. We and the Vietnamese—we and the Koreans and Chinese—hardly understand one another when we speak of war, revolution, peace and the future.

We, the strong, use firepower or wealth to achieve impersonal objectives: democracy, liberal government, the containment of Communism. The weak practice defiant and personalized violence, stoically accepting the destruction of wealth and the loss of lives.

We believe that the enemy can be forced to the "reasonable" decision to compromise or capitulate. We assume that the enemy wants to avoid pain, death and material destruction, and that if these are inflicted on him, at some point in the process the issues of the war will come to seem less valuable than to stop the suffering and destruction. Ours is a very plausible strategy, but it expresses the values of those who are rich, who love life and fear pain.

STOICISM AND DEATH

The weak deal in absolutes, among them that man inevitably suffers and dies. When the weak are confronted with the alternatives of death and capitulation, the one may be as plausible a choice as the other. Interrogations of Vietcong prisoners, when they ask the prisoner what will happen if the Americans do not quit the war and leave the country, often have elicited the incomprehending reply, "then we will all die."

For the strong, to surrender is a reasonable choice in a given situation. To die for a cause may be necessary or noble, but we see it as the consequence of an unreasonable situation. We want life, happiness, wealth, power, and we assume that in a reasonable society these all are possible. But happiness, wealth, power—the very words in conjunction reveal a dimension of our experience beyond that of the Asian poor. For us, then, death and suffering are irrational choices when alternatives exist. For the weak, there may be no intelligible choice.

The strategy of the weak is the chosen strategy of idealists and ideologues. It turns the strength of Asia—its capacity for endurance in suffering—against the vulnerability of the strong. It does this by inviting the strong to carry their strategic logic to its conclusion, which is genocide. The Chinese Communists seem to have said this explicitly, although it is not clear that they grasp the significance of the claim that they could "win" a nuclear war in which 300 million Chinese died.

The strategy of the weak is to force us to do to others what is most abhorrent to us. Because we project on Asians our own values, we believe that the threat of steadily enlarging destruction will force a "reasonable" end to the war. But if the weak defy us we find ourselves compelled to carry out our threat; and we balk. They force us to inflict on them what we ourselves most fear. And we grasp that to do this is to destroy ourselves—that by contradicting our own system of values we destroy it.

NUMBERS WITHOUT VICTORY

With no shared values of victory, there is no logical point at which the war will stop. And the marginal utility of destruction diminishes as destruction is carried out. To kill one man may change history. To kill a million in a war of attrition may change nothing.

In Vietnam two wars are being fought, with two strategies and two sets of beliefs. These wars encounter one another only on a battleground, and they lead to two different victories—or two defeats.

Economy, Great Society Style

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Tuesday, March 26, 1968

Mr. FANNIN. Mr. President, one of the Nation's noted newspaper correspondents, Mr. Ralph de Toledano, has written a most perceptive column concerning taxes and spending cuts.

Mr. de Toledano goes to the heart of the matter when he notes that, despite great public protestations of Great Society economy measures, actual results have turned out to be small potatoes, indeed.

The Vice President's high flying tax is here, noted travelers on Air Force 1 are duly reported, as well as the President's longstanding inconsistencies in handling the copper strike which has added hundreds of millions to our balance-of-payments deficits as I have previously mentioned here on the Senate floor.

These and many more instances point up the doubts that many of us in this body have about the sincerity of the present administration's promises to cut spending.

Mr. President, I ask unanimous consent that the column by Mr. Ralph de Toledano to which I have referred be printed at this point in the RECORD.

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

ECONOMY: GREAT SOCIETY STYLE

(By Ralph de Toledano)

In order to get his 10 percent surtax passed by Congress, President Johnson agreed to cut the Federal budget by \$9 billion. But when the experts had read the small print, they discovered that the Administration was promising to reduce expenditures by only \$4 billion—if that.

That's what economy means in the Great Society.

With considerable fanfare, the President ordered the State Department and other agencies with overseas personnel to reduce the size of their staffs in order to cut down on the balance of payments deficit. Last week, the Washington Post reported that in the period since Mr. Johnson's "order," personnel had increased.

Economy is the magic word at the White House, but Vice President Hubert Horatio Humphrey sees it differently. In Scranton, Pa., for an official function, he discovered that he had forgotten his dinner jacket. Whereupon, he sent back a Lockheed Jetstar, at the taxpayer's expense, to pick it up for him in Washington.

When Senator Vance Hartke (D-Ind.) was awarded an honorary degree by an Evanston (Indiana) college, Mr. Johnson presented him with a free round trip on Air Force One, the Presidential plane—at the taxpayer's expense. This cut down on Senator Hartke's traveling time, so he was able to be back in Washington for a White House cocktail party.

Automatic equipment has sharply increased the productivity of Post Office employees, making it possible to move the mail with 62,100 fewer workers at a saving of almost half a billion dollars. Employment in the Post Office, however, has risen by 16.9 percent.

Since 1954, the number of farms in the country has declined 36 percent and the farm population has dropped more than 42 per-

cent. However, the Agriculture Department has increased its staff by 62 percent. In 1954 there was one Agriculture Department employee for every 284 persons on the farms. Now there is one employee for every 105 people, or one to every 28 farms.

That's what the Great Society means by economy.

Or take the entire payroll of the Executive Branch. In 1954, there were 2,381,700 employees, earning \$9.4 billion. In 1960, the number had declined to 2,370,800—but was drawing down \$12.6 billion. This year, as a result of the Johnson austerity program, the number of employees has risen to 3,022,000, with a whopping jump in wages to \$22.3 billion. And the estimate for fiscal 1969 shows further increases in numbers and billions of dollars.

This kind of economy will end up by bankrupting the United States.

There is, of course, a reason for this. In 1956, the Eisenhower Administration inaugurated three new Federal programs with a first-year cost of \$144 million. Those programs are costing us more than \$1 billion a year today. In 1962, the Kennedy Administration inaugurated 14 new programs at a first-year cost of \$216 million. They are now costing us \$1.6 billion a year. In 1966, the Johnson Administration inaugurated 24 new programs at a first-year cost of more than a billion dollars. They are now costing us \$2.8 billion a year.

That's economy with a vengeance.

But the Great Society is also great in other areas. At a time when the copper strike is forcing American producers to buy in foreign markets, adding to our balance of payments deficit, the Commerce Department has issued a license for shipment of \$2.5 million in copper concentrates to Communist Yugoslavia. This copper should have gone to American processors, but the Administration—while it tries to keep Americans from traveling in order to keep dollars at home—finds it necessary to put further strains on our economy in order to keep Tito's Communists happy.

This is only a small part of an almost endless catalogue. Here and there a Congressman screams, but the Great Society is impervious to such protests. Just what the President and his Administration are trying to accomplish is a baffling question. But round and round she goes, and where she stops nobody knows. That is, until November. At that time, the American people will have a chance to express their pleasure or displeasure—if, of course, the voters bother to listen.

Remarks of Vice President Hubert H. Humphrey

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. WRIGHT. Mr. Speaker, on March 11, 1968, Vice President HUBERT H. HUMPHREY delivered a stirring address before the annual conference of the Veterans of Foreign Wars.

The formal text of the Vice President's speech appeared in the RECORD of March 22, but I would like to share with my colleagues, also, some of his impromptu remarks on that occasion.

In these remarks the Vice President emphasizes his confidence that our Nation has the strength and resources to meet the great challenges of Vietnam and elsewhere, if only we have the will and the determination to do so. The Vice President pledges that there can be no

retreat from our duty. The remarks follow:

REMARKS OF THE VICE PRESIDENT HUBERT H. HUMPHREY, VETERANS OF FOREIGN WARS, WASHINGTON, D.C.

I come here today to visit with you as a fellow American. I come today to reason with you about the problems of our nation. I do not come here in the spirit of partisanship, region or any form of prejudice.

Our country faces very difficult days. We have a hard struggle on our hands in Southeast Asia. We are called upon to man the ramparts of freedom in many other parts of the world. We face difficulties in our cities and rural areas.

Yet we are the richest nation on the face of this earth, endowed with great resources of skill and technology, of wealth and abundance. Still we have the poor, the needy, the unhappy and the bitter.

I tell you this only to remind you that we have the capacity and the means to meet every one of these problems at home and abroad.

The only question before this nation is: Do we have the will?

America needs to be told once again that it is a great land, a great people, a great nation. The strong, confident voice of fellow Americans must be heard throughout this land—not the voices of doubt or cynicism, not the voices of weakness or despair, but the voices of confidence, the voices of strength, the voices of justice and determination.

The late President Kennedy said to this nation five years ago:

"Freedom and peace are not cheap; we, or most of us, shall live out our lives in a period of peril, challenge, and danger."

There isn't any doubt that we live in a period of peril and of danger and of challenge. And knowing this, we must gird ourselves for the battle. We cannot shrink away from duty.

We have no choice—if we want to be a great people, worthy of our heritage—except to take our stand and remember that our world shrinks every day, even as it intensifies in danger.

If there is one concern I have as an American today, it is this growing development in our land that somehow the problems of the world are too big for us; that we need to withdraw; that we need to come home; that we need to get away from it all.

My fellow Americans, if that should become the policy of this land, then the best days of this nation have already been lived.

We cannot retreat from any place . . . and I can tell you that we do not intend to retreat from any place!

**Bernard G. Segal, Bar Association
President-Elect**

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Tuesday, March 26, 1968

Mr. HARTKE. Mr. President, Mr. Bernard G. Segal, of Philadelphia, was recently selected to be the president-elect of the American Bar Association, thus becoming president of the ABA in August 1969. The recognition and responsibility that come with this position are appropriate to a man of his stature.

I ask unanimous consent that editorials and articles from the Philadelphia Inquirer and the Evening Bulletin, which note Mr. Segal's many achievements, be printed in the RECORD.

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

[From the Philadelphia (Pa.) Inquirer, Feb. 21, 1968]

HONOR FOR A PHILADELPHIA LAWYER

The unanimous selection of Bernard G. Segal as president-elect nominee of the American Bar Association comes as fitting recognition of the talents and abilities of this distinguished Philadelphia lawyer.

Under the automatic succession rules of the ABA, he will become president in August, 1969, after serving a year as president-elect and acting as general chairman at the Association's annual meeting, to be held the first week of August in this city.

Since his earliest days at the bar, and his service back in the Pinchot Administration as deputy attorney general of Pennsylvania, Bernard Segal has devoted himself not only to the practice of law but to improving the administration of justice. His effort, against many obstacles, to remove judges from politics through installation of the Pennsylvania Plan for appointment on merit only, has been but one facet of his activity in this regard.

A former Chancellor of the Philadelphia Bar Association, mentioned frequently for appointment to the Federal and State bench, engaged in legal and civic activities that would take three or four type-written pages just to list, he has always welcomed new opportunities to uphold law and justice. He is a man of zeal, and the lawyers from all over the country making up the American Bar Association are to be congratulated on having him as their next president.

[From the Philadelphia (Pa.) Evening Bulletin, Feb. 23, 1968]

AN HONOR FOR MR. SEGAL AND THE CITY

A distinguished Philadelphia lawyer will become president-elect of the American Bar Association in August at that body's annual meeting which, pleasant for him and the city, takes place here.

Bernard G. Segal brings to that position a profound awareness of the particular responsibility of his profession to help strengthen the law enforcement agencies and the courts that are designed to preserve our society, to keep the peace and to do justice and so contribute to achieving domestic tranquility.

Both on the local and national scene, Mr. Segal has been outstanding for leadership in the effort to improve the administration of justice, the legal machinery, the quality of the men who make it work and the conditions that affect their performance.

That his selection to head the ABA is a tribute to his professional dedication, his concern that the law meet 20th Century challenges, is obvious. But it is far from a narrow concern, Mr. Segal has shown, in the breadth of his community interests, an awareness of the more extensive obligations that must be felt and met by citizen-leaders in all fields of endeavor.

There is at present, regrettably, a grave difference of opinion between the American Bar Association and the newspaper world as to how, in the constitutional area of fair trial and free press, each may best meet its responsibility to the American public and system as respects information to be publicized in the arrest and trial of alleged criminals.

This is a vital issue that will, and must be worked through to a conclusion that gives full recognition to close relationship between preserving free press and assuring fair trial to the common stake we all have in properly, wisely, reconciling both rights for the public good.

That this difference exists between some members of Mr. Segal's profession and our own in no way impairs emphatic recognition of the vital role of the bar in resolving the social conflicts of these critical times.

It is especially gratifying that this accomplished Philadelphian has been chosen

to lead the ABA and to speak nationally for it in the wide area of its concerns.

[From the Philadelphia (Pa.) Inquirer, Feb. 21, 1968]

PROFILE: HONOR-FILLED CAREER

Bernard G. Segal, outstanding Philadelphia lawyer nominated Tuesday as president-elect of the American Bar Association by its House of Delegates, has achieved another capstone in his legal and public service career.

He is no stranger to topmost honors and high responsibilities.

At the age of 16, he was graduated from Central High School here in 1924 and four years later won his bachelor degree from the University of Pennsylvania.

Three years later he was graduated from Penn's Law School and in 1932, at the age of 24, became the youngest Deputy Attorney General of Pennsylvania in the history of the Commonwealth.

His drive brought him the high post of Chancellor of the Philadelphia Bar Association at 44, a position he filled in 1952 and 1953. He was the youngest chancellor ever selected by the Association.

Through the years, his merits were quickly and widely recognized by the heads of national and local governments, educators and leaders in civic and charitable activities.

In 1953, he was appointed by former President Eisenhower to the chairmanship of the Commission on Judicial and Congressional Salaries.

Presidents Kennedy and Johnson appointed and reappointed him co-chairman of the Lawyers Committee for Civil Rights Under Law.

He is a life member of the Board of Trustees of the University of Pennsylvania, a member of the University's Board of Law and of the Joint Board of The Annenberg School of Communications.

He also is a member of the Board of Governors of Dropsie College, where he has served on the Executive Committee. He is on the Lay Board of Villanova University.

He is a former president and chairman of the Board of the Allied Jewish Appeal and a lifetime member of the Board of Directors of the Federation of Jewish Agencies of Greater Philadelphia.

His other civic associations include services on the boards of the American Arbitration Association, Medico, Inc., Albert Einstein Medical Center, Legal Aid Society, United Fund of Greater Philadelphia, Taxpayers Forum of Pennsylvania and the Governing Committee of The Chapel of the Four Chaplains.

He has found time to write four volumes on banking and building loan law despite his ramified activities and to maintain his partnership in the law firm of Schnader, Harrison, Segal and Lewis.

Seeing the Vietnam War Through Israeli Eyes

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. BOLLING. Mr. Speaker, the Kansas City Jewish Chronicle recently carried an article by its publisher, Mr. Stan Rose, entitled "Seeing the Vietnam War Through Israeli Eyes." The beleaguered Israelis, as this article points out, see better than some of us back home the merit of U.S. policy in Vietnam. They, too, are fighting to retain their right to independence against a foe as implacable

as are the Chinese and their North Vietnamese clients.

The article follows:

SEEING THE VIETNAM WAR THROUGH
ISRAELI EYES

(By Stan Rose)

Want to get a better understanding of the war in Vietnam? Take a trip to the Middle East. There you can get a fairly objective view of the struggle in Vietnam and why we are in it up to our ears. It's a view you won't get here at home, because the Vietnam war has become a topic that generates so much emotion we can't see the cold, hard facts. It's a view you won't even get in Vietnam, because there you are too close to the killing to reason things out.

Talk to an Israeli—almost any Israeli from a top government official to a cab driver—and he will tell you that in his opinion the United States has no real choice except to fight in Vietnam until North Vietnam is ready to negotiate. And when will that be? When North Vietnam and the Viet Cong are whipped, or when Russia decides she has lost enough equipment and either can't or won't continue to ship more to keep the war going.

But give the enemy (and that includes Russia) the idea that the United States is weakening, that it is a nation divided, and they will not only hang on but will step up their activity until the peace forces in this country take over. When and if the U.S. pulls in its horns, we'll see hell break loose in a dozen different spots, including Western Europe.

The Israelis see the recent war with the Arabs as a part of the Russian master plan to extend its influence everywhere and to become the world's Number One power. Luckily, the Russians underestimated Israeli's strength and overestimated the Arab nations' ability to use the weapons Russia placed at their disposal. Today, 9 months after the Six-Day War, Israel is still carting trainload after trainload of Russian-made tanks, trucks, half-tracks, and guns out of the Sinai Peninsula to huge yards near Tel Aviv and Haifa.

Some of the material will be melted down as scrap, some will be rebuilt for possible future use by the Israelis. But Israel isn't kidding itself. She knows the thing that kept Russia from coming in and helping the Arabs succeed in their mad venture was the presence of the U.S. Sixth Fleet and the fear of a confrontation with the United States.

The next war won't occur (barring some impulsive act by Nasser), until or unless Russia feels the balance of power is in her favor. Meanwhile, she is rearming the Arab nations and building up her fleet in the Mediterranean. Today, it is almost as large as the Sixth Fleet.

In view of the anti-war feeling in this country, Russia is just waiting for the isolationist fever to take hold. When and if that happens, the next effort by the Arabs may succeed. And while the United States is busy minding its own business because the freedom of foreign lands is no longer its concern, Russia will smoothly supervise the takeover of West Germany by East Germany with the help of DeGaulle, extend its influence throughout Africa, and then go to work in South America.

With Russia breathing down their necks much more menacingly than the Arab nations, it's no wonder the Israelis are so anxious the United States maintain its position in the world. They weren't angry when L.E.J. agreed last month to sell arms to Jordan. They'd rather the U.S. sell them to Jordan and strengthen King Hussein's position, than to have the extremists overthrow Hussein and establish closer ties with Russia.

The Israelis aren't surprised many Americans don't realize that North Vietnam probably couldn't or wouldn't go to the peace table without an okay from Russia, short of

a defeat such as the Arabs suffered. They are more surprised that the American leaders haven't explained the real facts of life to the American people. Apparently, these leaders still cling to the hope that the United States and Russia some day will be allies in the great struggle against Communist China, and so they keep groping in vain for a sign of friendship. Meanwhile, Russia continues to supply North Vietnam and the Viet Cong with about 90% of the stuff they need to wage war on South Vietnam and the American defenders.

While they are sympathetic to the mounting hatred of young Americans and their parents for the bloodshed in Vietnam, some Israelis feel the so-called leaders of the peace movement have no real solutions to the problem. Once they have pulled all the rabbits out of their hats, what do they do for an encore?

As one official said to this writer, "One of these days, you are going to have to stop the Russians from sending another shipload of supplies to Vietnam. Your President is going to have to shake his fist in Kosygin's face and tell him to stop or you'll blow his ships out of the water. It's a calculated risk, but the Russians understand this kind of talk better than sweet talk. They really don't want a confrontation with you, but if they think you are weakening, they will never let you rest no matter where you run and hide."

For a nation that has faced enemy fire almost every day of its young life, it isn't surprising that the people of Israel have a matter-of-fact approach to the problem of war and peace. Where an American college boy writes that he will never take up arms to kill a fellow man, every 12-year-old Israeli girl knows how to take apart and assemble a machine gun and to fire it at a human target if she has to.

We don't have a doubt that the same American college boy would defend his country with just as much determination if the issues of life and death were as clear-cut to him as they are to the 12-year-old Israeli girl.

But we wonder as we return to the bitterness and dissension in America, whether the Israelis may be closer to the truth in their objective analysis of the United States and the war in Vietnam than many of us Americans who are so anxious to end the fighting and killing in that far-away land.

Baltimore GI Killed in Viet Fighting

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. LONG of Maryland. Mr. Speaker, Sfc. Robert Anthony Itzoe, a fine soldier 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 GI IS KILLED IN VIET FIGHTING

A Baltimore soldier who was a member of the Army Rangers has been killed in action in Vietnam, the Department of Defense announced yesterday.

He was identified as Sgt. I. C. Robert Anthony Itzoe, 27, husband of Mrs. Carmela Powell Itzoe, formerly of Baltimore, and now of Columbus, Ga.

A requiem mass for Sergeant Itzoe will be offered at 9 A.M. today at the Corpus Christi Church, Mount Royal and Lafayette avenues. Military burial services will be conducted at Baltimore National Cemetery.

Sergeant Itzoe was killed March 17 in a

hostile mortar attack on his company's defense perimeter, the Department of Defense said in a telegram to his wife. He was serving his second tour of duty in Vietnam.

A native of Baltimore, Sergeant Itzoe grew up in the Hampden section and attended Clifton High School. He was the son of Earl Itzoe and the late Mrs. Florence Itzoe.

According to his family, he falsified his birth records so that he could enlist in the Army at the age of 16. He was making a career of it.

AIRBORNE SOLDIER

Early in his career, Sergeant Itzoe received parachutist training at the Airborne School. He later graduated from the Ranger School and was an instructor at the school before his first Vietnam assignment.

At the time of his death, he was serving with a Ranger organization attached to the 101st Airborne Division.

In addition to his wife and father, Sergeant Itzoe is survived by three daughters, Roberta A. Itzoe, Anne M. Itzoe and Donna M. Itzoe, and a half-brother, Russell Vane, of Baltimore.

Edgar Sergeant

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. RODINO. Mr. Speaker, leaders of local governments are the real unsung heroes in protecting the public welfare and serving the needs of the people. The town of Nutley, N.J., was especially blessed to have received the dedicated services of Edgar Sergeant. He will be fondly remembered for many years to come:

[From the Nutley Sun, Mar. 21, 1968]

EDGAR SERGEANT

Last week death claimed one of Nutley's most outstanding citizens, Edgar Sergeant.

Mr. Sergeant lived a most rewarding life—and a great deal of his personal satisfaction was derived from his discharging his civic responsibility to the community he adopted as his home in 1909.

His spiritual strength and values were nourished by his close ties to the Grace Episcopal Church, an institution of which he was justly proud and which he served daily for many years.

Mr. Sergeant was known as "Mr. Planning Board" serving as a member and chairman since its creation in 1939 right up to his retirement from that post in 1959.

Great as his contributions to our community life have been—and our first rate park system in which he took so much personal pride stands as a living memorial to Mr. Sergeant's civic pride and duty—his greatest mark upon our community is found in his influence upon the people with whom he came in contact. In his quiet and well-organized way Mr. Sergeant stimulated people to raise their sights with respect to community objectives. He inspired people to do better, to enlarge their civic commitment.

Ask anyone who had the good fortune to have known him and with one voice you will be told that the word "gentleman" was coined for him. Mr. Sergeant was both humble and noble.

In looking back upon the period of time we have known Mr. Sergeant we feel his person provided us with the exciting adventure of keeping the company of a truly great man.

While his place has been taken by others on the various boards he served so well, verily there was only one Edgar Sergeant,

and sadly we reflect there will be no other. Nutley mourns the passing of one of its leading benefactors.

E. A. O.

Columnist Strongly Opposes Peace at Any Price in Vietnam

HON. RICHARD WHITE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. WHITE. Mr. Speaker, one of America's most respected columnists—Joseph Alsop—has written an excellent article in the Washington Post citing added reason for maintaining President Johnson's course in Vietnam.

Mr. Alsop notes that Hanoi has engaged in a reckless go-for-broke strategy since the New Year because they are unable to withstand the strain of a prolonged war.

As he states, North Vietnam lost over 6,700 between March 2 and March 9—without counting their wounded.

Through quick victory the enemy hopes to break our will—yet they have met only defeat. Still, they hope to achieve the psychological victory at home which they have been denied militarily at the front.

America must not be stampeded into a peace-at-any-price settlement because of Hanoi's suicidal attacks. The Vietnamese who have put their faith in the United States, as Alsop put it, would "suffer cruelly for their misplaced faith." Free Asia's confidence in the United States—and in their own ability to withstand Communist insurgency—would be shaken to its roots. And America's political life would be poisoned by invective for years.

Thus, we must continue to follow the President's wise course between unilateral surrender and mindless escalation.

We shall show Hanoi that America's will does not break under pressure—rather it is nurtured by adversity and strengthened by challenge.

Upon our united resolve rests our ultimate success. I am certain that Americans will back their President and their fighting men in this time of trial.

I insert in the RECORD Mr. Alsop's article appearing in the Washington Post:

NO HALFWAY HOUSE BETWEEN VICTORY, DEFEAT IN VIETNAM

In the prevailing fog of gloom and uncertainty, there are only two things that can be said with perfect certainty about the war in Vietnam. The first is bleakly simple.

There is in fact no comfortable, easy halfway house between defeat and victory.

No one who has studied North Vietnamese policy, labored to read the captured documents, and followed on the spot the development of Hanoi's war plans, tactics and strategy, believes for one moment that such a halfway house exists today, or will ever exist in the future. The well-intentioned people who offer theoretical blueprints for such halfway houses are as ignorant of the realities as the people who used to peddle the view that Josef Stalin was really a nice guy at heart.

The North Vietnamese leaders are men with a tenacity and courage that seem all the more admirable in the present climate in Wash-

ington. They are also men endowed with the most steely ruthlessness. In the month of February, they expended their troops at a rate of more than 10,000 men a week and in the week of March 2 to March 9, they were still expending troops so lavishly that their losses exceeded 6700 men—and this is without counting their wounded!

Take as their population base the 16,500,000 people of North Vietnam, plus the 5,000,000 plus-or-minus under V.C. control in the south. Make the appropriate conversion. You find that the Hanoi leaders are in fact accepting losses which, if accepted by the United States of America, would run from 60,000 to 100,000 men a week in killed-in-action alone.

They are accepting these quite unprecedented rates of loss—10 times as high as the average in the recent past—because they are going for broke—trying to win the war in a short time—because they know they cannot stand the strain of greatly prolonged war. And they are ready to make such appalling sacrifices because they want to get their grip on South Vietnam.

To get their grip on South Vietnam at cheaper cost, the Hanoi leaders might well accept one or another of the crazier halfway house solutions that have been proposed in this country. But if that is ever permitted to happen, Saigon will be ruled from Hanoi in a very short space of time.

All the millions of Vietnamese who have put their faith in the United States will then suffer cruelly for this misplaced faith. The U.S. will also have experienced its first defeat in war since this Republic was established. And that leads to the second certainty in the present situation, which is also bleak and simple.

Feeble, needless acceptance of defeat in Vietnam will poison American political life for a generation or more.

The circumstances that produced the terrible McCarthy-time were downright trivial, compared to the hideous circumstances that will confront this country after acceptance of defeat in Vietnam. The resulting outcry about "stabs-in-the-back," the search for scapegoats, the accusations of disloyalty and worse, can in truth be expected to make the McCarthy-time seem downright cozy in retrospect.

Considering how obvious this ought to be, one is all but driven to conclude that the American Left has gone collectively insane. As anyone should be able to see, there is already acute danger of the most frightening sort of a turn to the right in this country. The extreme postures of the Negro racists and the trouble in the cities are quite enough to provoke such a rightwards turn.

The President's riot commission was no more than realistic, when it warned of the possibility of American apartheid. That risk, God knows, will be hard enough to circumvent, and that problem will be hard enough to solve, without the added poisons that are sure to be engendered by the first defeat in war in American history. Add these other poisons to the present mix, and the American future hardly bears contemplation.

Without regard to the wisdom or unwisdom of past decisions, there is therefore only one safe course to take. That course is to make the needed effort to win the war. Winning does not mean crushing North Vietnam, and it does not demand the measures proposed by men like General Curtis LeMay. Winning means no more than forcing the Hanoi leaders to call home their troops, and to cease threatening their neighbors in Laos and South Vietnam.

As any rational man should be able to see from the loss rates and population figures cited above, the Hanoi leaders cannot imaginably sustain the kind of effort they are now making for a very long time. If you go for broke and fail, the failure leaves you broken. Hence there is nothing hopeless in the present situation; but because of the

American advocates of defeat-at-any-price, there is profound danger for the American future.

A Pioneer and a Great Gentleman Passes

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. PRICE of Texas. Mr. Speaker, on March 22, 1955, a Pampa, Tex., newspaper carried a front page story and picture commemorating the arrival 50 years before of a young Englishman "fresh from the county of Surry, C. P. Buckler, then 19, had completed his education at Brighton Grammar School and Arundel House School" and had come to this country to seek his fortune in a new world.

Before C. P. Buckler died 2 days after last Christmas he had not only helped build a town—my hometown—of which I and 30,000 other residents are proud, but he had also played a leading role in making that town and a vast area of the Panhandle of Texas a little more civilized, progressive, and prosperous.

Had C. P. Buckler lived, last Friday would have marked the 63d anniversary of his arrival in Pampa. With unanimous consent I include excerpts from the newspaper story of March 22, 1955, and the editorial carried by the Pampa Daily News following his death:

Buckler has seen many things happen in Pampa and the Panhandle in the meantime. He has been, in fact, instrumental in the realization of much of the progress Pampa has made from an unincorporated community of less than 25 people when he arrived to the city it is today. And he is still at it.

He refers to Pampa as "we". "We wouldn't be what we are today," he says, "if it hadn't been for a very progressive citizenship." Pampa didn't just grow, Buckler adds. "We have had and still have citizens who were thinking not only of their own personal gains but wanted to see the community grow."

"We have always had capable and honest men in our city and county government and on our school boards," Buckler reflects, "and there has never been a case of dishonesty or graft in any branch of our local government."

He points to such community effort as the fund raising campaign of \$60,000 to buy right-of-way through Roberts County for the highway now nearing completion to the Canadian River bridge and Perryton. "It would not have been built without a great deal of effort and the financial help of local citizens," he states. The Forth Worth and Denver branch line and the Clinton, Oklahoma and Western lines were brought here the same way, Buckler reminds—by community effort, money and leadership. The Celanese plant located here for the same reason, Buckler says. "Their officials were impressed with our citizens, our churches and our schools; the things that make a fine community," he believes.

Buckler, himself, has been one of the citizens of whom he speaks when he says "those who were thinking not only of their personal gains."

[From the Pampa Daily News, Dec. 28, 1967]

ANOTHER PIONEER PASSES

The death yesterday of Mr. C. P. Buckler marked the passing of one of the last men who had a part in laying the early founda-

tion on which Pampa and much of the surrounding Panhandle area were built.

He began to make his mark on the future of Pampa 62 years ago when he was only 20 years old. He continued to do so right up until the last days when he was confined by illness that finally struck him down. He was active and attended community functions right up to the last.

Mr. Buckler's impact on the land where he chose to live his life can neither be erased nor forgotten. His name is one of those imbedded forever in the solid rock of time. It would be impossible to recall and record here all of the contributions he made—not only to Pampa—but to the towns and communities surrounding us.

Pampa was an agricultural community before it was blessed with the discovery of oil. Oil did not come until 1927.

But Mr. Buckler and the late M. K. Brown, his partner in the White Deer Lands Co., were among the first to see the advantages of the area agriculturally. It was in the early 1900's that a group of eastern speculators were luring folks to Texas with offers of Texas land at \$35 an acre.

Mr. Buckler and Mr. Brown invited them to come to Gray County, Pampa, and surrounding areas of the White Deer Lands and were successful in bringing many of the early pioneer farmers here by selling them Texas land at only \$15 and \$20 an acre. As a result Gray and surrounding counties eventually became one of the best wheat and cattle producing areas in the state.

This was but one of Mr. Buckler's early contributions in the building of Pampa and Gray County. He had a part in many cultural, educational and philanthropic sectors of the community.

Mr. Buckler, like Mr. Brown, was one of the Panhandle's great men. Because he was a pioneer, his passing leaves a niche that cannot be filled.

The Realization of a Dream

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. SAYLOR. Mr. Speaker, on March 12, I was privileged, along with several of my House colleagues, to hear an address by W. A. "Tony" Boyle, president of the United Mine Workers of America, who also serves in a dual capacity as Chairman of the National Coal Policy Conference, an organization composed of distinguished leaders in labor and business who have united for the purpose of advancing the potential utilization of coal.

The coal industry is on the rise and has only achieved recovery through the cooperation of labor, business, and others working together for a determined goal. I see clear evidence that individuals can attack a common problem and relegate coal to its dynamic place in our industrial complex.

As part of my remarks, I include the brief but enlightening address of Mr. Boyle and invite my colleagues to peruse it carefully:

NCPC: THE REALIZATION OF A DREAM

(EDITOR'S NOTE.—Following are the remarks of UMW International President W. A. Boyle at the National Dinner of the National Coal Policy Conference, Inc., on March 12 in Washington, D.C.)

Ladies and Gentlemen, the Honorable Members of the Congress and Other Distinguished Guests:

It is a sincere pleasure to me to be able to

welcome you to the National Dinner of the National Coal Policy Conference, held in observance of our Ninth Anniversary.

We represent here tonight the realization of a dream!

A decade ago such a gathering would have been impossible.

Yesterday there was a dream. The dream became an idea and a proposal. Today that idea is a reality!

This reality is simply that the great American coal industry and its workers—and its customers, its equipment manufacturers and its carriers—can and are working together to promote the common interests of all of us.

A decade ago the idea was scoffed at by the cynics. They said the diverse economic interests that make up the complex of America's coal-based industrial society could not be brought together to speak with "one voice" for coal.

I can report to you tonight that the cynics were wrong.

The progressive views of the nation's major coal operators and of the leaders of the great Union that I have the honor to represent have prevailed.

For the first time, in America or elsewhere, there has been formed an effective united front to defend and promote the common interests of a great and basic fuel industry.

This united front is the National Coal Policy Conference.

We speak today for the American coal industry, its workers and its allied industries. We speak as one in behalf of the jobs and incomes of hundreds of thousands of Americans in 25 states. We speak for an industry that creates nearly \$3 billion in annual income in the American economy. Most importantly, we speak for an industry that is absolutely essential to the Nation and especially to the economies of the areas in which it operates.

As your Chairman, I can say tonight that the National Coal Policy Conference is an effective spokesman; that we are listened to with respect and with growing understanding in the halls of government and by the news media and by the energy-knowledgeable people of our country.

We have not, of course, solved all our problems. The job ahead is a tough one.

We must, therefore, dedicate ourselves to an even more determined effort in behalf of coal. It is our job to give America the true facts about coal and energy.

For if we, as Americans first and coal men next, are to meet our challenges and solve them, we must, as the National Coal Policy Conference, see to it that this Nation's resources for power and energy are made secure.

Speaking for all of us here tonight, I pledge you that the National Coal Policy Conference will do its utmost toward this end.

Baptist Professor Asks, "Who Killed My Son?"

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. BROWN of California. Mr. Speaker, most Americans have been fortunate enough to escape personal loss in the Vietnam war, but many in our Nation have not been so fortunate. Prof. M. Edward Clark of the Central Baptist Theological Seminary lost his son in the war last summer, and he has written his reflections in a way that makes all who read his thoughts feel the personal loss. This story is being repeated many times over in our country, beyond the thou-

sands of times it is happening among the Vietnamese people.

After reading the story, Professor Clark's question of himself and others lingers on in a disturbing ring of the words, "Who killed my son?" In this account, he has taken a genuine look at the prime causes of war, and he, himself, accepts part of the blame in reminding us that, "The guilt of his death is upon us all."

Under unanimous consent I include this story at this point in the CONGRESSIONAL RECORD:

HOME FROM VIETNAM: JUNE 14, 1967

(By M. Edward Clark)

On the night of June 14, 1967, I sat on the running board of a United Air Lines jeep waiting for the flight from San Francisco to come in. The arrival, scheduled for 11:13 P.M., was already a half-hour late.

As I waited I thought about my son, Tim. He was returning home from Vietnam on that flight. Little more than a month before, on May 2, I had waited at that same airport after Tim had said good-by and boarded a T.W.A. jet for San Francisco. That evening, at sundown, my wife and I, my daughter, my grandson, and Tim's girl of a few short days stood on the observation deck while his plane was delayed, first for late passengers and then for the landing of an incoming plane. Then the jet pushed its nose into the sky and dipped away toward the west, finally becoming a dark speck against the pale glow of the evening sky.

I

Now my son was coming home. The minutes dragged on. At last, shortly after midnight, a string of baggage carts came into sight and I knew that Tim had arrived. The jeep pulling the wagon train came to a stop at the freight office of United and a young man in uniform stepped out and shook hands first with the undertaker and then with me. "I am Lieutenant Campbell," he said. "I have been assigned as an escort for your son. May I extend my sympathy."

My son was in an oblong gray plywood box with two bronze handles on either side. Stenciled across one end of the box were the words Pfc. Timothy R. Clark US 55 881 629. On the top of the box at one end was the word "head" and on the upper corner of one side were the words "Flag Inside."

So now my son was home. Home from the scraggly brush-covered hill where, the Thursday before, he had written us a letter, his last letter. He had said that in his idle moments of waiting he let his mind roam the streets of Kansas City, visualizing each corner, each building, the lights at night; the memory took away some of the loneliness of Vietnam. The next day at 2300 hours (11:00 P.M.) Tim took the brunt of a hand grenade thrown by a "hostile" soldier. Up to the time he wrote his last letter, Tim had not seen a hostile soldier, neither a Vietcong or a North Vietnamese. But he had seen some of the results of their activity. A couple of weeks before, while his battalion was out on perimeter defense, the bunker that was serving as their headquarters had been mortared and machine gunned, and six of his buddies had been killed and eight wounded. Later, he heard, one of the wounded had died.

The probability is that Tim never did see a Vietcong or a North Vietnamese soldier. If so, at least one of his wishes was fulfilled, for in several of his letters he expressed the hope that he would never see any of the "enemy."

So now his last flight had touched down, and he was home never to fly again, never to sing or sigh again, never to wish or hope again; his only task now to wait out the long slow hours of eternity, where the hatreds of men cannot enter.

The freight clerk opened the freight-house door and the baggage cart was backed up to the waiting hearse. The four of us—the es-

cort, the undertaker, the freight man and I—shoved the gray box from the cart into the hearse. This done the escort said: "Mr. Clark, the army has declared your son to be non-viewable. If you would like we, the undertaker and I, can open the casket in the morning and see if he can be made viewable, but we don't know." I answered that the viewability of the body was not important, and that we did not plan on an open casket during the funeral ceremonies.

With that the three of us got into the hearse and began the drive to the funeral home. On the way to the airfield I had expressed to the funeral director the wish that after we had picked up the body we might take a sentimental journey and drive down the streets Tim had seen in his mind's eye so shortly before the grenade found him.

So as we crossed the Broadway bridge the undertaker steered the car south into Main street, past the theaters, the bars, the stores, down to Fourteenth street, where we turned left to Grand, then north on Grand past the Midland Camera store where Tim had bought some of his camera equipment, past the bus station where, just a year ago, he had arrived one midnight from Fort Leonard Wood on his first weekend pass. Then across the viaduct and on to the intercity expressway to Kansas City, Kansas, and the funeral home.

All that was four days ago. The last of the ceremonies is over. Relatives who arrived before the body of my son will leave in the morning. Only a small plot of broken sod and a few wilted flowers mark the spot where one who once dreamed dreams great and small, one who dared to walk the earth as a friend to all men, who scorned the ordinary and fought desperately within himself to be what every man ought to be: a unique human being—only the broken sod and the fading flowers mark the spot where one, once so full of hope, now lies distorted and nonviewable.

II

Who killed my son?

The telegram sent by the army said he was killed by a detonated grenade thrown by hostile forces—by the communities or the North Vietnamese or the Vietcong. There is at least a half-truth here, but, alas, only a half-truth. A hostile force was, to be sure, the immediate cause of his death. But that fact is really but the final detail. The ultimate cause of the death of Timothy R. Clark, of the other 175 who were killed that week, of the more than 11,000 Americans who thus far have lost their lives in Vietnam and of the many who are yet to die—the cause of all these tragic deaths ultimately can be traced to three things: Pride, Greed and Indifference.

Why do the Vietcong and the North Vietnamese fight so stubbornly against the most powerful nation in the world? Because to admit defeat would be to surrender all pride, pride which long ago the French took from them and which they finally retrieved by defeating the French at Dien Bien Phu.

Why does the American high command sacrifice life after life when admittedly the land it holds is beside the point? Again the answer is pride—the pride of a proud man who has the support not only of other proud men but of greedy men as well. For is it not true that there is much more room for promotion and advancement when a war is on than when peace prevails? Perhaps they are not conscious of pride and greed; they can always be rationalized as patriotism. But they are pride and greed nonetheless. And will anyone pretend that there is no greed in the companies that fight for the war contracts?

What of indifference? Since World War II conscription—something many of our ancestors came to America to escape—has become the accepted thing. So indifferent are we that hardly a murmur is raised when the Congress proposes a law that will draft 19-year-olds as first choice; for 19-year-olds make better soldiers! Do they indeed? Or is it rather that

19-year-olds can more easily be led to believe what the army wants them to believe? Is it that they will go simply because they are told to go? Escort Campbell told me that the only reason he had for being in Vietnam was "orders."

III

The fact is, as a recent editorial in the *Boston Globe* indicates, that the industrial-military-scientific-political complex finds this war a convenient way of satisfying its selfish purposes. The casualty lists are getting a bit longer now, but they have not yet reached the danger point. A few more waves of the flag will keep the war going at least for a while yet.

Besides, most of the casualties are high school or college dropouts and their parents aren't apt to be in positions of power. The wealthy and the prestigious can keep their sons in school (the proposed new law makes it even easier) until the danger of the draft is over. Hopefully there will be plenty of 19-year-olds so that those who are older will not be called. Indifference and the cultic religion of Americanism will take care of most of the problems.

Who then killed my son? The Vietcong? The North Vietnamese? No, not they alone. I killed him. You killed him. False and greedy patriots killed him. Pridelike and ambitious politicians killed him. The armed forces of his own nation killed him. The guilt of his death is upon us all. His blood and the blood of 11,000 is on our heads. Each new day brings more oblong gray boxes to rest on our doorstep.

But the madness continues. Last week 176 Americans were killed, and who knows how many Vietnamese, South and North soldier or civilian. This week there will be more. And each week the slaughter continues, pride and greed increases and we edge nearer to the point of no return, a nuclear holocaust that will devastate the earth and make us all nonviewable.

Madness, madness, madness!

Extraordinary Cleveland Area Victories of the Euclid High School Basketball Team

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. VANIK. Mr. Speaker, I wish to point with pride to the great spirit and skill exhibited by the Euclid High School basketball team which has projected them into the Ohio statewide basketball finals.

Regardless of the outcome of this great statewide test of skill and ability, the sportsmanship and total community effort which was shown by the five first stringers: Rick Brown, Ewald Heise, Al Vilcheck, Al Russ, and Jeff Booms, and all of the supporting team members: Dan Zawack, Fred Nevar, Mike Laughlin, Dave Lewis, Tim Neidermeyer, Don Nevar, John Lonchar, Don Shisla, Dave Price, and sixth man, Rod Sullivan.

The whole community of Euclid and all northern Ohio is rightfully proud of the splendid showing this great team has made. The question is not whether our Euclid team won or lost. The question is how they played the game.

I want to congratulate every member of the team and their families, their Coach Daugherty, their principal, Mr. Walter N. Schweglar, and everyone at Euclid High School who contributed to

this challenging contest. All of northern Ohio is proud of their effort.

Attached is a Cleveland Plain Dealer article of March 21 on Euclid High School's great first string:

RICK BROWN

One of Euclid's most unusual athletes, Brown was an all-scholastic as a baseball shortstop last year, quarterbacked the football team, and has become Euclid's best outside shot. Contrary to what it may appear on the surface, the basketball season was not easy for Rick.

He started slowly. "He suffered through a rough football season," says his coach. "He had some bad games during the season." After a scrimmage with East Tech, Daugherty and leader Vilcheck talked to him. They told him they believed in him and that he should settle down and just play basketball. He became the best one on the defensive player, made some key steals against Canton McKinley, and has boosted his scoring average to 10.5. His 25 points almost single-handedly destroyed Hubbard in the regional opener.

EWALD HEISE

Very quiet. Extremely reserved. Probably the most underrated player on the team, according to coach Daugherty, the 6-0 Heise is accustomed to clutch performances. A guard on offense because he can dribble and can shoot from the outside, he personally turned East High's press into shambles in the district final. A forward on defense, he is a demon on the defensive boards. Has a sixth sense when it comes to rebounding.

His strength is his cool. He is a veteran of big games. He was the third baseman on Euclid's Pony League all-star team that came within one game of winning the national championship in California four summers ago.

He won't try out for the Euclid baseball team this spring, although teammate Rick Brown says, "He could be on it," because he's going to get a job to earn money for college.

AL VILCHECK

Elected team captain by unanimity. Vilcheck is Euclid's all-time best player. First team all-state according to both wire services, scoring (24.9) and rebounding leader, he's more than just a big man. He's big in character and big in cool, all six-feet, nine inches of his muscular frame. He's what coach Hal (Doc) Daugherty has waited a lifetime for.

Doc, you see, was brought up with this philosophy: Get the ball to the big man. Doc was the playmaker guard at Glenford High School and Ohio State University.

Now he's telling the same thing to his boys: "Get the ball to 'Check!'"

Tutored by former JV coach Bob Knuth to develop a hook shot, Vilcheck had to begin by tossing the ball at a door. That's all he could hit as a ninth grader. Persistence paid off. He can now dribble as well as half the guards in the county as a big bonus.

AL RUSS

"He's the best ball-handler I ever coached because he's a threat as a shooter," says coach Daugherty of his brilliant little 5-9 guard Al Russ. "He fantastic."

No team can successfully press Euclid because Russ can beat any guard one-on-one. He likes to take line-drive jumpers from the top of the key, but don't be misled. What looks like a shot often is a pass to Vilcheck, who need only tap it home.

Along with Booms, one of the two starting juniors, it has been said that Russ already has the moves of a major college guard . . . and then some. Has a rare ability to excite the student body with one gesture. Take the Canton McKinley regional final. When the Euclid starters were taken out in the last half-minute, Russ glanced up at the student body and held up one finger when

he approached the team bench. It was obvious what he meant: No. in the state.

JEFF BOOMS

Made successful conversion from center on JV team last year to forward this year and responded with a 13.5 scoring average. "It took him four or five games to learn to play forward," coach Daugherty explains. "Then he hurt his ankle and had to learn all over again. For a while he was favoring the injured ankle and was just standing around. Now he is moving, even without the ball."

Because of his size—6-4 and about 200 pounds—Booms is a perfect complement to Vilcheck. Against teams with one good big man or one good jumper—as with Cleveland East High—Vilcheck has moved away from the basket on offense, taking the big defender with him. This leaves Booms clear and free somewhere near the basket. Comes a high pass to Vilcheck who then feeds Booms.

St. Louis Municipal Opera, Originator of Summer Musical Theater in the United States, Reaches 50th Year

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mrs. SULLIVAN. Mr. Speaker, the world-famous St. Louis Municipal Opera, America's oldest and best-known summer musical theater, reaches a historic milestone this year when it launches its 50th season, still fulfilling with verve, imagination, and resourcefulness the role its idealistic founders had envisioned for it nearly a half century ago.

Prior to the establishment of the Municipal Theatre Association on June 10, 1919, Forest Park in St. Louis had been the scene of many successful historical pageants, Shakespearean plays, grand opera, and patriotic rallies. The success of these programs led the civic and community leaders of my city to form a permanent organization to bring outstanding summer entertainment to the community, and so the "Muny" was born. The first show, "Robin Hood," opened on June 15, 1919.

The St. Louis Municipal Opera stands today as one of the wonders of the theater world. Cities throughout the country have honored the Municipal Opera by copying its successful formula.

Notwithstanding floods, depression, wars, and urban growing pains, the people of St. Louis each summer have thrilled to the beauty and the excellence of the performances of the "Muny" and, over the years, millions of visitors have enjoyed with us the delights of our summer programs.

A THEATER WHICH BELONGS TO ALL THE PEOPLE

The progressive leaders who established this fine institution were determined that the theater should belong to the people, and successive boards of directors ever since have adhered to that principle. The constitution of the Municipal Theatre Association has always specified that no elected officers were to receive pay for their services and that a portion of the seating capacity was to be set aside each night for those unable to pay the admission charge.

There are 12,000 seats available for municipal opera performances and 1,500 of those—12½ percent of the entire seating capacity—are set aside, free of charge, for use by charitable organizations or by individuals unable to pay. At each performance during World War II, 1,000 seats were always reserved by the management for the men and women in our armed services.

Many of the greatest stars of American musical entertainment have appeared in the St. Louis Municipal Opera presentations; many, in fact, received their most effective training by performing at the "Muny." And we are proud of all of them, just as they are proud of their identification with the St. Louis Municipal Opera and appreciative of the enthusiastic rapport between performer and audience which has always characterized our musical shows.

Mr. Speaker, I am sure that every Member of Congress who has ever visited the St. Louis Municipal Opera, or who has had the delightful pleasure of attending a summer musical presentation in some other city which borrowed the idea of the St. Louis Municipal Opera to institute its own summer theater, will join me in extending congratulations to the officers and directors of the St. Louis Municipal Opera on a remarkable accomplishment in the cultural life of America.

The Members will be interested in knowing, Mr. Speaker, that summer musical theater in Forest Park in St. Louis will be presented as usual this summer—"as usual" meaning with wonderful shows, good casts, and enthusiastic audiences. Come join us at the "Muny."

Iwo Jima Lost

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. RARICK. Mr. Speaker, the news that the administration has agreed to surrender Iwo Jima to Japanese rule this month or in early April was received with emotion by the American people.

Iwo Jima, cost 5,000 American lives in the battle against Japan. A sad day for America to lower the flag at Iwo.

Why should the American people restore Iwo Jima? Has Japan helped our cause of peace by aid in halting Communist aggression in Korea or South Vietnam? Has Japan agreed to send troops to fight the creeping Communist menace in Asia? Why then is Japan entitled to any concessions?

If we are to return Iwo Jima to the Japanese—are we also to return the German possessions to free Germany at Bonn, To reunite Germany?

I include the Associated Press release of March 25 following my remarks:

[From the Atlanta (Ga.) Journal, March 22, 1968]

HARD-WON IWO JIMA TO RETURN PEACEFULLY TO JAPANESE RULE

WASHINGTON.—Iwo Jima, won at the cost of some 5,000 American lives 23 years ago, will be peacefully transferred back to Japanese rule within the next few weeks.

State Department officials said Thursday

the United States will sign an agreement by late March or early April turning over to Japan administration of the historic World War II battle site and 28 other desolate Pacific islands of the Bonin-Volcano groups.

Some 22,000 Japanese died in a vain effort in February and March of 1945 to hold the strategically important, eight-square-mile island. The over-all U.S. and Japanese casualty toll made it one of the bloodiest battles of the war.

The transfer will mean hauling down the American flag from Mt. Suribachi, where raising of the stars and stripes by Marines was recorded in one of history's most famous combat photographs. The 546-foot volcano will instead carry a bronze plaque commemorating the flag-raising.

The bodies of Marines and Japanese troops killed at Iwo Jima have been moved to other burial sites.

Under terms of the still-pending agreement, the United States will retain rights to use military facilities on Iwo and another island in the Bonin chain, Chichi Jima.

Japan has been pressing for return of the islands for a number of years. In agreeing to the transfer, the United States turned down at least temporarily any return of Okinawa, another World War II battle site—and still a major American Base greatly coveted by the Japanese.

How To Make Your Community a Safer Place in Which To Live

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. WATSON. Mr. Speaker, a crime-fighting organization known as Help Your Police Fight Crime recently sat down with police officials from Maryland, Virginia, and the District of Columbia to compile a list of the things police officers generally suggest to reduce the opportunities for crime.

One million "Safer Community" folders are being printed and distributed free to our people throughout the United States, courtesy of the crime-fighting group and the public-spirited merchants in the District of Columbia area.

Mr. Speaker, citizens throughout America are entitled to free copies of this little folder by writing Help Your Police Fight Crime, 406 Perpetual Building, Silver Spring, Md. 20910.

I thought the folder very worthwhile and I would like to include its contents as part of my remarks, as follows:

How can you help make your community a safer place in which to live?

Since laws are but the rules by which society lives, and since people make the laws which police must enforce, we believe good citizens should support and respect our police as the first step in any realistic fight on crime.

But respect must be mutual between police and public, for they are interdependent, the one upon the other. Police and people need to stand up together, or be knocked off, individually.

Remember—you may be the next victim. Or, your policeman could be the victim—for not even he is safe on the streets of America, today.

STAY ALERT—REDUCE THE OPPORTUNITY FOR—

1. Burglary—By installing adequate locks on windows and doors. Then keep your house or apartment locked, especially at night and

when away. Notify post office, newspapers, etc., to stop services while you are on vacation. Have a neighbor keep an eye on your place, picking up any papers and packages left on the porch. An automatic light at night might also be helpful.

2. Auto theft—By removing the keys from your car, rolling up the windows and locking the doors, when parking. The majority of cars stolen are unlocked—many with the keys in the ignition switch. Leave no articles, valuable or not, in sight to tempt a passer-by. Lock them in the trunk of your car.

3. Larceny—Stay awake in public and away from mobs. Watch out for those who jostle you in a crowd. A bulging hip pocket, or an open purse invites the pick-pocket to steal. If you value a bicycle, lawn mower, rug or fur coat—lock them up—secure your property. Avoid business transactions with unattached strangers, especially those who offer confidential or secret get-rich schemes, either in person or by telephone.

4. Robbery and holdup—By staying off the streets, as much as possible, at night. Carry little of value when you do go out, and travel with a companion whenever possible. And always walk on the lighted side of the street, avoiding shadows and alleys and lonesome unfrequented areas.

5. Assault—By exercising every caution. Keep away from dimly lit areas and avoid strangers on the streets. Do not travel alone, unless absolutely necessary, after dark. When driving at night, keep car doors locked. Be cautious, even around the home, in daytime as well as at night. A very large percentage of assaults on women occur in the immediate vicinity of the home. When alone, admit no uninvited guest. When alone in public, don't fraternize with strangers.

6. Criminal homicide—By avoiding use of narcotics or excessive drinking and avoiding places where people generally get drunk and disorderly, or deal in, or use dope. And—don't drink and drive.

In addition to the above, be sure to report every theft or assault, or law violation promptly to your police department. Also, it is advisable to report any unusual activity you may observe—such things as snooping, a person or persons trying to open a locked car door, house door or window, or a person obviously following someone to or from his home, etc.

SEVEN WAYS TO SUPPORT YOUR POLICE

1. Question derogatory rumors to determine whether they are fact or fancy.
2. Refrain from public criticism of your law enforcement officer—the policeman. He is your representative—don't misrepresent him, or encourage others to do so.
3. Refrain from quick judgments on every police action, and especially refrain from use of the violence propaganda phrase—"Police Brutality."
4. Refrain from playing politics with a thing so vital as public safety.
5. Obey all laws yourself. Don't fudge, even on traffic laws.
6. Teach your children to respect, obey and help the policeman. Do not default by overparental indulgence, or by bad example.
7. Report any suspicious and/or illegal activities of any kind promptly to the police. Remain alert. Don't trust to memory, jot down the facts. Help the police make positive identification and arrest, or perhaps help him prevent a criminal act.

The "Pueblo"—How Long, Mr. President?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. SCHERLE. Mr. Speaker, this is the 64th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

National Endowment for the Arts Aids Appalachian Corridors: Exhibition I

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. MOORHEAD. Mr. Speaker, on Friday, March 29, an exhibition of work by outstanding painters, sculptors, and craftsmen from the Appalachian region will be formally opened to the public in Charleston, W. Va. It promises to be among the liveliest and most impressive exhibitions of its kind in many years.

There are several factors which make "Appalachian Corridors: Exhibition I" an unusual and exciting one for those of us who live in Appalachia. I am pleased to find that a large number of artists from my own district were among those who entered the exhibition. I am equally happy to learn that entries were received from each of the 13 States which are included, in full or in part, within the legally defined limits of the Appalachian development region.

Last week, along with all other Congressmen representing districts within Appalachia, I received a memorandum from Roger L. Stevens, Chairman of the National Council on the Arts and the National Endowment for the Arts. One paragraph of Mr. Stevens' memo is indicative of the faith the National Council on the Arts has demonstrated in the skills and artistic achievements of the people of the Appalachian region.

Mr. Stevens said:

Despite its economic distress in many areas, Appalachia is a region deeply endowed with rich artistic traditions in music and in the visual arts. I am hopeful that this show, representing the hopes, aspirations and achievements of a great segment of our population, will have the success it deserves.

Let me point out that the National Endowment for the Arts, on recommendation of the 26-member National Council on the Arts at its November 3 meeting last year, approved a grant of \$5,000 for the Appalachian Corridors Exhibition. The show, initiated and coordinated by the Charleston, W. Va., section of the National Council of Jewish Women, is expected to tour throughout the region, visit Washington and then, if present plans can be fulfilled, go on a nationwide tour of museums and art centers.

The exhibition has already attained widespread recognition in newspapers and other publications. Two of America's most prominent and widely respected museum directors—Mr. Lloyd Goodrich of the Whitney Museum of American Art in New York City and Mr. Paul Smith, director of the Museum of Contemporary Crafts in New York—agreed to serve as judges for the show.

Perhaps most important of all, the exhibition is proof that the National Endowment for the Arts is determined to invest the small amounts of money available to it for the maximum benefit of all artists.

The participation of the National Endowment for the Arts in this one program is a symbol that the Federal arts effort can be meaningful to the artisan of a remote region of Appalachia, just

as it is to those who live and work in our great metropolitan areas.

I am sure my friend and colleague, the gentleman from West Virginia [Mr. SLACK], whose district has the honor of playing host for the premiere of this important exhibition, joins me in a feeling of pride, not only in this exhibition but in the fact that such a large number of Appalachian artists were encouraged to enter the competition.

I am confident that they did so, not only because of the prizes offered for the winning entries, but also because they feel a deep and abiding sense of pride in their own creativity and the creative development of the region in which they live.

Medical Mission Sisters Thank AID

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. EILBERG. Mr. Speaker, blinded by bold headlines, we have the tendency to forget those who conduct people-to-people programs which are winning the United States friends throughout the world merely by extending the hand of humanity, by succoring to the ill, by spending lives in remote places without thought of reward.

Tucked away in a corner of my constituency is the headquarters of such a group of people, the Medical Mission Sisters. Their work for humanity is well known to me, but I will not discuss it here, except to say I am grateful for the honor of knowing this dedicated group.

Recently, the Medical Mission Sisters wrote to an arm of the U.S. Government, the Agency for International Development, thanking AID for its assistance to the sisters throughout the world. It did not make headlines; such positive actions rarely do. But I would like to share it with my colleagues.

Mr. Speaker, the letter follows:

MEDICAL MISSION SISTERS,
Philadelphia, Pa., March 20, 1968.

MR. WILLIAM S. GAUD,
Administrator, The Agency for International Development, Department of State, Washington, D.C.

DEAR MR. GAUD: We feel as an international medical group working in the developing countries, that we would like, at this time, to reiterate our gratitude to the Agency for International Development for the assistance it has given to our hospitals and Schools of Nursing, Medical and Technician, X-ray training programs, in New Delhi, India, in Ghana, West Africa and at present in South Vietnam, where AID is shipping our vital medical supplies from Saigon to our Quinhon hospital.

Our Community has been working in the emerging nations for over 40 years. Our Sisters have had close contact with AID representatives in these countries, and have been impressed with their dedication and efforts to better conditions in the area. We have also been able to observe at first hand the improvements AID money has achieved over a period of years. We feel that all too often publicity is given to the occasional failings of individuals, or of individual isolated programs but that very small attention has been given by the press to the notable record of successes.

We are indeed distressed at the current budget cuts in Foreign Aid. It would seem that the richest nation on earth should be able to afford to spend 1/2 of 1% of our gross national product for programs which reflect the best American traditions and serve our best national interest.

It is most vital for our nation to respond to the challenge posed by the aspirations of hundreds of millions of people who want a better world for themselves and their children. It is unthinkable that the challenge is beyond us.

We are eager to be on record with a positive endorsement for what we feel is one of America's most positive efforts on behalf of the people of developing nations.

We are content that our own Congressmen, Joshua Eilberg and Richard Schweiker are active in working on behalf of U.S. A.I.D. legislation.

Sincerely,

Sister MARY LOUISE,
Sector Head, Medical Mission Sisters.

Protection for Mailmen

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. NIX. Mr. Speaker, I have today introduced a bill which is being considered by my Subcommittee on Postal Operations. It was originally introduced by the gentleman from New York [Mr. DULSKI] our full committee chairman on February 19 of this year. I want to join with him now in supporting an extension of Federal protection to the Nation's letter carriers and postal personnel.

In the past year or so assaults on letter carriers have increased so that we now face a situation where mail service itself is in danger of being curtailed. Petty thugs have decided that our letter carriers are tempting targets. They are after all the paymasters of the Nation since they carry our checks and deliver them to us. It is my understanding that on the 1st of the month and on the 16th of the month, letter carriers have been constantly attacked. Our citizens suffer even more than our letter carriers since the recipients of social security and welfare checks for instance live from check to check and delay is serious and many go hungry because of the failure of prompt delivery.

This bill will include postal personnel in the protection accorded to other key Federal Government personnel in 18 U.S.C. 1114. This section was originally written so as to protect Federal law enforcement officers but has been extended over the years to lend Federal protection to other officers of the Federal Government. Attacks on letter carriers are not personal although they are very often vicious. They are attacks on the Government and a Federal service to our people. They are attacks on all of us.

I think our postal employees should enjoy the support of the Congress. Assault on letter carriers is now a national problem and should be solved by a Federal law. No government can long survive that does not protect its own officials. I hope the House will support this bill and similar bills.

To Keep Alive Things That Are Most Precious

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. SAYLOR. Mr. Speaker, like all responsible Americans, William L. Lindholm is deeply concerned about the noticeable decline in patriotic fervor, the open disrespect toward the flag of the United States, and dissent that degenerates into rebellion.

Like a growing number of Americans, Mr. Lindholm, who is president of the Chesapeake & Potomac Telephone Co., has decided that it is time to speak out against the apathy and defiance that reflect shamefully upon the national spirit. In a masterful address before the Baltimore Chamber of Commerce in January, Mr. Lindholm appealed for a resurgence of the patriotism that drove our country to world preeminence and is essential in the pursuit of continued accomplishments.

Valuable contributions have emerged from dark ages only because some men, in the midst of darkness, have made it their main business to keep alive things that are most precious.

Mr. Lindholm postulates. Then he proceeds to explain what is required to help our Nation to emerge from the disheartening levels into which detractors sometimes succeed in casting us.

Mr. Lindholm's address appears in the March edition of the Baltimore magazine. I place it herewith in the CONGRESSIONAL RECORD:

WHAT ABOUT THE RIGHT TO REPLY?

(NOTE.—The reaction to the remarkable address given at the Chamber's Annual Membership Luncheon on January 19 by William L. Lindholm, president of the Chesapeake & Potomac Telephone Companies, has been an unprecedented number of requests for copies of the speech.

(Accordingly, we re-print here for the benefit of all our readers an address which brought several hundred listeners to their feet for a standing ovation. It is a simple, direct and very eloquent statement on patriotism which we hope you will read carefully.—HERBERT G. BAILEY, Jr.)

Ordinarily I talk about problems that are directly within the province of the Chamber. But in looking over your roster of speakers for last year, I saw that you had a number of speakers who talked about business and social problems.

So today, I thought I would try a different approach. My subject has little to do with business actually, but it does have something to do with us as people and as citizens. Today I want to talk with you about responsibility, about this country, and a little bit about faith in it and in ourselves.

A little over two months ago several thousand people gathered in Washington to march on the Pentagon, supposedly in the name of peace. The usual crowd of Peaceniks and Vietnicks were there. There were also a lot of normal looking people present. Most of them were young, but many were responsible adults. Some of them carried signs like DRAFT BEER, NOT BOYS and MAKE LOVE, NOT WAR, and some milled around chanting "I Don't Give a Damn for Uncle Sam." They burned draft cards and some American flags and paraded across the Mall in splinter groups carrying the flag of North Vietnam as their rallying point.

Following that debacle—almost every week it seemed—picketing of government officials, protests on campuses and militant attacks on draft boards all across the country broke out like a rampaging brush fire.

The last time I was at the Preakness, they played the National Anthem as they usually do at the beginning of the race. But they might as well have played the Missouri Waltz for all the attention anyone paid it. The same thing happens at D. C. Stadium, although I understand that at Memorial Stadium here in Baltimore the anthem receives much better treatment. But in most places while the anthem is being played, people continue to call out for hot dogs and beer or just walk around with their hats on. And on days when we traditionally honor our nation and our nation's heroes, if you drive around your neighborhood, I'll bet you can count on one hand the number of American flags that are hung out. Well, those are very small things, perhaps. But they are evidence of subtle change. Lack of respect for the flag has become so widespread that at West Point, the United States Military Academy found it necessary to place a sign beside its parade grounds reminding spectators that it is customary for men to remove their hats at the passing of the banner that was once unshamefully referred to as Old Glory. And all of us here, reflecting on the origin of the Star Spangled Banner in Baltimore, might well wonder whether such a patriotic anthem would even be published if it were written today.

Draft dodgers used to be sort of a joke—in between wars anyhow. The American humorist Artemus Ward still makes me laugh when I remember he said he had sent two cousins off to the last war and that he now stood ready to send his brother-in-law.

But now it's a serious matter. One widely circulated national magazine not long ago featured an article telling young men how to beat the draft. Some clergymen and professors have even conducted clinics on draft-dodging. Gen. Wallace Greene, in a recent speech, referred to an ad from one of these organizations which he says has appeared in several college newspapers. The ad reads, "It is easy to look at our State Department's sagacious slapstick, our army's appalling inefficiency—and in the looking—to see only retrogression and confusion. If you question the right of any government to conscript a man against his will, then—serve your country! Don't go to Vietnam!" It goes on to say, "If you are not an absolute pacifist, or religious, you can still conscientiously object to the war in Vietnam. The war in Vietnam is a crime! Do not cooperate! For information write the War Resisters League, 5 Beekman Street, New York."

That advertisement was aimed right at America's youth—right at the age group who not only must defend America, but whose attitudes will shape the destiny of our country for years to come.

The confusion and despair many of us feel was expressed by a young serviceman who wrote: "How can it be that one boy lies rotting from malnutrition and torture in a jungle prison in North Vietnam—and another boy spits and tramples of the flag of this country; that one boy lies sightless in a Naval hospital from communist-inflicted face wounds—and another boy uses a communist flag to drape himself, in defiance of the laws of this country; that one physician begins his 30th straight hour standing over an operating table in pursuit of life for men serving this country—and another physician implores crowds of young men to refuse to serve their country; that one clergyman shields a wounded boy from an enemy bayonet with his body and dies—and another clergyman uses his cloth as a shield to preach hate, dissension and lawlessness.

"How can it be?"

Well, incidents such as these cause many

people to ask, "Whatever happened to patriotism?"

Some people tell me nothing's happened. They say that true patriotism is what motivates them to burn the flag, to burn their draft cards, to shout epithets against their country. They say they love their country so much that they cannot help but protest in these forms when they see our leaders steering a course they believe to be wrong. They say the same issues are at stake here as were at stake at the Nuremberg trials. And they say the National Anthem shouldn't be played at ballgames and horse races in the first place.

Well, maybe so. But those are about the only places I ever hear it played any more, and I'd rather hear it there than not at all.

Maybe that's just a rag to them, but it's a flag to me—an American flag—and ought not to be desecrated. Maybe they don't like the war—who does?—maybe they don't agree with our foreign policy. But do they have a better, workable policy to suggest? If they do, I haven't heard it or read about it. "Get out of Vietnam" they cry, ignoring the how and when. They have the right to dissent, and no one wants to deny them that right, but they need a strong dose of realism and responsibility to go along with it. Demonstrators who glorify the Viet Cong, who burn flags or draft cards, who urge the world in general to "make love, not war" are indulging in dissent for dissent's sake. And the argument is too important to be taken over by extremists on either side.

I saw a perfect example of that last summer. I was on my way to a luncheon and as I went through Lafayette Park, I noticed a row of pickets in front of the White House. As I got closer I saw that there were actually two groups of marchers, and when I finally got there, I saw who they were, and I thought to myself, that really caps the climax. One group was the khaki-dressed, boot-clad storm troopers of the American Nazi party. The other was a bunch of hippies singing peace songs and passing out flowers. I thought to myself, there are the extremes of both sides. There are some reasonable arguments against involvement in Asia, but I don't think the Peaceniks speak them. And there are some reasonable arguments for involvement in Asia, but the Neo-Nazi don't speak them. None of them on either side speak for me, certainly.

Right on the spot I got thoroughly disgusted. I don't know about you, but I'm fed up to the gills with the Peaceniks and their counterparts. I'm fed up with this lack of loyalty to anything. I'm fed up with draft-card burning and flag burning. I'm fed up with violence and civil disobedience, and I am sickened and angered by the downgrading of patriotism. Where are the people who are for things? They're about as hard to find as a nickel beer. We hear a lot about the right to dissent and we respect and uphold that right. But what about the right to reply? Are the courageous to be shouted down and intimidated by the dissenters? Is only one side of the story to be told?

Pride in our country and in ourselves has fallen on hard times. Somehow we've been suckered into downgrading and discounting a glorious past. We've clouded the accomplishments of our nation's heroes. And as a result of the actions and remarks of a few, patriotism—honorable, honest patriotism—has become suspect. It's almost become a nasty word, and I think that's a tragedy.

Many people will disagree with me. And I acknowledge that, taken by itself, perhaps the burning of our flag means nothing. Taken by itself, perhaps shouting curses against America by her own citizens means nothing. Taken by itself, perhaps open defiance of the laws of this country means nothing. Taken by themselves, as isolated instances, perhaps all these acts represent only disgruntled acts of irresponsibility and are no cause for

prolonged worry. But taken all together, when viewed as a total force, I think they represent an erosion of principle which will have the same effect as a malignant tumor.

Arnold Toynbee, the historian, says that of 21 notable civilizations, 19 perished not from external conquest but from evaporation of belief from within.

Some weeks ago, the National Committee for Effective Congress sent out a statement that sounds ominously like Toynbee's diagnosis. With no exaggeration intended, the committee's statement said that "America has experienced two grave crises in her history: the Civil War and the economic Depression of the 30's. This country may now be on the brink of a third trauma—a depression of the national spirit."

That may be the greatest tragedy of all, because as the noted theologian Elton Trueblood says in his book *The Life We Prize*, "one of the greatest dangers we face in our confused times is that a dull despair may settle down over our minds as it becomes clear that our century is one of continuing strain. And if this mood of despair becomes general, the very effort to change the course of events will cease."

In this part of the country I understand that one of the specialties is steamed crab. In other parts of the country they boil them. Maybe you've seen them fixed that way. You know if you put those crabs in a pot of cold water and turn up the heat gradually, they don't know what's happening to them—they don't thrash about or try to climb out. They just sit there and the water gets hotter and hotter and before they know it, they're done. But just put them in a pot of hot water and watch what happens. Then they really kick up a fuss.

I think there's a parallel here. Maybe the heat's being turned up on us so gradually we don't know what's happening. Might not this be what's happening to faith and belief and love of this country? Might not it be waning and leaving without our knowing it? If it is, what is our responsibility?

The British statesman Edmund Burke said it well. He said, "For evil to succeed, it is only necessary that good men do nothing."

It's very late to be discovering that patriotism is not something pre-cooked, ready-mixed or quick frozen for use on short notice. We can't put it on ice during the current crisis and thaw it out for a later one. It's very late, but it's not too late. There is something about dark times that may actually lead to more profound thought on central questions. It's possible for men to be more clear-eyed in disaster than they are in prosperity. Valuable contributions have emerged from dark ages only because some men, in the midst of darkness, have made it their main business to keep alive things that are most precious. There are some things that together we can do.

We can get back to a few fundamentals. We can remind ourselves that patriotism and love of country is not a more intellectual abstraction. It's not merely a word just for a Fourth-of-July oration.

We can realize that "America" stirs something deeper within us than mere geography. "A man's country," said author George Curtis, "is not a certain area of land, of mountains, rivers and woods. It is a principle, and patriotism is loyalty to that principle."

We can realize that patriotism is not something to be ashamed of. And whenever anyone gives you the idea that it is you can say, "Wait a minute. You have the right to speak your piece and I'm going to listen to you. But when you're done, I have a few words to say, too."

And whenever the flag goes by or whenever the National Anthem is played, we can give them the respect and honor due them and we can encourage others to do the same thing. We can remind ourselves that

the things they stand for were created by the collective experience of a great people. Everything they represent was written by their lives.

Lives like Private First Class Butch Strickland of Graham, North Carolina. Now, you don't know who Butch Strickland was. Probably you've never heard of him before and neither had I until just a few days ago. The Freedoms Foundation presented him its highest honor. But they had to do it posthumously. I want to read you part of a letter that was found among his personal effects. With the knowledge that he might be killed in Vietnam, he wrote this letter in advance to his family:

"Dear Folks:

"I'm writing this letter as my last one. Believe me, I didn't want to die, but I know it was part of my job. I want my country to live for billions and billions of years to come.

"I want it to stand as a light to all people oppressed and guide them to the same freedoms we know. If we can stand and fight for freedom, then I think we have done the job set down for us. It's up to every American to fight for the freedom we hold so dear. If we don't, the smells of free air could become dark and damp as in a prison cell.

"We won't be able to look at ourselves in a mirror, much less at our sons and daughters because we know we have failed our country and future generations.

"I fought for Sandy, Nell, Gale (his sisters) and for Mom and Dad. But when the twins get old enough, they'll probably have to fight, too. Tell them to go proudly and without fear of death because it is worth keeping the land free . . ."

Well, as long as we have men like that, and there are many of them, this country is going to go a long, long way. What they need from us is a little help, and we can give it to them.

Now, let there be no misunderstanding. I'm not defending or advocating our position in Vietnam—I'm not here to discuss that issue. I'm not endorsing any special group or any special interests. And I'm not calling for super-patriots either. They're as bad as their counterparts on the far left.

What I am calling for is that plain, old-fashioned kind of patriotism that has been such a rich part of our national culture. Perhaps this Chamber could take on such a retrieval of faith in this country and in ourselves as a project. You know there has been a lot of talk that business is not held in a very high regard by a lot of people. We've been looking for some way to get across the message that we love something besides the dollar. Perhaps this might be a way to do that. And if you do, I think you'll find a lot of people who believe as we do that life does have a purpose and that we have a duty. They just need to be reminded of it.

I'm coming to the end now, and I'm thinking of a charge that was first laid down in 1787. At the close of the Constitutional Convention, Benjamin Franklin arose to address the delegates at that historic meeting and he said, "And now, gentlemen, we have given you a republic . . . if you can keep it."

That charge needs to be given to us again today, I think.

And how can we keep it? By acknowledging the right to dissent but also upholding the right to reply. By remembering that patriotism means love of one's own country without hating other countries. By remembering that we have a heritage that has been renewed time and again in places like Bunker Hill, Yorktown, the Marne, Okinawa, Omaha Beach, the Chosen Reservoir, and now in Vietnam by men like Butch Strickland, and by resolving not to let them down. You may recall the toast Stephen Decatur proposed in 1816, a toast to "our country—right or wrong." I'll not ask you to go that far, but remembering those things, those places,

those men, perhaps we can raise our glasses in mental toast and say, "Yes, we can keep that heritage. That we can do . . . that we will do."

Expansion of the National Cemetery System

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. PATTEN. Mr. Speaker, on January 30, 1968, the President's message to the Congress included these words:

Every veteran . . . should have the right to be buried in a national cemetery situated reasonably close to his home.

Yet that right is being ignored. Like many of my colleagues, I have often urged expansion of the national cemetery system, because more land is needed to accommodate veterans and members of their families after death.

Finally, after 4 years of meetings and studies, the Defense Department announced on February 10, 1967, that Beverly National Cemetery in Beverly, N.J., would be expanded by 10 acres. More than 1 year has passed since that announcement, but nothing has been done by the Defense Department to acquire those 10 acres and provide for mounting needs.

Federal funds for acquiring 32 additional acres at five different national cemeteries were appropriated by Congress in 1967, but that money has not been spent. I believe that it should—and so do the millions of members of this Nation's three main veterans organizations—the American Legion, the Veterans of Foreign Wars, and the Disabled American Veterans.

I have also received hundreds of letters from constituents, urging that enough national cemetery land be provided. One of these letters—from the president of a veterans' ladies auxiliary in Colonia, N.J., summarized this strong feeling:

It's very little to ask for the boys and men who sacrificed so much for a better nation and world.

These additional acres at Beverly—to provide for 6,000 more gravesites—will only take care of present gravesite requirements. I hope, therefore, that the Veterans' Affairs Committee, currently meeting, will decide that a new policy should be adopted for future needs. The last hearings were held in 1962 by a different committee, and since then it has been obvious to me and many others that hearings reflecting current views should change the existing policy on national cemetery matters.

Mr. Speaker, I believe that by transferring the authority to investigate and study the establishment, operation, and maintenance of national cemeteries from the Interior and Insular Affairs Committee, to the Veterans' Affairs Committee, this disturbing problem will finally receive the attention, action, and solution it deserves.

Our veterans protected us when our freedom was threatened by tyranny, so

we must not forget them—in life, or death.

Free Chinese Say "No Retreat"

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. RARICK. Mr. Speaker, the many American friends of free China were proud of the reaction of Ambassador Chow Shu-Kai that free China has no intent to retreat from Quemoy and Matsu Islands off the mainland of China.

Many feel that to aid our boys and our South Vietnamese friends we should encourage the free Chinese to infiltrate the mainland in a liberation operation to return to control of their native country. For sure, if the Nationalist Chinese undertake the long trek home, the Communists of Mao Tse-tung would not be free to spread their hate and revolution around the world nor to present any threat against our boys in Vietnam.

And then, there seem to be those in high places who say we should discourage any free Chinese liberation movements which might destroy the Soviet Communist bloc—some even suggest there was a hip-pocket agreement with Russia to imprison the free Chinese on Taiwan because the Russians want a friendly buffer state.

In any event, it appears our good friends on Taiwan have a mind of their own as they feel the growing need for free leadership and courage in Asia. The Pueblo was one thing, the Quemoy and Matsu Islands are not ours to give.

Surely no American would want to prevent the free Chinese from attaining their awaited goal of freedom.

I include the Associated Press release for March 25, following my comments:

[From the New Orleans (La.) Times-Picayune, Mar. 25, 1968]

NATIONALIST CHINA INFORMS UNITED STATES OF PULLOUT REJECTION—"NO" GIVEN QUEMOY, MATSU WITHDRAWAL IDEA

(By Spencer Davis)

WASHINGTON.—Nationalist China has told the United States that any suggestion of pulling out the defending garrison from the offshore islands of Quemoy and Matsu would be rejected with an unequivocal "no."

Chinese Nationalist Ambassador Chow Shu-Kai made this clear in an interview Sunday after a report circulated that the United States is preparing to ask President Chiang Kai-shek to withdraw his forces from the Nationalist Islands only three to 12 miles off the Chinese mainland.

"At a time when the Chinese mainland is in great turmoil and the people are resisting Mao Tse-tung in trying to overthrow his regime, it would be criminal to put more territory and people on a platter to be offered to that regime for slavery," Chow said.

There are an estimated 55,000 civilians on Quemoy which is closest to the mainland and 15,000 more on Matsu. Officials will not say how many military are concentrated on the two islands but estimates have ranged at 100,000 or more—representing a sizable portion of Chiang's 600,000-man armed forces.

FIFTY-FIVE THOUSAND CIVILIANS

There are no American forces on the islands. U.S. 7th Fleet units patrol the Taiwan

Strait, but the fleet is mostly engaged in waters off Vietnam and Korea.

Newspaper columnist Jack Anderson reported Wednesday that a secret Defense Department analysis came to the conclusion that the offshore islands could be written off without jeopardizing the defense of Taiwan. Several State Department aides also were said to have recommended the pullback as a means of helping cut the military costs.

Although Quemoy and Matsu remain under attack by Chinese Communist artillery every other day, Chow said that cultivation of the land has been improved to the point that both islands are self-sufficient in food supplies.

SINISTER PLAN

"Unless somebody is mounting a sinister plan against us or is totally ignorant of the consequences, he will not make such a fantastic suggestion that we should withdraw," he said. "Our reply would be an unequivocal no."

"Any U.S. suggestion for the removal of the Chinese Nationalist forces would be rejected."

He said some Americans believe that "Communism will be a permanent fixture on the Chinese mainland and that, like it or not, the United States will have to live with it."

Chow challenged this and said those holding such views "ignore what is happening in the gradual disintegration of the Mao regime."

He called suggestions such as U.N. membership for Red China and withdrawal from the off-shore islands efforts to appease Peking.

The Kidney Disease Treatment and Prevention Act of 1968

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. NELSEN. Mr. Speaker, today I am introducing a bill aimed at helping to relieve the tragic shortage of aids to sufferers of kidney diseases. My bill would provide an initial \$20 million to help finance centers for the treatment of kidney disease, research, and the training of medical personnel.

The destruction of the kidney's ability to cleanse the blood, called chronic uremia, killed 5,000 people last year in our country. Most could have survived with proper aids. We have heard and read the stories of kidney transplants and the tremendous success physicians have had. There are also artificial kidney machines that clean the blood by a process known as dialysis. We have the know-how, but at the present time, there are not enough available kidneys for transplant, machines for treatment, or trained medical personnel to save these lives.

The artificial kidney machine, perfected in 1960 by Dr. Belding Scribner of Seattle, Wash., was first used to clean the blood of one of Dr. Scribner's patients. This patient still lives, dependent on the dialyzer for survival.

There is hope for treating these people, but it is a question of economic resources. There are not enough available funds to provide machines to all who need them. This means that many physicians must choose who should die and who should live in many instances. If a man has several dependents, he has a better chance to be chosen to use a machine than someone with no dependents.

No man should have to make that type of decision. How can a judgment be made between two given individuals? Is a church elder to be chosen over a housewife? Is a gas station attendant to be chosen over a bank president? In a free society, such value judgments cannot be tolerated.

The answer to the problem lies in a three-sided offensive: dialysis, transplantation, and research.

If a cure for destructive kidney diseases can be found, fewer individuals will have to depend on transplants or artificial kidney machines. Until more effective treatment does come about, we must support greater use of transplants, more dialyzers, and more research. My bill will provide a needed step in this direction.

Hamilton Protests Discrimination Against Rural America

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. HAMILTON. Mr. Speaker, I call to the attention of my colleagues an article by Mr. Ben Cole of the Washington bureau of the Indianapolis Star. It is an excellent and timely summation of a recent Treasury Department action which brings to a halt a Federal loan program to assist rural communities to finance water and sewer systems.

Mr. Speaker, I include Mr. Cole's article at this point in the RECORD:

HAMILTON JOINS PROTEST: LOANS TO RURAL AREAS FOR WATER, SEWERS END

(By Ben Cole)

WASHINGTON.—The Treasury Department has put a stop to a Federal loan program created by Congress to give tiny rural communities a chance to finance clean water and sanitary sewer facilities.

Representative Lee H. Hamilton (D-Ind.) said yesterday he has joined other congressmen in protesting to Treasury Secretary Henry M. Fowler a ruling that in effect canceled out the program.

Congress two years ago created a rural water-sewer program under which the Farmers Home Administration could lend funds to rural communities. FHA, in turn, was permitted to sell the insured loans to private investors, who could treat them the same as tax-free municipal bonds.

Representative Olin Teague (D-Tex.), a leading proponent of the system, said it had the virtue of putting tiny, often financially weak rural communities on a par with big cities. Municipalities enjoy the advantage of being able to sell bonds to private investors who buy them because of their tax free advantage.

Critics of the Federal income tax system have leveled attacks at tax-free bonds because they provide an income tax loophole for a few exceedingly wealthy individuals who invest heavily in municipal securities.

FHA, while crippled as to implementing the 1965-enacted revolving loan system, may still insure loans for rural entities from private non-tax free sources. Many rural cooperatives have been formed to use this plan.

But the Agriculture Department has notified borrowers seeking \$374,994,186 in loans and \$191,848,817 in supplementary grants that it cannot meet their needs.

There are still waiting in agriculture department files another 892 applications representing \$158,940,842 of loans and \$41,695,735 in grants.

The law permits Federal grants to the rural communities to supplement loans.

In Indiana, 37 loans have been rejected, representing \$10,209,000 plus \$1,837,000 in grants. Another 26 are pending, representing \$4,708,000 of loans and \$1,276,000 of grants.

In an effort to answer the protests of Congress members, the Treasury Department has advocated direct Federal loans in place of the tax-free loan system. However, Teague's office noted, only \$80 million is available in the current year for these, and only \$75 million in fiscal 1969.

Before the Treasury Department moved in to stop it, the revolving loan plan was used to provide \$65 million for small rural communities.

Hamilton and other congressmen noted that the refusal to carry out the congressionally authorized program is out of harmony with the President's statement in his recent message to Congress on preservation of national resources.

The President, in his message, called on the Congress for increased Federal aid to rural communities.

Hamilton has also introduced legislation which would forbid the Treasury Department from levying taxes on interest paid on industrial development bonds.

Hamilton said he appreciated the Treasury Department's "spirit of thrift," but "tax policy should be left where it belongs—in the Congress."

Denying tax-free status to the industrial bonds and the FHA insured loans, Hamilton declared, will do little if anything to close loopholes.

"The tax incentives associated with these (industrial development) bonds have been the law of the land for 15 years and to remove them now is to take industrial development away from those who need it most," Hamilton said.

"To Soldiers on Easter"

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. SIKES. Mr. Speaker, John McMahon, who is State forester in my home county of Okaloosa, has written an inspiring poem which I feel carries a strong and important message. I offer it for reprinting in the RECORD:

TO SOLDIERS ON EASTER

(By John McMahon, Crestview, Fla.)

Leaving homes and friends, dreams and plans

They died on foreign fields, in distant lands
In strange places, with strange faces around,
They fought to save another nation's ground.

Cut down like sapling trees, like stalwart oaks

In the springtime of their youthful hopes.
Slain not by bomb or bullet's sudden pain
But by the barbs of hate, and pride and gain.
Some pale sceptics say they died for naught
Yet freedom is the prize their blood has bought.

At Easter, Lord, remember these young men
Resurrect them, Lord, and let them live again.

For we recall your words of comfort spoken then

"No greater love than this, to die for friends."

Statement in Support of H.R. 15652, To Extend License Terms for Broadcast Stations From 3 to 5 Years, and for Other Purposes

HON. E. S. JOHNNY WALKER

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. WALKER. Mr. Speaker, I am pleased to speak in support of H.R. 15652, to extend the maximum licensing period for broadcast stations from 3 to 5 years and to abolish renewal requirements for licenses in the safety and special radio services except under certain stated conditions.

With respect to the first section of this bill, I feel that the simple logic of the change speaks for itself. When one considers the vast scope of the present communications system with which the Federal Communications Commission deals daily—a media which has burgeoned from simple telegraph, telephone, and broadcast operation, to such complexities as UHF, computer, and satellite communication services—it seems absurd that the Commission must be bogged down by certain confining regulations of an act which in many sections is definitely outmoded in comparison to the media it was established to regulate.

To deal with the myriad facets of the communications industry, the FCC is guided by a largely antiquated code laid down at a time when radio was the most advanced form of communication. As a result of this and the rapid and continuing advancement of the communications industry, the FCC staff of 1,500 is overburdened and often far behind schedule in its work. A remedial measure to alleviate much of the merely routine work the FCC is required to do, however, can be provided by passage of H.R. 15652.

As section 307(d) of the Communications Act of 1934 stands now, a broadcast licensee or common carrier licensee must file for renewal of his license every 3 years. The time and expense required of the licensee in preparing and filing these detailed application forms plus the great number of man-hours required of the FCC staff in reviewing these renewal applications seems reason enough for a change in ruling. Mr. Rosel Hyde, the Chairman of the FCC, himself has said that a renewal extension from 3 to 5 years would "reduce FCC paperwork by 800 applications per year" and this was in 1966.

In our rapidly expanding society, the necessity of having the Commission's major attentions concentrated on those more significant developments and problems in communications regulation can no longer be denied. Relief from more routine, peripheral tasks, such as reviewing broadcast licenses for renewal, will allow the Commission time to direct its efforts to the more pressing issues in communications media today.

In addition, we might note that the interests of public service will not be lessened in any way by the extension proposed in H.R. 15652. As always, the FCC will continue to retain its present au-

thority to limit licenses and renewals to shorter periods where warranted and to review station operation at any time. As it is, most broadcast licenses are renewed and violators not performing "in the public interest, convenience, and necessity" as stated in their original applications are usually discovered and brought to the attention of the Commission.

Finally, the mere futility of renewing an application as often as every 3 years is further illustrated by the fact that such frequent checking merely results in repetition and needless duplication of the same comprehensive information already furnished the Commission 3 years before.

Thus, from all practicable standpoints, it seems evident to me that a 2-year extension to this rule—brief in statement but time-consuming in operation—is both in keeping with the best interests of the public and especially beneficial in reducing the workloads of FCC employees and broadcast licensees. For these basic reasons, I feel the change H.R. 15652 would provide in section 307(d) is definitely essential.

As for the second section of this bill, to abolish renewal requirements for safety and special radio services except under certain stated conditions, I also support this timesaving change which will eliminate a rather needless practice as well as a great deal of the paperwork associated with the reviewing of these licenses. Since the safety and special radio services encompass safety, industrial, land transportation, and amateur and disaster radio communications, it is obvious that these services are performed "in the public interest, convenience, and necessity" and need not come up for re-evaluation and renewal unless violations are reported or certain circumstances in these services make it necessary for a periodic checkup.

Both sections of H.R. 15652, in my thinking, are logical measures—simple and yet vitally important in that they will alleviate one of the greatest headaches and timewasting activities of the communications industry. I heartily endorse this bill and recommend its prompt enactment.

"Pueblo" Aftermath

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. RARICK. Mr. Speaker, now that the North Korean Navy has showed the world it can kidnap American seamen and steal the *Pueblo* without repercussions, it is being recognized as a nation to be considered in Asia.

Loss of face to a two-bit nation like North Korea has made the United States the laughingstock of the world.

Now the Pakistanis—taking our foreign aid and Public Law 480 food—plan on holding consulate drinking parties with our enemies, just like our other allies. But why blame Pakistan? After all, they have every reason to believe we

Americans lack the courage to tell them to stop cavorting with the enemy, and they know full well we would not dream of shutting off foreign aid or food. Our industrialists would scream and the church folk would shriek discrimination.

But the *Pueblo* remains impounded and 82 of our boys still lie in a stinking Communist prison cell and while our food recipients in Asia criticize our Vietnam peace effort which halts Communist aggression from enslaving those who protest the loudest.

I include the release from the New Orleans Times-Picayune for March 25 following my remarks:

NORTH KOREA, PAKISTAN REACH AGREEMENT
PYONGANG.—North Korea and Pakistan have reached an agreement to establish relations at the consulate general level, according to a North Korean Central News Agency report.

Greek Independence

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. BINGHAM. Mr. Speaker, March 25 was the 147th anniversary of the beginning of the Greek struggle for independence from the heavy hand of the Ottoman empire.

On that date in 1821, a group of dedicated patriots unfurled the banner of revolt and revived the heroic traditions of the land which is the birthplace of democracy. The Greeks were the first European people to emulate the still-recent example of the Americans by revolting against foreign rule, and their struggle won the sympathies and the active support of many people in the United States.

The same spirit of unyielding patriotism and resistance to tyranny was exhibited by the citizens of Greece in 1941, when their stubborn battle against the invading German armies delayed Hitler's campaign on the eastern front by several crucial weeks. After the war, Greece again won the sympathies and support of the Americans when they faced a major challenge from Communist subversion and aggression. It was in 1947—also in the month of March—that President Harry S. Truman asked the Congress to approve \$400 million in economic and military assistance for the Greek struggle.

Congress responded quickly, and additional U.S. aid followed. This help, plus the courage and perseverance of the Greek patriots themselves, enabled the people of Greece to defeat the threat and proceed with the urgent job of reconstruction.

I was proud yesterday to recall our role in supporting the hard-won independence of Greece. But I also recalled the debt which the entire democratic world owes to that country, its people and its civilization. On the occasion of this anniversary—their "Fourth of July"—I would like to extend my heartfelt congratulations to all of our Greek friends, and especially to Americans and New Yorkers of Greek origin.

Ugliness and Baltimore

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. LONG of Maryland. Mr. Speaker, Alexander S. Cochran, a fellow of the American Institute of Architects and one of Baltimore's most distinguished citizens, has written a perceptive article discussing the need to combat urban ugliness, and citing Baltimore architecture's contribution toward the creation of a more human environment for the residents of that great city.

The creative construction and renovation in Baltimore deserve emulation by cities large and small throughout the Nation. I would like to place Mr. Cochran's timely discussion, which first appeared in the Baltimore Evening Sun, in the CONGRESSIONAL RECORD for the benefit of my colleagues at this point:

[From the Baltimore Evening Sun, Mar. 21, 1968]

UGLINESS AND BALTIMORE

(By Alexander S. Cochran)

Commentaries titled or subtitled "the crisis of our cities" constantly get back to urban ugliness. Though only one of a complexity of urban concerns, ugliness deserves separate attention, especially so because something can be done about it.

Urban disorder and neglect, likened by J. K. Galbraith to the unmade bed, is one type of ugliness which is relatively simple to diagnose and set about curing. But the full meaning of ugliness includes the psychological and psychiatric forces of destruction or threat of destruction; more widely still, it includes tension, anxiety and despair. These can be met constructively with creative forces capable of replacing them with confidence, trust and even hope. This has happened in cities before, and it is happening in cities today. Baltimore is a fascinating case in point.

More than ever before we realize the complexity of what makes up our urban environment, but one element still pervades it all. This is architecture, defined by the Oxford English Dictionary as "the art or science of constructing edifices for human use." The humanity of architecture is what gives constructive alternatives to the destructive threats and anxieties inherent in urban ugliness. Walter Gropius called the key to architectural success "the determination to allow the human element to become the dominant factor. Man is to be the focus for all design; then it shall be truly functional." Just recently Lewis Mumford has raised his powerful voice, setting "the task for today and tomorrow: to restore and eventually to elevate even higher than ever before the organic and human components that are now missing in our compulsively dynamic and over-mechanized culture. The time has come for architecture to come back to earth and to make a new home for man."

Baltimore, more than many other comparable cities, has a significant store of architecture centered on man. What has happened here, and is about to happen, is of great importance to all who care about ugliness and what lies beyond.

The earliest Baltimore housing grew up around the thriving harbor, it served human needs creatively, a fact recognized by current preservation interests. Though less popular today, the mill residences of our industrial valleys reflect human concern. Highlandtown in its own way speaks of man and of his home and of his community.

Before suburban sprawl turned heartless, Baltimore saw the start of Roland Park and its succeeding developments to the north. Downtown there have been significant recreations of homes with individual man at their center. Individualism is strident in Tyson street and Seton Hill. Bolton Hill has extensive examples of renewal and of new creation of residential groups designed for man. (Would as much could be said of high-rise housing in Baltimore.) There appears to be, however, warm creativity about the twin apartment towers now nearing completion in Charles Center. Then there is the important residential community of Cross Keys. We have perhaps no better example of the obvious search for and achievement of homelike quality.

In buildings for public use, the original graciousness to man of the old B.&O. station, Mount Royal, has been recaptured. (Would that such could be said of our succeeding bus and airline terminals.) Looking at only yesterday, the central Pratt Library building is outstanding in its welcome to the approaching reader; its street level entrance and its tempting display windows were once nearly unique. More such hospitality would be welcome among our public cultural structures. We look forward to the new Walters Gallery wing.

The rumbling Goucher gateway beckons to the visitor approaching the College Center; a feeling of belonging is held out to its users, town and gown. Much the same can be said of the new Mechanic Theater, with its opportunity for the theater-goer to feel comfortably a part of the great Charles Center Plaza. Nearby are two semi-public structures with true warmth of welcome to the passer-by. The Sun Life Building appears to open up its parlor to the public. One Charles Center subtly defies the visitor to tell whether he is inside the building or outside. More business men should consider structures which engender ease and confidence in the approaching customer or client.

These examples of Baltimore architecture are cited to encourage the belief that we can create an urban environment in which ugliness has little place. Daniel Patrick Moynihan has challenged us to provide more elegance and distinction to our architecture today. At the same time, William Slayton emphasizes the need for good vernacular architecture. In any case, we must make man the focus of all building. Only so may we as individuals swell, also our trust and confidence swell, also our trust and our hope for this warm old city in the future. Ugliness isn't really necessary, today or tomorrow.

**Colorado Springs Honors Olympic Queen
Peggy Fleming**

HON. FRANK E. EVANS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. EVANS of Colorado. Mr. Speaker, the city of Colorado Springs, Colo., is preparing to honor a winsome, lively, and talented teenage girl whose feats have won applause and respect throughout the world.

I am speaking of Peggy Fleming, a Colorado Springs resident who will return home bearing the only Gold Medal won by a U.S. contestant in the 10th Winter Olympics at Grenoble, France.

Her homecoming will be marked by declaration of "Peggy Fleming Day" March 29, enabling the people of Colorado Springs to give full civic recognition to this young lady whose demeanor and

performance on and off the ice have done so much to enhance the stature of our Nation and our youth.

The mayor of Colorado Springs, Eugene McCleary, has organized a special reception for Miss Fleming. She will be met at the airport by a committee of dignitaries, and escorted in a motorcade to Colorado College, which Miss Fleming attends. The parade will proceed to the El Paso County Courthouse, and Miss Fleming will be formally presented to the people of Colorado Springs at the World Arena of the Broadmoor Hotel.

There, Miss Fleming will be honored, and will give a demonstration of the skating skills which enabled this young Colorado lady to accumulate 1,970.5 points in the Olympic figure skating competition, a full 88.2 points more than the second-ranking contestant.

Mr. Speaker, it is my privilege to call this Colorado Springs civic tribute to the attention of the Congress, and to join in the many tributes to Olympic Queen Peggy Fleming.

A Way Out of the Vietnam Quagmire

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. UDALL. Mr. Speaker, as the days pass I think it is becoming increasingly apparent to everyone that there is great discontent in this country over our present course in Vietnam. And it is not going to suffice for the administration to reply that all of these people are weaklings, lacking in moral courage, appeasers and would-be allies of Ho Chi Minh. None of these terms apply. The "weaklings" we are talking about just happen to be, in my judgment, a growing majority of the American people.

Last week in this House an assemblage of my colleagues, led by the gentleman from Illinois [Mr. FINDLEY], introduced a resolution calling for review of Southeast Asia policy. To date a total of 142 Members have cosponsored that resolution, and I am proud to be one of them. This remarkable show of support for policy review, amounting to nearly one-third of the entire membership of the House, is indicative of the growing discontent to which I have referred.

Mr. Speaker, I have just had an opportunity to read an outstanding speech delivered March 19 by my colleague, the gentleman from Illinois [Mr. FINDLEY] before a meeting of the Illinois Petroleum Marketers Association in Chicago. It is not only an excellent summary of the situation we find ourselves in today in Vietnam, but it also proposes a possible way out of this quagmire. I will insert the text of Mr. FINDLEY's speech at this point in the RECORD:

A WAY OUT OF THE VIETNAM QUAGMIRE
(Text of address delivered Tuesday, March 19, 1968, at luncheon meeting of Illinois Petroleum Marketers Association, Chicago, Ill., by U.S. Representative PAUL FINDLEY, Member, House Foreign Affairs Committee)

The other day a colleague from Arizona and I talked together about the events that

have brought the United States to its present painful and perplexing position in Vietnam. And in conversational speculation, we outlined a secret might-have-been meeting of the principal Communist leaders of the world, say, in the summer of 1964.

At the time, Communism was in a bad way. Its once monolithic structure was in fragments. The Soviet Union and Red China were sharply at odds, hostile in word and deed. Eastern Europe, Albania, Rumania, Yugoslavia and Poland were restive. The Soviets had suffered embarrassing setbacks in Berlin, Cuba and Africa.

Those who pondered the question of how the cold war was going concluded that the Communists were losing it.

This was the world background for the secret huddle of world Communist leaders. In this atmosphere of gloom, a third-level theorist came forward with a dramatic plan to reverse the tide. As the leaders of Communism sat glumly around the table, here is what he might have said:

"Comrades, I have a plan through which we can entangle our chief adversary, the United States, in an Asian land war the like of which all of its military leaders like Generals Eisenhower, Bradley and Ridgway have repeatedly warned.

"Under it, within three years I guarantee that 500,000—yes, a half-million—American soldiers will be bogged down in jungle fighting, losing many lives, consuming vast quantities of supplies and equipment and ammunition while gaining essentially nothing. Not only that, we will have them on the defensive—several thousands of them under siege in isolated outposts.

"The Americans will be regarded by much of world opinion as white men fighting Asians, as new-era colonialists burning villages, destroying rice crops, killing and maiming women and children, as a powerful bully hitting a little fellow.

"Their casualties will be heavy, greater than Korea. On an average, 500 will be killed each week. They will have to boost draft quotas, call up reserves and raise taxes. The war will cost them \$30 billion or more a year. And this will upset their economy, cause inflation, worsen their balance of payments, put the dollar in grave peril, bring civil strife and protest marches.

"It may even bring down the international monetary system.

"Comrades—and here is the plan's truly beautiful side—this plan will bring us Communists back together—Soviets, Chinese and Eastern Europeans—supporting a common cause together . . . and all of this without committing a single Russian, or Chinese or Eastern European soldier, sailor or airman to the danger of combat.

"And Comrades, this plan will cost only about \$2 billion a year, maybe a trifle more but not much."

End of scenario. This monologue was pure invention of course. There probably was no such meeting and no such plan.

But the awesome, shattering fact is that the President of the United States, surrounded by advisors all of whom, like himself, have had nothing but the highest patriotic motivation have enabled the Communist world to achieve in about three years essentially the results the fictitious Communist theorist predicted would come to pass.

My suggestion is that we halt the extended exercise of national rationalization in which we have been engulfed in the last year or so. Let's stop talking the nonsense that there are no alternatives to present policies in Vietnam. Let's halt the pretense that the United States is too big and powerful to admit it has made a mistake, and too muscle bound to change course when error is obvious. We've all heard of the oil operator who keeps drilling and drilling in

hope of striking oil. He is more confident at 30,000 feet than he was at 20,000 because he realizes that the farther he goes—the greater the investment—the closer he must be getting to success.

The possibility that there may be no oil—in other words, no success—at the end of the hole is kept conveniently out of mind. In my view, our nation is proceeding in Vietnam like the oil driller, wasting resources on policies whose failure is already obvious.

When I talk to people in my district, on their farms and in their shops, about the war I find most of them are troubled by this fundamental question:

Why is it that the United States, the most powerful, efficient and successful nation on earth can't defeat a small, third-rated backward country like North Vietnam and do it overnight—or at least in six days like the Israelis?

To understand how we can get out of this seemingly preposterous and unbelievable position, it is necessary to face squarely the truth even if it hurts—and in this case, the truth really does hurt.

Here is the truth, as I see it:

1. South Vietnam is not, and never was, a nation united with a sense of identity. Many of its decentralized village and tribal units never have given allegiance to Saigon, and do not today. In this respect, South Vietnam must be distinguished from Thailand, Burma and Cambodia.

2. The effort to bring contested areas of the South under true allegiance to Saigon has, by any reasonable yardstick, been a dismal failure. Only by destroying crops and otherwise making the population dependent on refugee programs has any substantial advance been made. The Tet offensives have demonstrated how shaky the entire political military structure of the South has become.

3. Attack on the North has been likewise disappointing, so much so that it raises serious question whether the long-needed closing of Haiphong harbor to all shipping would actually be crucial. Despite continuous aerial bombardment of almost every target in the North which can properly be called military, the enlargement and equipment of enemy forces in the South has continued—with the Tet offensives showing unexpected levels of heavy armor, mobility, dispersal, coordination and effectiveness.

4. The war has become Americanized to an alarming and highly-undesirable extent. We are no longer in a supporting role. It is now a U.S. war. Present policies will tend to accelerate this Americanization process, with the U.S. bearing an ever-increasing burden in lives and money. This will inevitably make the Saigon regime less important—and less promising—both militarily and politically.

5. Every troop increase on our part has been more than counterbalanced by a much smaller input by the enemy. For each additional 100,000 U.S. troops, the enemy needs to come up with only 20,000 or so. This is because the guerrilla nature of the war puts the defenders at great disadvantage.

These are unpleasant facts, but facts nonetheless. From them, I draw an equally unpleasant conclusion, but one which I contend is inevitable: More of the same policies simply will not do.

We must change course.

What should we do? First, let me say what we should not do. We should not simply "cut and run". I am not suggesting we surrender to Ho Chi Minh and say, "Sorry, Ho, it was all a mistake. We leave now." I am not suggesting we turn our backs on the hundreds of thousands of South Vietnamese who have fought loyally at our side and who wish peace and democracy in Southeast Asia. Nor do I think the anarchists who march on Washington, attempting to block entrances to the Pentagon, counseling defiance of Selective Service, or sending help to the Vietcong have the right answers. Not for a minute.

I do say we must explore other possibili-

ties, and do it at once. Today I suggest for your consideration one such possibility. I underscore that it is only one of several actions which I consider to be promising alternatives.

I suggest we invite the enemy to join us in going to court with the whole business. Yes, go to court. Quit slugging it out with each other with bombs and bullets and booby-traps, and let the world's highest tribunal decide who is in the right on what points, who is in the wrong, and what ought to be done.

The conflict involves many—yes, many—unanswered legal questions. Some may be answered to the advantage of the North, some to the advantage of the South. Some go back as far as the Geneva Accords, under which free elections were supposed to have been held throughout Vietnam, but never were.

A court exists where these questions could properly be studied and answered.

What I propose is that the United States present the legal issues involved in the Vietnam conflict to the world's highest court—the International Court of Justice at the Hague. This is the judicial arm of the United Nations.

By this initiative, the United States would accept the court's jurisdiction and its judgment, even though it should go against our position in important respects. We should do this, whether Saigon joins us or not. Under the circumstances, Saigon would probably cooperate but we should make the move regardless. In my view, the degree to which the war has become Americanized would thoroughly justify such a determined move on our part.

Of course no one can predict whether the enemy will agree. It is not beyond possibility that Ho Chi Minh would see some advantage to accepting the challenge. He may feel his own position of national power is being threatened by his steadily increasing dependency on Peking and Moscow. He may feel, with some justification, that the court's principal judgment might be an order for elections throughout Vietnam, South as well as North, with his own position in those elections advantageous. Who can say? One thing can be said, North Vietnam did actually apply for United Nations membership several years ago, and therefore by implication assented to the principal of adjudication of international disputes by the International Court of Justice.

But let's say that Ho Chi Minh would refuse to accept in advance the judgment of the court. The refusal would weaken Ho's position in the important court of world opinion, and therefore would significantly strengthen ours.

In that respect Ho would be on the defensive, having refused to test the strength of his position on the basis of fact and principles. The United States and Saigon would thereby win an important propaganda victory.

It would be an important milestone in another way too. By this initiative on the part of the United States, for the first time in human history a major military power would have offered to withdraw from the field of military battle and rest its case on the application of judicial principle. This initiative, even though rejected by the other party, would stand as a powerful and hopeful precedent as other wars and threats of war develop in future years.

The record of the World Court in resolving disputes between nations is not impressive, certainly not as good as it could be, largely because the major powers have not needed it. They have been content instead to rely on international conferences, negotiations based on power politics and military action. Obviously since neither South Vietnam nor North Vietnam is a member of the UN we cannot expect too much from the General Assembly or the Security Council in solving the political problems in the war. By the same token the U.S. has learned from

past experience that another Geneva Conference on Southeast Asia would likely merely postpone the critical issues. It would buy only time. Sooner or later—and it is usually sooner—the agreement reached at a new Geneva would break down.

Naturally there are problems that will be encountered in submitting the Vietnam issues to the World Court. We would want to determine whether the Court could act in time. What would happen in Vietnam while the Court deliberated? How would the decisions of the Court be enforced? We would want to examine closely whether there are serious disadvantages to the U.S. in making this offer. What would be the advantages or disadvantages to North and South Vietnam? Would this in any important respect be a dangerous precedent to the U.S.? I think not. Are there any conceivable results which would make this course not worth the risk or price? Again I think the answer is negative.

Let me point out, however, that these same risks and problems would be present in any form of political settlement, whether it be an All Asian Peace Conference, another meeting at Geneva, a UN settlement, or direct negotiation with the enemy.

But in every approach except the World Court, the issues would be inevitably decided on the basis of power politics, not international law.

Obviously in such circumstances each side would be constrained to pay only lip service to the final agreement and then in practice actively seek to subvert it. This occurred on the part of both North and South Vietnam following the 1954 Geneva Accords. International negotiations often result in a final settlement on the basis of the lowest common denominator. However, application of the rule of law through the World Court as a basis for settling Vietnam certainly promises a more attractive and hopefully more permanent solution.

Time is running out. Based on the present casualty rate, between now and the next Presidential inauguration date—January 20—22,000 more American boys will die in Vietnam.

We are now heavily engaged in power politics on a world scale. In our role we are increasingly isolated. Not one of the nations in West Europe which once engaged in maintaining world stability is in reality a global power.

The U.S. is not omnipotent. It cannot force its will upon the other 94 percent of mankind. Even if it could the U.S. would be ill suited to such a role. As a nation and as a people we have always upheld and exalted legal principle and procedure—not power politics—as the means of resolving disputes.

As our men fight and die in Vietnam we have a duty to Americans—past, present and future—to restate convincingly our determination to have international disputes settled by law rather than force. I question whether the United States alone can and will successfully police the world and settle disputes by force. Our quagmire in Vietnam, the stalemate in Korea and the Middle East and difficulties in Europe show how ill-suited we are to this chore, and how unpromising U.S. military force alone has become as a means of preserving peace.

To demonstrate our desire to make the rule of law pre-eminent over rule by force, the U.S. at once should place all legal issues and claims involved in Vietnam before the International Court of Justice requesting adjudication.

Through this proposal we would test the willingness of the enemy to decide the future status of Vietnam by rule of law rather than by rule of force.

At the very least this initiative would show dramatically and forcibly our devotion to the application of law instead of force to settle disputes. It would be in keeping with America's finest tradition, and hopefully

would be a precedent for other nations to follow in years to come.

Senator Robert A. Taft put the matter in perspective when he wrote in 1951:

"It seems to me that peace in this world is impossible unless nations agree to a definite law to govern their relations with each other and also agree that without any veto power, they will submit their disputes to adjudication and abide by the decision of an impartial tribunal."

The most eloquent advocate for world peace through world law in his day was the great Secretary of State John Foster Dulles. In his last public address before his untimely death, Mr. Dulles said:

"Now, we must seek to establish world order based on the assumption that the collective life of nations ought to be governed by law. There is no nobler mission that our nation could perform. Upon its success may depend the very survival of the human race. We can, therefore, dedicate ourselves to this mission with supreme confidence that we shall thus fulfill our national destiny."

Crispus Attucks, America's First Negro Patriot

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. RODINO. Mr. Speaker, on Sunday, March 24, the city of Newark honored the memory of America's great Negro patriot, Crispus Attucks, with its third annual Crispus Attucks Day Parade. It was sponsored by the Crispus Attucks Society in tribute to the first Negro American to die in the Revolutionary War, in the Boston Massacre in 1770.

It was a privilege for me to join officials of the city and the society in reviewing this exciting and moving parade. The seven-division parade lasted more than 3 hours, and approximately 25,000 persons participated in it. The marchers included Army Reserve units, police and fire departments, high school bands and color guards, floats, youth groups, and a single division made up of 1,500 members of New York's United Black Association. Despite fierce winds, some 60,000 persons lined the streets of Newark to watch the parade.

The never-ending struggle for universal justice and human dignity has made famous the names of many great men throughout our history. The period immediately preceding our war for independence produced many such men: Samuel Adams, Patrick Henry, John Hancock, Richard Henry Lee, Elbridge Gerry. All were active in the strenuous resistance to British tyranny preceding the outbreak of actual hostilities. At the close of the war, all were also destined to rise to further prominence as leaders of great political factions and as statesmen of the highest order.

Not one of them, however, surpassed in democratic zeal and personal heroism that of Crispus Attucks, the great Negro patriot and hero of the historic Boston Massacre of March 5, 1770.

Unfortunately, almost nothing is recorded of the life of Crispus Attucks previous to the event which brought him prominence and an untimely death. It is possible that he was a sailor on a whal-

ing ship and a former slave. In any event, he was imbued with the spirit prevailing in Boston in the year 1770, hostile to the British crown and to the presence of British troops in American streets.

On the evening of March 5, 1770, Attucks assumed command of a group of 50 or 60 men, mostly sailors, and led them down State Street in a protest against British misrule. John Adams, witnessing the event, described Attucks as "almost a giant in stature." British troops appeared and barred the way. The patriots protested; the troops held their ground; the patriots surged forward and the troops opened fire, killing three. One of these was Crispus Attucks.

Public feeling in Boston, already aroused, was fanned to flame following the massacre by patriot orators such as Sam Adams and John Hancock. An account of the incident, published by Paul Revere, was widely distributed. In a short time, the name of Crispus Attucks was a household word throughout the Colonies. It soon developed that the massacre was not merely a gallant incident in the struggle for America's freedom. In fact, it was a crucial catalyst. It was the first powerful influence in forming an outspoken anti-British public opinion and a widespread demand for American independence. From that moment forward, there was no stopping the cause.

Though little known prior to his death, Crispus Attucks became the hero of our Nation's daring and desperate fight for self-determination. He remains a hero still today, symbolic of Negroes who, by thousands, have given their lives in behalf of American democratic principles from 1770 to the present day.

Mr. Speaker, the indomitable bravery and idealism of Crispus Attucks should never cease to inspire us. His example reaffirms our faith in the ultimate triumph of freedom and liberty and in the attainment of a world where men will live together in peace and justice, guided by the highest principles of reason, wisdom and equity. It is with great pleasure that I have taken this opportunity to celebrate the anniversary of Crispus Attucks' noble role in the founding of our Nation.

Restore Reimputation Now

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. FASCELL. Mr. Speaker, today I am introducing legislation designed to restore equality in retired pay, by basing that pay, once again, on current active duty pay rates.

In 1958 the Congress acted in good faith when it enacted the pay raise bill of that year and discarded the reimputation principle. This principle was replaced with a straight 6-percent cost-of-living increase for retirees. In that year, the administration recommended that retired armed service members receive no increase at all. But the Congress, realizing the necessity of providing due compensation for those men who had

served their country, provided a 6-percent increase for all retirees.

As we know, the military pay scale has consistently been lower than pay scales in other professions. It was always understood, however that military men would receive additional benefits such as a housing allowance, food allowance, medical benefits, and—a rate of retirement pay based on the current rate for the highest rank attained by the retiree. Consequently, the retiree received direct benefit from each military pay raise. With the 1958 act, however, the principle of recomputation was abandoned in favor of an across-the-board cost-of-living increase. We know now, that this is not an equitable system.

It is my feeling that retired pay should once again be linked directly with active duty pay, and automatic adjustments in retired pay assured whenever the active duty rates are changed. The bill I am introducing would do this, and I urge the Congress to reconsider the recomputation issue and act favorably to restore it.

Inquirer Supports Israel Position

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. EILBERG. Mr. Speaker, the councils of men, locally, nationally, and internationally, are often hasty to condemn; slow to listen. In recent days, much has been said, especially in the United Nations, concerning the punitive expedition of Israel forces sent across the Jordan River to search out and destroy terrorist bases.

Most of what has been heard in the U.N. has been one-sided, a monolithic support of the Arabs without a thought to what provoked Israel to take these serious steps.

Having recently been in this area that has been victim to terrorist bombings, mining, and sabotage, I can relate to my colleagues, Mr. Speaker, that even a visit cannot give an inkling of the terror visited upon a people seeking peace; only living under this explosive sword of Damocles can result in understanding the reasons leading up to the Israel expedition.

On March 23, the Philadelphia Inquirer gave the most lucid explanation of the situation that I have yet seen. Therefore, Mr. Speaker, to share this informative editorial with my colleagues, at this point I include the following in the CONGRESSIONAL RECORD:

ISRAELI REPLY TO TERRORISM

It is distressing to find the U.S. State Department so readily joining France, the Soviet Union and the various Arab states in the chorus of condemnation against the Israeli reprisal raid on guerrilla strongpoints in Jordan.

In deploring Israel's military actions against Jordan and charging that they are damaging to hopes for a Middle East settlement, the State Department, through its spokesman Robert J. McCloskey, has completely ignored the long-standing Arab aggression which provoked the Israeli strike.

McCloskey has come to be regarded by some as the spokesman for the pro-Arab bloc in the State Department, as he never appears to open his mouth about Arab aggression, but only concerns himself with Israeli reaction to such aggression.

The Department's statement urging Israel to pull its forces out of Jordanian territory, and calling for restoration of the shattered cease-fire agreement, overlooks the fact that the Arabs have never honored the cease-fire from the moment it was adopted by both sides following the Arab defeat last June.

It is well known, to the State Department as well as to anyone else who is interested, that terrorists based on Jordanian territory have repeatedly crossed the cease-fire line to commit acts of sabotage, destruction and murder. There has hardly been a night when infiltrators have not slipped across the Jordan River to plant land-mines in West Bank areas, causing many fatalities. A mine planted by Arabs near Eilath earlier this week wrecked a school bus, killing two children and injuring others. Guerrilla warfare has been incessant, much of it carried on by uniformed members of a Syrian terrorist organization working out of East Bank bases.

The Arabs no doubt would like the Israelis to sit still and do nothing while the terrorists employ the cease-fire as a screen for unilateral warfare. Thursday's air and ground strike by Israeli military forces showed that the limit of patience had been reached. If the cease-fire is to work, it has to work on both sides of the line. Seeing that it does work in that manner is a task the Security Council should set itself to, instead of engaging in its familiar and meaningless ritual of one-sided condemnation.

How To Save Billions of Dollars—Human Renewal Fund

HON. CHARLES E. GOODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. GOODELL. Mr. Speaker, the enthusiasm across the country for the proposed human renewal fund, designed to trim the fiscal year 1969 budget in specific areas by \$6.5 billion and to plow back \$2.5 billion into top priority areas, is an indication that the Nation is crying for new and more dynamic ideas on how to solve our problems.

Many Members of the House are actively working on this new and exciting concept as to how America can effectively prepare for the 21st century.

As I have indicated before, there is growing editorial support for the plan. At this point I would like to insert an editorial which appeared in the March 18, 1968, edition of the Portland, Maine, Press Herald.

The editorial follows:

REPUBLICAN GROUP SHOWS DECISIVELY HOW
TO SAVE BILLIONS OF DOLLARS

The American people in the past have been subjected to loud demands from members of Congress, singly or collectively, for economies in the cost of the federal establishment.

More often than not, however, the complainants have not specified where they thought savings could be made, simply because federal spending in a member's district or state is a Congressman's best friend.

But now a group of Republican House members, led by Rep. Charles E. Goodell of New York, has attacked the governmental-cost problem in a novel way. The eight members propose detailed cuts of \$6.5 billions in

the current presidential budget (which Congress has not yet adopted). They also suggest the creation of a \$2.5 billion "Human Renewal Fund" for the next fiscal year "to meet urgent human needs and the urban crisis in our nation." If made effective, the result would be net savings of \$4 billions.

The Republicans' human renewal fund displays the concern of many moderate and liberal party members for solutions to some of the nation's most pressing, and at the same time most costly, problems.

The economies proposed are of equal if not greater interest, because the GOP group has rushed in where the majority fear to tread. Here are some of the savings the members think can be made:

A 60 percent reduction in military personnel in Europe, \$2.1 billions; development of a supersonic transport plane, \$222 millions; defense-supported arms sales overseas, \$200 millions; the civilian space program, \$400 millions; a \$10,000 maximum payment in federal farm subsidies, \$400 million; foreign aid, \$700 millions; a freeze on federal civilian employment at 97 percent, \$960 millions; a freeze on high-income apartment programs, \$400 millions; the National Science Foundation, \$250 millions; the President's contingency reserve, \$400 millions; and public works (20 per cent stretch-out) \$200 millions.

With other minor savings, this adds up to \$6.6 billions, and gives the Republicans the right to claim that they are showing where the cost of government can be reduced without great harm to the country. They also say, with justification, that "the administration has consistently refused to exercise the political integrity required to establish positive national spending priorities."

The war is a priority, and pollution abatement is a priority, and we agree with the GOP economizers that "human investment" in the form of jobs, education and housing is a priority, too.

This proposal deserves better treatment than it will probably get from the Democrats in Congress, and this goes for some GOP members, too.

"We are discovering that the nation cannot afford guns and butter, and the Goodell bloc has singled out billions in spending that can easily be deferred. The accent, as they stress, should be on genuine priorities.

Countryside Development Commission

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. ZWACH. Mr. Speaker, last week I introduced H.R. 16098, a bill to create a Countryside Development Commission to analyze and study the various causes of the rural migration to the cities, and to make those recommendations to Congress which would provide both a balance of the population shift and of income levels to our rural people. This study has an urgency that can no longer be denied, just as are those problems bursting forth from our ghetto areas. There is a need for quick action and, yet, such action should be based on the facts.

In line with this sense of urgency is the statement contained in the March 19 report of the Joint Economic Committee. This report lists the seven areas of agreement between both the majority and minority members of this joint committee and item No. 6 reads as follows:

The close link between rural and urban poverty requires more emphasis on the devel-

opment of rural America. This should include improving the opportunities for rural people for off-farm employment within their locality and providing education and training on a par with that available in urban areas.

Thus, this committee has unanimously agreed that the problems of rural America need prompt attention, even though they have listed only two of the many possibilities for providing those helps in our countryside. There may be many other routes or methods to pursue, including tax incentives, to get business to locate in the countryside. There may be additional avenues to be pursued in the areas of recreation and service industries. These can best be determined with a thorough and prompt study from such a commission as H.R. 16098 provides.

Maryland Voice of Democracy Winner

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. MATHIAS of Maryland. Mr. Speaker, on March 12 it was my privilege to attend the annual congressional dinner of the Veterans of Foreign Wars, and to meet there the Maryland winner of the VFW's Voice of Democracy Contest, Neal B. Abraham, of Hagerstown, in the Sixth Congressional District.

The theme of the annual VFW contest this year was "Freedom's Challenge," a most appropriate choice. Neal Abraham's winning speech is a thoughtful and thought-provoking one, and I would like to include it in the RECORD at this point:

FREEDOM'S CHALLENGE

Freedom, one of the most abstract terms in the English language, has, nevertheless, some very concrete opponents. According to William F. Buckley, these enemies still include the U.S.S.R., and, according to the White House, the Viet Cong and Communist China must be included as well. Many in the adult world say that demonstrators, draft-card burners, and hippies must be considered as enemies of freedom, while, according to many of these, the adults are the true enemies. Most revolutionaries consider American imperialism to be freedom's greatest opponent.

Freedom, then, cannot be judged by its enemies. We must look deeper into the meaning of freedom, for freedom is not absolute wantonness nor license to do all that we wish. Freedom is free expression that does not infringe on the free expression of others.

In the past, Freedom challenged our ancestors to higher goals and ideals. Freedom challenged the colonists to establish a democracy. In 1812 it challenged Americans to fight for the freedom of the seas. In the 1860's Freedom challenged Americans to abolish slavery. In the 1890's Freedom challenged Americans to defend the rights of the oppressed whether they were in this country or any other part of the world. Freedom challenged Americans in 1917 to "make the world safe for democracy." In 1941, and again in 1950, Freedom challenged Americans to meet and defeat totalitarian governments.

Each time Americans met the challenge and were victorious!

The current challenge to freedom is, on the surface, meeting the aggression in Vietnam and making the dignity and equality of man a reality. These challenges are not superficial; indeed, they are very real. But

the challenges in the future will be even greater.

Who will meet freedom's future challenges? Take a look at many of those who hold in their hands America's future, and what do you find? Beards, filth, draft-card burners, hippies, love-ins, pot, acid, murder, and, worst of all, that chant that springs forth at any mention of the draft, "Hell no, we won't go!"

A vocal minority you say? Perhaps. But how can any of the offspring of the greatest free nation in the world oppose a war for the freedom of others—the war in Vietnam? The answer is clear. This struggle is for an ideal that is not understood. Freedom is so often taken for granted that it has lost its meaning. How can one fight for others' rights which he does not even know or recognize?

Freedom's challenge? Oh, yes, we can have a protest against the protestors, become fine upstanding citizens, volunteer for Vietnam, and support our government in all its endeavors. Yes, all this we can do.

But if this is our only answer, then we shall surely fail. For history has shown us that the average age of the world's great democratic societies has been but 200 years. All such nations have progressed through this sequence:

- From Bondage to Spiritual Faith
- From Spiritual Faith to Great Courage
- From Courage to Liberty
- From Liberty to Abundance
- From Abundance to Selfishness
- From Selfishness to Complacency
- From Complacency to Apathy
- From Apathy to Dependency and
- From Dependency back again into Bondage¹

This is where we stand. Long since have we passed through Abundance and into Complacency. Today's youth are beginning to reveal their Apathy, while Dependency on the Government is already prevalent.

And more frightening, in just nine years the United States will be 200 years old.

Time is running out. The most concrete threat to freedom is extinction, and freedom's greatest challenge to us is to make it relevant, and thereby lasting, to prove that history need not repeat itself.

Inmate Speaks to Young Americans

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. ASHBROOK. Mr. Speaker, as a weekly reader of the OP News—the Ohio Penitentiary News—I find many interesting columns. A recent editorial by Editor Gordon Firman should be must reading for every young American. What Firman does in excellent literary style is to recount the choices that are available to a young man or woman and how making the wrong decision can end up in a life of crime.

Mr. Firman is to be congratulated for this fine editorial and, as I said, Mr. Speaker, I only wish it were must reading in every high school throughout the Nation. The editorial appeared in the March 16, 1968, issue of OP News, and follows:

Two Doors

Once there was a boy. He was like most boys, energetic, adventurous, curious, and impetuous.

He indulged in the pranks of boyhood, soaping windows, letting air out of automo-

bile tires, scratching graffiti on walls, and dreaming heroic exploits.

But he differed from most boys. As he grew older he did not lose his craving for adventure and his impetuosity. And so in time these traits forced him face to face with two doors. Doors of decisions. One night he found himself deciding whether or not to steal hub caps from a car. Deciding one way would lead back to his awaiting family and bed, the other, to crime. He chose crime.

Getting away with petty thievery, the boy once again faced two doors. Going through one would require him giving up the fast, exciting life, before it was too late, before he got caught. The other led to a more serious crime. He chose crime.

Finally, he was arrested for the first time. Taken to a detention home, he suffered the momentary pangs of remorse and self-pity that all first timers do. When he appeared in court, he once again stood before two doors of decision. He could own up that he'd made a mistake and wanted forgiveness, or, he could keep on his hood's front and play the tough-guy role, and when he got loose return to his reckless life of crime. He chose crime.

During the passing years the boy became a young man, one who spent most of his time in state schools and jails.

Each time he was freed he stole again. Once he got a job, a car, and a girlfriend. He appeared settled down. But the memory of the fast life ate at him like acid. One night he saw a good score. A stick-up that meant he would have to use a gun. He hesitated. Now he was living without any major troubles, he was engaged, a good job, etc., and for the first time, he had a place, an identity. Yes, he faced two doors once again. To forget the robbery and continue on as he was, or take a chance on getting a great deal of money from the crime. He chose the crime.

The sentencing judge at his robbery trial said, "Young man, you have spent half your life in prisons. You are intelligent, physically healthy, and appear to have good sense. Yet, all your life you have done the wrong thing, made the wrong decisions. I feel sorry for you."

Arriving at the state penitentiary, to begin a seven-year sentence for robbery, the young boy, now a man of 25, faced two doors of decision. He read in the prison's newspaper about how other guys like him had pulled themselves together and made it. Most of them started by taking part in the academic and vocational schooling. Then they had joined the various social classes. Would he enroll in them, or would he just pull his time and leave the prison as he came in, unprepared for life, unprepared for a successful integration with his free-world brothers?

He knew this was his moment of truth, the point in his life that would irrevocably stamp the pattern for his remaining years. Carefully he weighed all the pros and cons. Then he opened the door of . . .

Statement in Support of a Bill To Reduce Postal Rates on Parcels to Members of the Armed Forces in Combat Zones

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. HORTON. Mr. Speaker, I am grateful for this opportunity to introduce a bill which I feel corrects an injustice and contributes to the morale of our fighting men overseas. In effect, this legislation would eliminate the cost disparity in mailing packages of certain sizes to combat zones from all parts of this great Nation. It would provide for

the payment of postage at local zone rates by or for delivery to members of the U.S. Armed Forces. Packages no longer than 60 inches combined length and girth and weighing no more than 10 pounds could be mailed to combat designated areas at the local rate.

Presently postage on fourth-class parcel post is based on zones from point of mailing to point of delivery, and according to weight. Therefore, a 10-pound parcel, to be sent to a combat zone in Southeast Asia from the east coast would cost \$2.40, while the same size parcel sent from the west coast would cost about 55 cents.

It may seem a small thing to do, but it seems to me of utmost importance to take any steps we can to bridge the great distance that separates our fighting men in Vietnam from their families and loved ones here at home. I realize that a greater distance is involved in handling the mail from the east coast, but it seems terribly unfair to me that families of our fighting men in Vietnam should suffer higher postal rates simply because they are further separated from the scene of the fighting. Every effort should be made to boost the morale of the soldiers in Vietnam, and I think that more packages from home would do just that.

The legislation we passed last session enabling parcels to be airlifted to combat areas at the surface rate plus payment of \$1 is the first step toward correcting this injustice. But we cannot stop with this.

Mr. Speaker, my bill has one simple purpose, to boost the morale of our fighting men in Vietnam or future combat areas overseas. It requires no elaborate machinery to administer and the cost is slight. The net gains, however, can be very great. If we can more effectively help to combat the loneliness and fatigue of our sons and husbands in Southeast Asia by enacting this legislation, then we can feel that we have materially contributed to improving combat morale.

This is a humanitarian measure that we should enact without delay. I feel sure my colleagues here will help me in support of this worthy legislation.

Mississippi's Children

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. RYAN. Mr. Speaker, I have introduced H.R. 16180 to bring the OEO appropriation up to the full authorized level for fiscal year 1968. Many critical programs are currently running below fiscal year 1967 levels. This supplemental is necessary if the war on poverty is to even stand still—let alone move forward.

As an example of the tragic human cost of the cuts in OEO programs, I cite the Mississippi Headstart case. An advertisement in today's Washington Post entitled "Must Mississippi Children Abandon Hope" was sponsored by a committee of distinguished doctors, psychiatrists, and child psychologists. It describes the catastrophic effect of the cut-

¹ By author known only to history.

back on Mississippi Headstart children. The text follows:

[From the Washington Post, Mar. 26, 1968]

MUST MISSISSIPPI'S CHILDREN ABANDON HOPE?

(A desperate plea on behalf of associated communities of Bolivar County, associated communities of Panola and Tallahatchie Counties, associated communities of Sunflower County, Child Development Group of Mississippi, Friends of the Children of Mississippi, Mid-Delta Education Association, Milton Olive Memorial Program for children)

In 1965 the "war on poverty" came to Mississippi. Thousands and thousands of desperately poor parents were told that something new, something important, something significant was happening. They could bring their children to Headstart centers—where hungry, sick children would not only be taught, but fed and given medical attention. And more than that: the Headstart centers were not only places where children could play and learn together, they offered work to mothers and they offered the communities a sense of purpose and hope. For the first time in history money, food, medicine, and employment reached Mississippi families. People who before had been terribly wounded and unbelieving began, many of them, to stir and to take hope.

THE EVER PRESENT DANGER

But almost from the beginning, the effectiveness of Mississippi's Headstart programs, not to mention their resources, has been in constant danger. A program which achieved national attention and acclaim had to fight for the barest kind of survival in 1966, again in 1967, and now again in 1968. A succession of physicians, social scientists, and educators from all over the country have expressed not only admiration for what has been begun among long impoverished, voteless, and illiterate people but also surprise, very real surprise. Apparently, "lethargic" or "apathetic" people have been so because they have known there was no point in behaving otherwise. Given a chance, given the slightest evidence of incentive, they responded eagerly, wholeheartedly, and with utterly innocent faith.

BUREAUCRATS WITHHOLD FUNDS

What indeed has happened? In the winters of 1965-66 and 1966-67, dozens of centers waited for renewed funds. An unbelievably, hauntingly successful program, directed at the most desperately needy children in America, became subject to a nightmare of bureaucratic evasions and delays, promises, and refusals.

By starts and fits, however, the programs grew, until by late 1967 over 30,000 boys and girls were attending year-round centers—the only kind of pre-schooling that stands a chance of really helping extremely poor, malnourished, and medically needy children.

MISSISSIPPI HEADSTART HARDEST HIT IN COUNTRY

Now in 1968 those programs are facing their most severe threat. The President and Congress have cut \$25 million from the nationwide Headstart programs, and Mississippi's year-round centers, are, inexplicably, losing as much as \$7 million, or close to 30% of the total reduction. Not only will additional children—and there are thousands of them—be denied access to Headstart, but as many as 8,000 children now enrolled may have to be dismissed. Families who saw hope will have been told "later," maybe a generation or two "later." Children who might have been enabled to enjoy for the first time good health will be told, "later." And the same message will get to humble people who have already fought for two years or longer to keep alive centers that they have come to love and treasure.

As people who have studied and worked

with children all of our professional lives, we want to ask that American parents try to put themselves in the shoes of their fellow citizens and fellow parents in Mississippi. What is a mother to do, to think, to believe—when she is invited then turned down, drawn out then refused, given a bit then denied even that, let alone the possibility of anything more? We hear a good deal today about violence, about crime on our streets. Can anyone be more cruelly violated, more brutally assaulted than mothers and children who are promised a hot lunch, a doctor's help, a teacher's presence—and then told to go away, forget it all?

HOPE BETRAYED

We hear about bitterness and rancor, about racism among black men, about a country divided and suspicious. What does it do to the minds of people, to the attitudes of people, when they are teased, shown a very small but real opening into our society, then out of hand let down, once again ignored and rebuffed? Is that the way to help our urban ghettos—by driving yet additional thousands of desperate and now freshly disappointed and insulted rural people toward Chicago, and Detroit, and Los Angeles, and New York? Is that the kind of victory we intended the "war on poverty" to achieve? Is that the way to go about healing hatred and fear? Is that the way to win peace, a start toward peace, for this troubled nation?

WHAT WILL IT BRING?

We suggest there are answers to those questions. We suggest that people whose hopes have been raised, then dashed, become sullen and angry, and then prone to outburst and rage and violence. We suggest that the disappointed rural people of Mississippi—who have wanted to stay where they are—will not only be pushed North faster, but will arrive North even more frustrated and hurt and provoked than ever before. We suggest that their defeat will not only mark one more defeat to our "war on poverty" but will encourage yet another generation to feel cheated and betrayed. We know from our work as physicians and educators that these children of Mississippi who are now five and six will not forget 10 or 20 years from now what happened to them between 1965 and 1968—when a significant and encouraging promise was made to them and then abruptly, arbitrarily, revoked. For the health of our people and our nation, this must not be allowed to happen.

Charlotte G. Babcock, M.D., Professor of Psychiatry, School of Medicine, University of Pittsburgh.

Gaston E. Blom, Director, Day Care Center, and Professor of Psychiatry and Education, University of Colorado.

Mamie Phipps Clark, Ph.D., Executive Director, Northside Center for Child Development, New York.

Robert Coles, M.D., Child Psychiatrist, Harvard University Health Services.

Martin Deutsch, Ph.D., Director, Institute for Developmental Studies, New York University.

Erik H. Erikson, Professor of Human Development, Harvard University.

Rudolf Ekstein, Ph.D., Director, Child Psychosis Project, Reiss-Davis Child Study Center, Los Angeles.

Leon Eisenberg, M.D., Chief, Psychiatric Service, Massachusetts General Hospital, and Professor of Psychiatry, Harvard Medical School.

Peter Neubauer, M.D., Director, Child Development Center, New York.

Maria W. Piers, Ph.D., Dean, Chicago Institute for Early Childhood Education (Loyola University).

Milton J. E. Senn, M.D., Sterling Professor of Pediatrics, Yale University.

Albert Solnit, M.D., Director, Child Study

Center, and Professor of Pediatrics and Psychiatry, Yale University.

Rene Spitz, M.D., Emeritus Professor of Child Psychoanalysis, University of Colorado Medical Center, and faculty, Chicago Institute for Psychoanalysis.

Jeanne Spurlock, M.D., Director, Child Psychiatry Clinic, Michael Reese Hospital, Chicago, and Clinical Professor of Psychiatry, University of Illinois.

This announcement sponsored by the above child psychiatrists and educators in conjunction with the National Committee for the Children of Mississippi.

For further information contact the National Committee for the Children of Mississippi, 1500 Mass. Ave. N.W., Washington, D.C.

Congratulations to Puerto Rico

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. CELLER. Mr. Speaker, each year with the coming of spring and its message of renewed life and hope, the Puerto Ricans celebrate the anniversary of their emancipation. On March 22, 1873, after centuries of the cruel degradation which it alone can work, slavery was officially and finally abolished in Puerto Rico by the newly inaugurated National Assembly of the infant Republic of Spain. Thanks to the unflagging efforts of many ardent Puerto Rican patriots, the spirit of modern democratic man with his concern for human dignity and social justice had at last prevailed over the ugly vestiges of imperialist barbarism.

In the 95 years since emancipation, Puerto Rico has made enormous strides toward the achievement of a full measure of freedom, justice, and prosperity. She has come to represent a tiny bastion of the highest ideals of democracy in an area of our hemisphere constantly threatened by the shadow of Communist expansionism. One marvels, indeed the mind boggles at the rapid progress made in communications systems, electrical power, housing, education and social welfare. With dynamic energy and fervent conviction the Puerto Ricans have launched their populous island-paradise on a course of direct confrontation with the demands of a complex, technologically oriented world.

I wish therefore to extend my heartiest congratulations to the Puerto Rican community on this truly momentous anniversary. To the Puerto Ricans of the 10th District whom it is my privilege to serve in the Congress, I offer a special tribute. Their indomitable courage, their "machismo" even in the face of bitter frustration and broken promises, their warm-hearted love of life as we hear it in the pulsing rhythms of their songs and dances, their flexibility and adaptability have contributed immeasurably to strengthening our society. I sympathize with and encourage their aspirations for the translation of our common democratic heritage into equal rights and concrete opportunities for all.

The Democratic Administration's Great Record

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. MOORHEAD. Mr. Speaker, in a stirring speech in my home city of Pittsburgh last week, Secretary of the Interior Stewart L. Udall outlined the tremendous record of the Democratic administration.

The Secretary ticked off the "magnificent gains made in every field, from education and health and civil rights to economic opportunities and housing and antipoverty programs both urban and rural" under Democratic leadership.

Mr. Udall's speech makes it clear that the Democratic Party is the party of progress. Under leave to extend my remarks, I insert excerpts of the Secretary's speech at this point in the RECORD:

EXCERPT OF REMARKS BY SECRETARY OF THE INTERIOR STEWART L. UDALL AT THE DEMOCRATIC REGIONAL CONFERENCE FOR PENNSYLVANIA, OHIO, AND MICHIGAN AT PITTSBURGH, PA., MARCH 22, 1968

I come before you without portfolio of the Postmaster General, but lest there be any mistake, I am here to carry the mail—for President Johnson and Vice President Humphrey.

I had hoped the bag would be lightened by a little humor—like the last presidential election, with the unwitting hilarities provided by my fellow Arizonan, Barry Goldwater.

This year, it seems, some of the humorous element in the opposition has already dropped out. It started when Romney complained about "brainwashing" and proceeded to the logical conclusion—he got "scrubbed."

We still have Dick Nixon, though, and he has always been one of my favorite comedians. However, they say he's developing a lighter touch this time around. And I always got my greatest kicks out of his grim self-righteousness.

While the Republican pre-campaign game of ten pins goes on—while they narrow their field with knock-outs and drop-outs—it seems to me that we Democrats have a pressing assignment that may be even more urgent than usual. That assignment is to make sure in this election year—as we did not do in 1966—that the record of Lyndon Johnson and his Administration is known and understood the length and breadth of this land.

I have a tremendous empathy with the man in the White House, and that empathy springs from my experience as an athlete. I read, as he must, the criticisms printed about him, and I can't help recalling how low the bar was, how weak the jump was, back in the 1950's. Gore Vidal, in his new play "Week-end," had a crack about the Republican party's last president—something to the effect that "Eisenhower showed us we didn't really need a President."

Fortunately for us, the country could afford that eight leaderless years. We survived it somehow, which proves the ingenuity of the American people to "make do" with whatever they happen to have around. But in that eight years, we fell far behind where we should have been. In civil rights, in economic opportunities, in individual security, in my own area of conservation.

And then we come to consider the performance of a President who has thrown into the job an amount and quality of executive energy and leadership that is truly stunning. President Johnson's level of performance has been so consistently high that he is almost literally like the high jumper who,

unless he comes out every week and clears the bar at seven feet, causes cries of "What happened to him this week? He only made 6'7'?" It was just that sort of thing that lulled us into thinking we could relax and win automatically in 1966. We forget that the people can get used to superlative performances. They have to be reminded what this kind of performance means in terms of people—themselves and their children.

I suspect that as the President's opposition jumpers begin to get on the line and warm up, this comparison will become a bit more clear.

But it is our job to see that this clarification is not left to chance. We have to be sure (and Betty Furness may prove very helpful here) that the packages are clearly and truthfully labeled for voter choice.

We have a lot going for us.

First, we have a party that is traditionally the party of all the people. It is not, nor has it ever been, a one-issue party. It is a party with a brain, a heart, and a conscience, and our record in the past seven years substantiates our dedicated use of all three.

We're a spacious party. We have room for many opinions and points of view, and while we quarrel among ourselves over the right way to do this or that, we very seldom lose sight of the fact that the common enemy is symbolized by an elephant, and his trunk is full of bad news for America and Americans.

My good friend Eugene McCarthy is forgetting for the moment that this is not a one-issue party or a one-issue country. But he won't forget which side of the fence he belongs on when the alternative is Richard Nixon in November.

In his agony over Viet-Nam—an agony which is shared by President Johnson, to an even more intense degree—Gene McCarthy will eventually subscribe, as must all men of honor and conscience, to the words of Thucydides, who wrote long ago in ancient Athens:

"Through efforts and suffering and on many a stricken field we have found out the secret of human power, which is the secret of happiness. Man has guessed at it under many names; but we alone have learnt to know it and to make it at home in our city. And the name we know it by is freedom . . ."

These stirring words were quoted last Independence Day by President Johnson, who observed that "Americans did not invent freedom. For thousands of years, men had cherished it and risked their lives to win it for themselves and their children. Of all the blessings of our nation, freedom is surely the most precious . . . let us not forget the price that those who love freedom must ever be ready to pay."

I think the choices on this issue will be narrow indeed. I predict that the differences between candidates after the nominating conventions have had their say, will be slight. For honorable men must make honorable rendezvous with destiny, and there is little room for honorable men to jockey over our foreign commitments.

I do not include George Wallace in this assessment of what honorable candidates will do, for I do not consider him to be either honorable or a serious contender. His only purpose in this race is to divide the country, and he has chosen as his tool for this dishonorable purpose, an issue which is no longer debatable.

As a serious contender, Richard Nixon is my choice as the Republican easiest to beat among the GOP hopefuls who remain in the running. Good old familiar Dick—the used Vice President. I often think of him as the last of the main chance politicians. He is to the 20th Century what James G. Blaine was to the 19th. The man who is always there, year in and year out, waiting for the right moment, the right issue, the right tide to come in.

Which brings me back to the things we've got going for us. The second of these, of course, is our opposition. It is their candi-

dates and their alternatives that will do the most to point up the third great thing we have going for us—and that is the tremendous leadership of Lyndon Johnson and the history-making scope and quality of his Administrative record.

You are all Democrats here tonight, and you are all familiar with the record of the present Administration. You could probably run through the list with me—the magnificent gains made in every field, from education and health and civil rights to economic opportunities and housing and anti-poverty programs both urban and rural.

And yet, as well as you and I know the record, I say it bears repeating. If you and I fall to make the record known, then the carpers, the criticizers, the condemners will carry the day.

You and I know that we can burn off that smog of discontent with the bright light of our accomplishments of the last seven years. In all the history of the world, no other government ever came close to matching them.

All of the New Frontier program of 1960 and 85 percent of the Great Society Democratic platform of 1964 have been translated into law and accomplishment.

Among the legislative landmarks were: Voting Rights, Elementary and Secondary Education, Higher Education, Medicare, Peace Corps, Nuclear Test Ban, Alliance for Progress, the Department of Transportation, the Department of Housing and Urban Development, Veterans benefits, Social Security increases, Model Cities, Rent Supplements, Minimum Wage, the Food and Agriculture Act of 1965, Food for Freedom, the Land and Water Conservation Fund, the Water Pollution Control Act and many others.

The results—

The greatest seven years of economic and social advance this Nation—or any nation—has ever seen.

A gross national product 50 percent greater than it was in 1960.

7½ million new jobs.

A drop in unemployment rate from over 7 percent to less than 4 percent.

\$180 billion more in personal income.

Net per farm income up 70 percent from the beginning of 1961 to the end of 1966.

The greatest advance in history in aid to education.

Medicare and, with it, freedom from the oppressive worry of medical expenses.

Addition of parks and recreation lands that put into one spot would equal most of Connecticut.

And how did the Republicans in Congress stand on the Democratic accomplishments?

On the first key vote on Medicare, 128 of 138 oppose the program . . . Just one fact about Medicare, in its first year of operation, Medicare saw 4 million older persons receive \$2.6 billion worth of hospital treatment, saw payments of \$800 million made on 15 million bills for doctor and other medical services.

Seventy-three percent of the Republicans voted against Funds for Education legislation . . . Just one fact, nearly a million needy college students benefited in 1966-67 from federally-financed and insured loans, grants and work study programs and an estimated 9 million disadvantaged youngsters were helped by special educational projects.

Nearly 90 percent of the Republicans in Congress opposed the 1964 Poverty program and the 1966 Poverty program . . . Just one fact, more than 85,000 young men and women have completed service in the Job Corps and 70 percent of them are now in jobs, back in school or in the military, and nearly a million poor youth have benefited from work opportunities to help them stay in school or improve their ability for employment.

To the casual glance Republicans may appear to be almost indistinguishable from Democrats, but check the voting records . . .

Eighty-four percent opposed the Civil Rights Act of 1966, 85 percent the Voting

Rights Act, 80 percent the Model Cities Funds, 97 percent the 1966 Rent Supplements, 93 percent the 1967 Rent Supplements and 85 percent the raising of the Minimum Wage.

Since 1910 every single time a Republican has succeeded a Democrat in the White House, farm prices and farm income have dropped. Every time a Democrat has succeeded a Republican at 1600 Pennsylvania Avenue, farm prices and farm income have gone up.

The historic crusade that President Johnson has managed to lead on behalf of this country's natural beauty and resources is almost a miracle. But it is a miracle with real substance.

His Administration's record of conservation legislation is more than substantial—it is the greatest list of accomplishments on behalf of the overall environment that has ever been written into the Nation's law books. This is my field and I am particularly proud of it.

On March 6, and again on March 8, President Johnson sent to Congress two historic messages—the first dealing with human resources and the second with natural resources.

The March 6 message marked the first time in the history of this country that a President has spelled out in a detailed message to the Congress his Administration's goals and programs for the American Indian. It was a warm document, full of understanding for the plight of the Indians; but it was no tongue-clucking collection of sympathetic platitudes. Rather, it set forth strong new goals, full Indian participation in modern America, with a full share of economic opportunity and social justice, and with complete freedom of choice as to how they will participate.

The message ends the old debate about "termination" of Indian programs and stresses "self-determination." This is a goal, the President pointed out, that erases old attitudes of paternalism and promotes partnership self-help.

The message was detailed and explicit in its recommendations—for strengthened Federal leadership, for stepped-up education programs at all levels—preschool to adult, for health and medical care, for jobs and economic development, for essential community services such as housing, and for civil rights.

Two days later, the President made it two in a row. He sent to the Congress a first-of-its-kind conservation message, encompassing the total environment—land, water, air and oceans.

Entitled "To Renew A Nation," the message tackled such tough current problems as oil pollution, strip mining damage, excessive noise, and agricultural wastes. These newly emerging threats to the quality of our natural world were handled together with the more familiar environmental problem areas—such as parklands and fresh water management. In every case, the recommendations were the result of thoughtful, imaginative consideration of the interlocking nature of all our environmental problems.

The heart of water pollution control is the community waste treatment plant. The backlog of needed plants is huge. President Johnson recommended accelerated Federal help that would generate about \$600 million in plant construction.

In addition, he proposed a new financing method that would send the new plant construction up close to the \$1.4 billion mark.

He urged Congress to complete authorization of a much-needed National Water Commission, to establish long-range policy for the Nation's water resources.

He directed the setting-up of Air Quality Control Regions and sought more funds than ever committed before to fight air pollution in fiscal 1969.

He proposed a Surface Mining Reclamation

Act of 1968, aimed at preventing further spread of the more than 2 million-acre land blight that strip mining has caused on the face of this land, and to lead toward reclamation of damaged land where this can be accomplished.

He asked extension of the Solid Waste Disposal Act, directed a government-wide review of agricultural waste pollution, urged prompt Congressional action to deal with the rapidly growing noise problem created by air travel, called for an Oil Pollution and Hazardous Substances Control Act of 1968 to deal with the deepening problem of such accidents as oil spillage.

The President's priority conservation agenda did not neglect the beautiful. In a special section entitled "The Splendor of a Continent" it promised to continue bringing parks closer to the people, it urged creation of a Redwoods and a North Cascades National Park, of a National Lakeshore on Wisconsin's Apostle Islands, of a Potomac National River—of new conceptual outdoor elements to national grace and beauty such as scenic trails and rivers, a system of roadside parks along Federal-aid highway systems, expanded wilderness areas.

And finally, for the first time in a conservation message, that mysterious seven-tenths of the planet's surface was included... The Oceans. The President urged that this country take the lead in launching an historic and unprecedented adventure—an International Decade of Ocean Exploration for the 1970's.

It matters not in what direction you turn your eyes here on the home front. The environmental battle is going forward with vigor, with vision, and above all, with an interlocking purpose about it. People, resources, wildlife, all the elements of the environment we live in and are part of, are receiving due regard in the Federal scheme of things. This is a new departure. This is heads-up, alert, intelligent planning—a far cry from the finger-in-the-dike approach with which we have made-do in the past. But today, we realize that well-enough then is no longer applicable to today's world.

I submit that it takes a man with vision and courage to tackle the wide range of problems that President Johnson has put his hand to. A lesser man would have pulled at least one of his punches. But the world view was taken by the President.

He saw that preservation of our way of life against an alien ideology which threatened from without, must be given equal attention with conservation of our fabric of life against the waste and overcrowding and pollution that threaten from within.

The fights for social and political preservation of our way of life, and the conservation of the environmental quality of our land, are companion struggles. To win either one and lose the other would be a national tragedy.

I count myself extremely fortunate to be serving under the leadership of such a President.

Summation of Title VI

HON. JAMES C. CLEVELAND

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. CLEVELAND. Mr. Speaker, as a part of my remarks today, I am inserting in the CONGRESSIONAL RECORD a summation of title VI, containing the "Effective Dates," of the Legislative Reorganization Act of 1967. This is the final installment of our task force project of placing in the public Record a comparative description of the contents of the reform

bill passed by the Senate more than a year ago and of various bills introduced subsequently in the House.

Since we began reading this material into the RECORD, two more committee prints have appeared, together with a bill by the gentleman from California [Mr. SMITH]. We have made a section-by-section comparison of these bills and will add this material to the foregoing comparison in order that a complete legislative history will be available to anyone interested in having it. The material follows:

TITLE VI—EFFECTIVE DATES

Section 601 specifies the dates on which the several portions of the bill are to become effective as follows:

(1) Title I, section 201 of title II, parts 1, 4, and 5 of title II, parts 2 and 3 of title III, parts 1, 2, and 3 of title IV, and sections 235, 301(d), and 601 are to take effect on the 30th day after the date of enactment of the bill.

(2) Parts 2 and 3 of title II (except section 235), part I of title III (except section 301(d)), part 4 of title IV, and title V are to take effect on January 1, 1968.

(3) Subject to specified qualifications required for technical reasons, parts 5 and 6 of title IV are to take effect on the 1st day of the 3d month which begins after the date of enactment of the bill.

(4) Section 481, which relates to stationery allowances, is to take effect with respect to the stationery allowance for Senators for the first fiscal year beginning after the date of enactment, and with respect to the stationery allowance for House Members for the first session of Congress beginning after such date.

Bolling. All of Title I, re committee procedures, would go into effect January 1, 1969, with the commencement of the 91st Congress. The other effective dates are the same as S. 355 where applicable.

Reid. Same as Bolling.

Print No 3. Same as Bolling.

Greek Independence

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. MINISH. Mr. Speaker, it gives me great pleasure to join with my colleagues in observing the 147th anniversary of Greek independence. This week, in commemorating Greek independence, we honor a proud land universally respected as the birthplace of those lofty ideals of Western civilization all Americans cherish—democracy and freedom.

On March 25, 1821, a small group of dedicated freedom-loving Greek patriots, under the leadership of Archbishop Germanos of Patras, commenced an historic uprising against their oppressive Ottoman overlords. They thus became the first Europeans to emulate the American revolt against foreign domination. Eight years later, after a difficult and bitter struggle, Greece emerged anew as an independent nation. With the signing of the Treaty of Andrianople in September of 1829 Greece, aided by the traditional genius of her people, progressed rapidly toward strength and full maturity as a sovereign state.

Greece has faced other trials in the

years following independence. World War II brought a severe challenge to her domestic institutions from the fascists, and in their wake in the immediate post-war era, from imperialistic communism. Greek democracy and the Greek people, with their great love of freedom, courageously withstood these onslaughts. With early assistance from the United States and Great Britain, Greece has rebuilt its economy, institutions, and agriculture from wartime devastation.

Thus, Mr. Speaker, I take the opportunity afforded by this auspicious occasion to thank Greece and her sons and daughters for the truly great contributions they have made to the spirit of mankind. Let us all now renew our commitment to the Greek ideals of freedom and of democracy.

F-111 Put Through Tests Over Thailand Air Base

HON. WM. JENNINGS BRYAN DORN
OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 26, 1968

Mr. DORN. Mr. Speaker, the ever-expanding airpower of the United States is taking another giant step forward with the entry of the F-111 fighter-bomber into combat duty. This newest, highly sophisticated aircraft is slated for combat in late March or early April. I commend the following article from the Washington Evening Star to the attention of my colleagues and to the people of the country:

F-111 PUT THROUGH TESTS OVER THAILAND AIR BASE

TA KHLI, THAILAND.—The U.S. Air Force put its new swing-wing F111 fighter-bomber through precombat flight tests today over this air base 100 miles north of Bangkok.

The two-seat 1,500 mile an hour aircraft broke the sound barrier in an ear shattering demonstration of its low-flying ability.

The camouflaged twin-engine jet swooped to within 200 feet of the airstrip where the first six F111s arrived Sunday for duty in the Vietnam war.

Flown by Lt. Col. Dean Salmier, 45, of Port-hill, Idaho, and Lt. Col. Spade Cooley, 33, of Hampton, W. Va., the F111 showed its short takeoff and landing ability then demonstrated its moveable wing technique which allows the aircraft to fly fast or slow at different heights.

ROLE IS CLASSIFIED

The fighter-bomber's role in the Vietnam air war is classified and Air Force officers refused to comment on it.

However, it is believed the aircraft will test, under combat conditions, its ultrasophisticated electronics system which allows the plane to bomb targets at night or in bad weather with as much precision as could be obtained in daytime by a pilot who could see the targets.

Col. Ivan H. Dethman, commander of the 438th Tactical Fighter Squadron to which the F111s belong said one of the new combat aircraft could be worth 16 of the present fighter-bombers because of its electronic systems.

The plane could drop more bombs more accurately over the target than any plane in existence, he said.

Most of the operational details of the F111 are classified.

MORE BOMB CAPACITY

But Air Force officers said it could carry five times the bomb load of a World War II bomber and twice that of anything flying at the moment with the exception of a B52.

The F111, which cost about \$5.3 million each, is twice as expensive as current fighter-bombers in use, such as the F105.

The F111s are scheduled to make the first runs against the heavily defended targets over North Vietnam in about two weeks, when they will pit their electronics against the Russian-made SAM missiles.

Task Force Comparison of Part 6 of Title IV of the Legislative Reorganization Act of 1967

HON. JAMES C. CLEVELAND
OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 26, 1968

Mr. CLEVELAND. Mr. Speaker, as a part of my remarks today, I am placing in the CONGRESSIONAL RECORD our task force comparison of part 6 of title IV of the Legislative Reorganization Act of 1967 with other bills introduced since passage of the act by the Senate a year ago:

PART 6—PAYROLL ADMINISTRATION IN THE HOUSE OF REPRESENTATIVES

Sec. 471—Conversion of Pay Rate from Basic to Gross (House)

S. 355—This section is designed generally to simplify and improve payroll administration in the House, specifically providing for conversion of base rates to aggregate rates in the determination of clerk hire.

Bolling—Same. (Sec. 461 in Bolling.)
Reid—Same. (Sec. 461 in Reid.)

Print No. 3—Same.

NOTE. Section not amended by the Senate. See Final Report page 52: "7. The basic rate method for determining clerk-hire for employees of the House of Representatives shall be abolished."

See also Sec. 324 of S. 355 as passed: this section was added by adoption of an amendment by Sen. Williams (Del.) to convert Senate pay from basic to gross rate system. In fact, Sec. 324 is now redundant for the reason that the Senate Finance Office has since converted to gross rates only. However, the old basic rate system is still in use in the House.

Bolling and Reid only—Publication of Travel by Members of Congress (called "Payroll Data" in Bolling Table of Contents.)

Sections 462 of the Bolling and Reid bills provide for quarterly publication in the Congressional Record of a House Administration Committee report on travel by Members beyond the continental limits of the U.S. This information will include, for each trip, the name of the Member, his official purpose for making such trip, time spent on such travel, the committee or individual which authorized the trip, and the actual or estimated amount of Government funds spent by the Member on that trip.

Once a year, a report will be inserted in the Record showing the aggregate of such trips and other information listed above for the preceding 12-month period.

Section does not apply "on those occasions when a Member in his official capacity has cause to undertake a trip which is classified as one requiring a high degree of confidentiality because of national security."

Bolling, Reid, and Print No. 3—Sick Leave (entitled "Use of House contingent fund to

pay salaries of employees paid from clerk hire allowances of Members and absent from duty because of illness, injury, or disability" in Print No. 3 Table of Contents).

Sections 463 of the Bolling and Reid bills and Section 472 of Print No. 3 provide that upon request of the Congressman, and if proper medical verification is supplied, a staff member who has been on the Member's payroll for at least 1 year previous and has been absent because of illness for more than 30 days shall be paid from the contingent fund of the House rather than from the Member's clerk hire allowance for up to six months of such sick leave.

BOLLING AND REID ONLY—REPRESENTATIVES-ELECT ALLOWANCE

Sections 464 of the Bolling and Reid bills authorize staff allowances for Representatives-elect, from Nov. 15 to Jan. 2, at the rate of three per cent of the annual gross rate of clerk's hire for Members.

Wendell Phillips Dodge and Robinson Crusoe's Island

HON. THEODORE R. KUPFERMAN
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 26, 1968

Mr. KUPFERMAN. Mr. Speaker, Wendell Phillips Dodge, my constituent and longtime professional member of the Lambs, a famous theatrical club in New York, an active member of the Explorers Club as well as of the Circumnavigators Club, both of my district, and a member of the Society of the Silurians, an organization of oldtime newspapermen in New York, has written an article which I believe will be of interest to my colleagues.

It might surprise most persons to learn that a splendid map of Robinson Crusoe's Island is to be found on official U.S. Admiralty charts. Every reader of fiction has relished reading Daniel Defoe's immortal tale of the shipwrecked sailor who spent a considerable time alone on a desolate island and of his finding a native boy whom he called his "Man Friday," having come upon him on a Friday. Hearing only the continual roar of the sea and wind, Robinson Crusoe had so little to do that he counted the days of the week over and over again through his long years of isolation from the rest of the world.

It took Wendell Phillips Dodge, who has sailed close to many farflung islands in the great oceans of the earth, to bring to light in an article in a recent issue of the bimonthly magazine the Compass of the Socony Mobil Oil Co., the true history of Robinson Crusoe's Island. I believe the article, which follows, will be of interest to my colleagues:

"Truth is stranger than fiction." This was proved by Britain's Royal Navy and without taking away the basic facts as set forth in the celebrated Daniel Defoe tale that continues to be one of the world's best-selling books.

Suppose we retrace events in the immortal story. Robinson Crusoe ran away to sea, was shipwrecked and marooned on a "desolate" island. This Defoe placed "near the mouth of the great Orinoco" off the northeast coast of South America. During his "eight and twenty years there" he relieved the tedium of endless

days with numberless ingenious contrivances. Solitude was finally broken when he rescued a young native from marauding cannibals who apparently stopped at the island to make "long pig" of their captive. Since the rescue was made on a Friday, Crusoe called the boy his "Man Friday," a name that in modern English has come to mean a capable assistant. They were "at last strangely delivered by pirates."

Daniel Defoe (1650-1731) based the story on the adventures of Alexander Selkirk (1676-1723), a sailor from the English privateer *Cinque Porte*. He was marooned on Más-a-Tierra, in the Juan Fernandez group that lies off the coast of Chile. But no one knows the reason for the literary license Defoe took when he placed Robinson Crusoe on an island near Venezuela's coast.

Through the centuries the legend of Más-a-Tierra as "Robinson Crusoe" island has become firmly enough seasoned by facts to be generally accepted as the prototype site of Defoe's story. Even if Defoe had never written the book, Alexander Selkirk, the original "Robinson Crusoe," would still be assured of his considerable niche in English literature. Later in the 18th Century his solitary adventures on the "desert" island inspired another man of literary merit, William Cowper (1731-1800), to write:

"I am monarch of all I survey
My right there is none to dispute."

Well might the poet, contemplating Selkirk's four years on Más-a-Tierra, ask:

"O Solitude! Where are the charms
That sages have seen in thy face?"

The earliest descriptions of Selkirk's adventures are given in Woodes Rogers' "Cruising Voyage Round the World" (1712); also in "Providence Displayed, or a Surprising Account of one Alexander Selkirk . . . written by his own Hand," published about the same time; and by Sir Richard Steele (1672-1729) in the *Englishman* for December 3, 1719.

Then in 1719, shortly after a second edition of Rogers' "Voyage" appeared, Defoe published his "Robinson Crusoe." While its main outline was clearly indebted to Selkirk's story, most of the incidents were imaginary. Thus Defoe's decidedly tropical description of Crusoe's island and the whole narrative of the cannibals' visits, etc., seemed to set the story's locale on one of the islands off the northeastern coast of South America rather than on Más-a-Tierra.

During the ensuing two and a half centuries, the story of the Juan Fernandez Islands has been by no means uneventful. With the break-up of the Spanish Empire, the group passed to Chile. For some years after, it housed a penal settlement. But the island's chief merit was, surprisingly, medical. The entire group, as a matter of fact, possessed luxuriant vegetation, and in the great days of sailing ships, sailors suffering from scurvy often were landed on Más-a-Tierra to recuperate.

At the start of the First World War, the Juan Fernandez Islands suddenly attained a world fame that threatened to vie with their "Robinson Crusoe" reputation. After the Battle of the Falkland Islands, the German light cruiser *Dresden* was pursued around "The Horn" and northwards to be finally dispatched by British warships off Más-a-Tierra. When the water is clear her hull can still be seen lying in the deep waters of the bay. And on shore is a cemetery where her honored dead are buried.

Today the visitor who approaches the Juan Fernandez Islands will find plenty to interest him besides the memories of Selkirk-Crusoe. Más-a-Tierra is the only one of the group to be inhabited. It has a population of 700, almost double that of 15 years ago. The reason for this may be that the Chilean Government has established radio and meteorological stations there, and the bay is a base for seaplanes of the Chilean Air Force.

For most of the population, however, their livelihood comes from a flourishing fishing industry. An installation for drying fish has been erected to process cod and crayfish, and "Robinson Crusoe" lobsters, large in size, are considered a great delicacy.

None the less, it is presumably the story of Alexander Selkirk that ever will attract most of the visitors' attention. Goats still run wild as they did when "Robinson Crusoe" landed there. Steep, narrow paths along which the only possible transport is a local breed of sturdy pony, wind up to the summit of the highest point. Here at "Selkirk's Look-out" a plaque erected in 1868 by the officers of the British warship, H.M.S. *Topaze*, records details of that unfortunate mariner's 52 months of solitude. With his ghost, the visitor can share the experience of being monarch of all he surveys.

Juan Fernandez, 34° S, 78° W (approximately) comprises three scattered islands—Más Afuera, Más-a-Tierra and Santa Clara or Goat Island. The entire group with a land area of some 70 square miles, starts about 400 miles west and slightly south of Valparaiso, Chile's largest port. Here Alexander Selkirk lived from October, 1704, to February, 1709.

He was a Scottish sailor, the seventh son of John Selcraig (name later changed to Selkirk), a shoemaker and tanner of Largo, Fife-shire. In his youth he was unruly. Summoned before the kirk-session in 1695 for "indecent behaviour in church," young Selkirk "did not compare, being gone away to the seas." In May, 1703, he joined Captain Dampier on a privateering expedition to the South Seas as pilot of the galley *Cinque Porte*.

In September, 1704, the *Cinque Porte* put in at Juan Fernandez Islands. Here Selkirk had a dispute with his superior, Captain Thomas Stradling, and at his own request was put ashore with a few ordinary necessities. Before the ship left he begged to be reinstated, but was refused. Four years and four months later, on January 31, 1709, he was found, and on February 12 was taken off by Captain Woodes Rogers, commander of the privateer *Duke*. Rogers' captain was Dampier, who immediately made Selkirk his mate. Selkirk returned to the Thames on October 14, 1711. He was back at Largo in 1712, but in 1717 was back at sea once more. He died December 12, 1721, while serving as master's mate of H.M.S. *Weymouth*.

Following Más-a-Tierra's hill road, travelers come to a gap in the trap rock that provides a magnificent view of the island and the sea. This is known as "Selkirk's Look-out" and is where the officers of H.M.S. *Topaze* placed the memorial tablet. It bears the following inscription:

"In memory of Alexander Selkirk, mariner, a native of Largo in the county of Fife, Scotland, who was on this island in complete solitude for four years and four months. He was landed from the *Cinque Porte* (sic) galley, 96 tons, 16 guns, 1704 A.D., and was taken off in the *Duke* privateer, 12th February, 1709. He died Lieutenant of the *Weymouth* 1723 A.D., aged forty-seven years.

"This tablet is erected near Selkirk's Look-out by Commodore Powell and officers of H.M.S. *Topaze*, A.D. 1868."

Lakeville Journal Makes Clear Case Against Tax Hikes

HON. THOMAS J. MESKILL

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. MESKILL. Mr. Speaker, the gold crisis, our budget deficits and related

national and international problems have drawn the thoughtful attention of the Lakeville Journal, one of the outstanding weekly newspapers in my beautiful district.

The American people, in my opinion, are completely baffled and not a little angry by the years of compounded mismanagement which have brought us to the fix we are in today.

In an editorial published March 21, Mr. Stewart Hoskins, president of the Lakeville Journal, expresses this perplexity eloquently:

We just don't see why we should be taxed extra because some foreign country or individual has extra dollars to spend to buy our gold with—when the extra dollars were derived, at least partly, from money our government has already spent abroad which in turn was derived, at least partly, from our own pocket.

Although this editorial is directed, in part, to me by name, I take pleasure in commending it to all Members. I feel it is very representative of general feeling in the country. Certainly it expresses my own views.

Under unanimous consent, I offer the whole editorial at this point in the RECORD and take this opportunity to commend the Lakeville Journal for it:

OUR ONE-MAN REVOLUTION

Any views held by this column are not necessarily those held by our editor and partner. In fact, it was somewhat baffling to her recently when, in trying to instruct us as well as herself on the meaning of the Balance of Payment and the gold drain, she found a couple of our mildly expressed views corroborated in a pamphlet which she was using as a sort of bible of information. And it was somewhat a shock to us when, after learning that we were at least half right, the government comes up with a suggested solution which completely avoids these possible alternatives. So, any views held by this column apparently aren't held by the administration. And as our editor doesn't now like the administration, she must necessarily agree with us on this issue. Most frustrating.

At any rate, we look with myopia on the suggestion of a 10 percent surtax, among other things, to help the gold situation. It may help the gold but it won't help, in our opinion, the state of the nation. We just don't see why we should be taxed extra because some foreign country or individual has extra dollars to spend to buy our gold with . . . when the extra dollars were derived, at least partly, from money our government has already spent abroad which in turn was derived, at least partly, from our own pocket.

We are considering starting a revolution of our own; No taxation without Representation in the affairs of foreign governments which are spending our money. We figure we now have a legal right to vote in the affairs of some 89 countries, probably including Tasmania (is it still around?) and Natal.

The balance of payment deficit, and thus the gold crisis, is almost entirely due to foreign aid programs, to maintaining our troops abroad, and the war in Vietnam. Growing tourism has helped, too, but tourists apparently have a better lobby than we do, and have succeeded in avoiding a tax on tourists. So now the government is planning to tax non-tourists like us.

Vietnam undoubtedly has made the balance worse, but it should be noted that it was consistently bad for years before this happened. Congress has reduced foreign aid some, and this has eased but not corrected the balance. More must be done.

So why not pull our troops out of wherever they are (who knows everywhere they are)? Why not close down all our foreign military installations? Why not cut and cut and cut foreign aid until this nonsense of balance of payment and gold crisis stops? It would stop abruptly, in our opinion, by the mere threat, but we would go further than that.

It's time, in our opinion, that we considered a couple of other things, besides the threat of Communism, the welfare of Aden and such-like, and worried a bit more about the welfare of our own country. If we don't soon, these other matters won't be getting any consideration from us, anyway, because we will be in no position to do anything about them.

Leaving any argument about Vietnam out of this (to avoid being sidetracked), the billions we could save by just doing these two things would not only stop the gold drain but would be available for use in this country . . . and every penny of it could be usefully spent.

Literally, we have been helping nearly every country in the world while neglecting our own problems. Or while, certainly, not really doing the job we should have done and could have done and still must do. The surtax, applied to these problems, would certainly help, but it still will not cure the balance of payment or stop the gold drain.

Senator Ribicoff, Representative Meskill, please note!

For the Merger

HON. CHARLES A. MOSHER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. MOSHER. Mr. Speaker, there is increasing public interest in northern Ohio and especially in the area I am privileged to represent, in recognition of the economic advantages for our area which probably would result from the merging of the Norfolk & Western Railway with the Chesapeake & Ohio.

Therefore, I call to your attention and to the attention of all my colleagues in the House a very significant editorial, "Look Who's Against Merger," which has just come to my attention, although it actually was published in the Toledo Blade for Saturday, February 24, 1968.

I submit that the editors of the Toledo Blade have presented very forceful, cogent arguments in support of favorable action on the proposed merger.

The editorial follows:

LOOK WHO'S AGAINST MERGER

During the six years that were required to gain final approval of merging the Pennsylvania Railroad and the New York Central System, both railroads kept intensive pressure on the Government, legislators, hearing examiners, and representatives of the Interstate Commerce Commission. They cited the full range of arguments in favor of the merger—elimination of costly overlapping, cutting out duplicated facilities, shoring up earnings, and pooling know-how and administrative resources.

All of those arguments and others made sense in one way or another, as was implied when the Supreme Court gave its blessing to this creation of a transportation colossus with \$4.3 billion in assets, 40,000 miles of track, 96,000 employees, and more than \$1.6 billion in annual revenue.

This makes it all the more astounding to hear Stuart M. Saunders, Penn Central

chairman, declare that the newly merged giant system will "oppose vigorously" the proposed merging of the Norfolk & Western Railway with the Chesapeake & Ohio, which controls the Baltimore & Ohio. If it was in the public interest to eliminate overlapping and costly duplication between the Penns and the NYC, would it not also be in the public interest to follow the same course with the C&O-B&O and N&W? To permit the giant Penn Central to sit astride all rail transportation in the East to the great disadvantage of smaller, less affluent roads would be to saddle other carriers with the very liabilities which the Penn Central leaders claimed could be overcome only through merger. This is something the ICC should attend to by moving promptly—appreciably more so than it did in the protracted Penn Central hearings—to approve the pending joining of systems of the C&O-B&O and the N&W.

The railroad industry in the East is obviously entering a new era with the birth of the Penn Central. Much yet remains to be done to give rail transportation the balance and vigorous infusion of aid it will require to survive and prosper. This may extend even to some form of government subsidization to permit railroads to better serve the public by building high-speed passenger service between major cities and to bring about the revolution in equipment and operations foreseen.

Now that the Penn Central system is a fact, the new company is hailing its own debut by advertising its snappy new symbol and promising that the merger means "better service to the millions of people, to the communities and towns, to the industries all along our route."

The best symbol of improved service we can think of would be a stream of efficient, fast Penn Central freight trains speeding along the rails—and convenient, attractive, and speedy passenger trains darting between major centers of population served by the new system.

For a Treaty on Chemical Warfare

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. PODELL. Mr. Speaker, 7,000 sheep peacefully browsing in Utah pastures, were victims of "The Silent Spring," as it descended with stealth and sudden death upon the land adjoining the Dugway Proving Grounds, a field test area for chemical and biological warfare programs. A highly toxic organophosphate, sprayed from high speed airplanes, was carried by the winds into the pastures where the sheep were innocently grazing.

I know that the Representatives in Congress from the State of Utah will take all necessary steps to prevent a recurrence of such a tragedy, as well as all necessary steps to secure prompt compensation to the owners of these unfortunate animals. Yet deep concern over this tragic event extends far beyond the borders of Utah. It touches upon the hearts of people the world over.

Certainly when the Lord gave to man dominion over the creatures of the earth, the birds in the sky, and the fish in the seas, He did not contemplate so wanton and useless a destruction of the living

things He created. Indeed we must all give thanks to God that human beings were not also numbered among the victims of this reckless military pursuit of refinements in the art of human slaughter.

The tragedy in Utah is but another warning that we cannot tolerate the insidious poisoning of our air in the interest of scientific warfare; polluting our waterways in the interests of industrial economics, and poisoning our food resources in the interests of agrarian economics. It is a warning we must heed now.

The alternative rests in the gentle words of Rachel Carson:

No witchcraft, no enemy action had silenced the rebirth of new life in this stricken world. The people had done it themselves.

There is mystery, and beauty, and hope in the sound of "The Good Earth." It is an earth of symmetry, where each part is dependent upon the other. Our forests and our grasslands, the air about us, our soil and our water, our animal life and our plant life all contribute to the life of the earth and its rebirth and renewal.

Over a century ago, Thomas Robert Malthus, with his perception both as a scientist and as a clergyman, warned that the capacity of the earth to support life was limited. At the turn of the century, President Theodore Roosevelt and Gov. Gifford Pinchot, dramatically alerted the people of America to the threat of human extinction, resulting from the ruthless and wanton destruction of our natural resources. Despite the dedicated efforts of conservationists, despite the valiant efforts of Secretary Stewart L. Udall and his dedicated staff, the reckless spoilage of our natural resources continues. In the East, the Hudson River has become an open sewer; in the West, Lake Tahoe is becoming a cesspool. In Kentucky we destroy the earth with strip mining. Just a few years ago, New York City, with water everywhere, had barely a drop to drink.

In the course of years, we have denuded our forests, scorched our earth, exploited our mines, poisoned our food, and decimated our animals. The greed of man and the avarice of commerce are destroying the very sources of life itself. Ecclesiastes said:

All the rivers run into the sea, yet the sea is not full; unto the place from whence the rivers come, thither they return.

Yet before the rivers return, they leave in the sea, the DDT and other food preservative chemicals with which they are encumbered as they flow through our lands. Traces of DDT have been found in the bodies of dead fish hundreds of miles from any known source of that insecticide.

In the midfifties, Adlai Stevenson warned the world about the dangers of atomic testing, of the hazards to all living creatures of the fallout of strontium-90. He alerted us to the indestructible character of this chemical, of its capacity to cause biological distortions in man and in all living bodies years after the atomic test had been completed. Adlai Stevenson needs no monuments to his distinction as an American and as a citizen of the

world. Nonetheless the atomic test ban treaties, the nuclear antipollution treaties will forever bear testimony to his love of humanity.

I suggest that we must move further along the road pointed to by Adlai Stevenson. In my judgment, the Utah tragedy calls for the appointment of a Presidential Commission with full power and authority to study and report upon research plans and programs incident to chemical and biological warfare. This is a type of warfare which remains forever beyond the control of those who employ it. These chemicals and these germs, however released, are subject to the winds and the tides attacking civilians as well as those in uniform. They involve a form of warfare which can permanently destroy the balance of the earth, and leave it barren of its capacity to sustain life.

I further suggest the necessity for a treaty, under auspices of the United Nations, and subject to United Nations inspection, to control, regulate, and limit all programs involving chemical and biological warfare.

Dr. Albert Schweitzer once said:

Man has lost the capacity to foresee and forestall. He will end by destroying the earth.

The tragedy in Utah permits us to foresee. Let us make every effort to forestall. If we fail, then in the words of John Keats, the sedge will wither from the lake, "and no birds sing."

South Carolina Climbs to Second in Nation on Industry Barometer

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. DORN. Mr. Speaker, South Carolina has been rapidly rising in industrial prominence among the 50 States. The recent dramatic rise in industrial location and expansion is indicative of the extremely healthy economic base and favorable industrial climate within the State.

As an indication of the magnitude of this industrial growth, I commend the following article from the Anderson, S.C., Independent, on March 21, to the attention of my colleagues and to the people of the country:

SOUTH CAROLINA CLIMBS TO SECOND IN NATION ON INDUSTRY BAROMETER

The importance of South Carolina's new industrial plants is reflected in figures just released by the U.S. Department of Commerce.

The Palmetto State leads the Southeast and ranks second in the nation in the increase of value added by manufacturing.

Much has been written about the growth of the West and Southwest in recent years. Arizona is the only state in the nation to top South Carolina.

Increase in value added by manufacturing is the measure of importance of industry.

The figure is arrived at by deducting the cost of the material, supplies, fuel, electricity, and contract work from the total worth of the project.

From 1964 to 1968 South Carolina's value jumped from \$2.4 billion to \$4.2 billion for a gain of 74 per cent. Arizona led the nation with 79 per cent.

Georgia was second highest in the Southeast with 70 per cent; other percentages: North Carolina, 57; Florida, 50; Virginia, 36; Kentucky, 60; Tennessee, 57; Alabama, 40; and Louisiana, 48.

J. D. Little Jr., director of the State Development Board, commented, "The future looks very promising, and we anticipate even more impressive figures."

There is no denying that South Carolina is continuing outstanding leadership as a manufacturing state.

Crime, the Top Domestic Problem Facing the Nation

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. PRICE of Texas. Mr. Speaker, in view of the recently released statistics on the continuing rise in the Nation's crime rate I would like to enter in the RECORD my newsletter in which I commented on this critical national problem.

Crime, lawlessness, and the implied threats of more violence this spring and summer, continue as the top domestic problem facing the Nation.

In a recent message to Congress, the President pointed out the problems of the Nation's Capital and urged home rule for the District of Columbia. His message said of the Capital:

Washington—the city of noble monuments, quiet splendor and the close touch of history—is truly the nation's pride.

But there are many who live in the District of Columbia who feel something less than pride in the Nation's Capital. At the cashier's desk in a suburban drug store, I stood behind a lady who was comparing her experience of being held up and robbed with the cashier who had recently been hijacked at closing time by three armed men. The lady was payroll clerk for a university whose \$26,000 payroll in cash had been taken from their office at gunpoint.

Serious crime is up 17 per cent over last year in major cities including Washington. In the city of "quiet splendor" where murder, rape, robbery, and assault are so commonplace that they are buried back in the third section of the newspaper, the news media reported at the same time that Howard University, a federally supported institution, had been taken over by militants who demanded the resignation of the university president and creation of a "black democratic university" under a new president.

Other news stories noted that union officials said they may take drivers off bus routes where holdups have been most frequent. There have been more than 130 holdups of bus drivers in the city so far this year. There were 326 last year.

In February, the President delivered a crime message to Congress indicating that he not only is concerned but also that he finally means to do something

about the problem of crime in the Nation. I welcome the President's pledge to fight crime, but have some doubts about the effectiveness of his proposed program. An analysis may reveal more of a political document than a much needed plan for national action.

Crime must be brought under control and substantially reduced. Republicans last year developed and introduced specific legislative proposals designed to control and prevent crime and lawlessness. The Republican task force on crime, on which I serve, has drafted legislation and substantially improved administration anticrime legislation in this and the previous session of Congress. This includes an antiriot bill and other legislation including amendments to the Law Enforcement Assistance Act of 1967 which was passed by the House, but has not been acted on by the Senate. Wiretapping legislation which has been endorsed by the task force has received almost universal endorsement—except from the U.S. Attorney General.

The President vetoed a District of Columbia crime bill after adjournment of Congress in 1966. But he signed a similar bill at the last minute after Congress adjourned in 1967.

Apparently there has been a change in attitude and hopefully recognition of the inadequacies of measures taken so far to effectively combat the continuing rise of crime.

Crime is an issue in 1968 because the President did not make it an issue in 1967 or 1966 or 1965 or 1964. Since 1960, the reported rate of crime has increased over 88 per cent. There has been an obvious failure during this period in the administration of justice and the day of reckoning is now here.

Vietnam

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 20, 1968

Mr. ROBISON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following speech which I delivered to the Binghamton, N.Y., Jaycees Distinguished Service Award dinner on March 2, 1968:

I spoke—according to my recollection—at a similar Jaycees meeting, here in Binghamton, in March of 1966.

Just for the fun of it, I looked through my "used-speech" file the other afternoon, to see what I might have said to you back then.

Somewhat to my surprise, I found that we discussed America's then-enlarging role in Vietnam—even though that difficult and complex subject was not then demanding the attention of our citizens in the way it is, now.

In looking at my text on that occasion, I find I expressed to those of you who were then in attendance the rather great uncertainties that have continued to plague me about this war ever since we began, under President Johnson's leadership back in 1965, to "Americanize" it.

I told you that I personally supported an American presence in Vietnam—as I have—

and, though I could not, of course, read your minds, I said:

"Most—though surely not all of you—probably support that stand, too, although you might be hard put to explain why beyond your instinctive realization of the fact that your Country and, to a lesser extent, your Country's honor, has been committed in Vietnam and, because you honor your Country, you honor that commitment."

Well, a lot of "water has gone under the bridge", so to speak, with respect to Vietnam since I spoke to you about it, two years ago.

We have, since then, spent something like \$60 billion in and on Vietnam in our continuing effort to find some sort of acceptable solution to our problem, there—and, though I haven't checked the actual casualty records for this time span, I suppose it would be safe to say that something like 13,000 to 15,000 young, American lives have been sacrificed since then, in pursuit of that same solution which, unhappily, seems as far off and uncertain, tonight, as it did back then.

I spoke to you, too, that night two years ago, about the disturbing lack of popular support, here at home, for the President and for his conduct of the war that far (up to March of 1966), and mentioned what I felt to then be the fact: That the average American citizen had little or no sense of personal identification with the conflict.

Specifically, I said:

"That being the case, the President's base of public support hangs by some very tenuous threads; and if, indeed—as I am sure we are—we are in for a long, hard and costly struggle in Vietnam and probably elsewhere in Southeast Asia, there is reason for concern about the true depth of American resolution to see this thing through."

I also said to you—and I feel it is important to repeat it—that ever since we began to "Americanize" the war through a process of gradual military escalation of it, starting in early 1965, I had been:

"... concerned—and deeply so—over what I (felt had) been an almost total default on the part of (the then) Congress . . . to play its limited, but proper and necessary role under our Constitution and system of government, in inquiring into, in clarifying, and in shaping as far as it might, the American purpose in Vietnam."

I said this because, for at least a year prior to that March, 1966, speech of mine, here, I had been periodically urging upon my colleagues in Congress—though without success—the wisdom and necessity of a full-scale Congressional inquiry into our role in Vietnam, and the policy options we had available to us, as a nation, to succeed in that role, not in any effort to embarrass the President or to weaken his hand, but in the hope that we could thereby strengthen his hand by assuring ourselves—and through us the American people—that what we were doing in Vietnam was both necessary and correct.

I assume I don't need to tell you that these efforts of mine—and others—came to naught, or that the President continued, for better or worse, his self-assumed lonely role as Commander-in-Chief of our armed forces and major, if not sole, architect of U.S. foreign-policy in that tragic, far-off little country of Vietnam that has, somehow, now become the cockpit for a struggle for worldwide implications, and a most difficult and costly burden for the American people to continue to bear.

Nor do I need to tell you that the public doubts that have been heard all along about this war are still with us and, indeed, in recent weeks—and for some good and obvious reasons—have even been magnified.

You, yourselves—or, at least, some of you—have recently expressed some of those doubts to me in giving me your answers to a questionnaire I sent out, early last month,

to all the people in this Congressional District.

Over 17,000 of you have replied to that questionnaire—a response of which I think we can both be proud—and the results have been tabulated for me by an independent source and are being released today (so that you can undoubtedly read about them, in detail, in tomorrow morning's local Sunday paper).

I would like to discuss those results—or, at least, those pertaining to Vietnam—with you, tonight.

The first question I asked was this:

"Do you believe involvement in war in Vietnam was essential to the security of the United States?"

To this, 34.2% of you said "Yes", but 63.5% of you said "No"—with 2.3% having no opinion.

And I would have to say I believe the majority answer was the right one, for it is very hard to find convincing evidence that Vietnam—or South Vietnam, if we wish to be more specific—is of strategic military importance, or of strategic economic importance, to us in sufficient degree to make our own security dependent upon its security; or, to put it another way, to make its security central to our own.

Some comparisons, here, might be useful to clarify what I am talking about:

The Middle East, as we all know, continues in a state of turmoil. It is a hot-bed for political intrigue—and it is rife with political instability and an open target for outside interventionism and military adventurism, what with three "wars" going on there at once: The Arab-Israeli war, the Arab-Arab war (for largely they can only agree on their animosity to Israel), and the "Cold War" between the U.S. and Russia, around the fringes of which France's de Gaulle is playing his usual gadfly role.

Thankfully, these are not shooting "wars" at the moment—except for scattered border incidents—but one has to accept the possibility that an actual war could break out there again at almost any time.

If the current and lonely little United Nations mission seeking to settle all this should fail, and war should occur in the Middle East again, one would almost have to assume that we would have to consider that peace and stability in this area was central to our own security, not only because of our friendship for Israel, but also because this is an area of clear strategic military importance to us—as the trade "crossroads" of the world—and of clear strategic economic importance to us—what with the Persian Gulf's reserves of oil amounting to better than two-thirds of the Free World's proved reserves.

And, for another example, one might also take Cuba—even though there would probably be some argument about this for, happily, the threat of Castroism does not now seem to be as serious as it once was. But—just the same—Cuba is, after all, only a few miles off our own coast, not half-way round the world as Vietnam is; and we certainly felt, some few years back when Khrushchev (remember him?) was converting Cuba into a Russian missile base that it was central to our own security—and, therefore, of great strategic military importance to us.

But, let's go on.

For, my second question to you was this: "Even if your answer is 'No' (to my first question), do you believe U.S. involvement in war in Vietnam was desirable to prevent the spread of Communism in Asia?"

And, here, your answers show a switch for 57.9% of you now said "Yes", with 35.6% saying "No", and 6.5% having no opinion.

Now one can imagine, I presume, that this reflects a broader public understanding of—and support for—the so-called "contain-

ment" theory or, insofar as South Vietnam is concerned, of the related "domino" theory.

And, as to this, one can speculate that if "containment" seemed to work in Europe when applied, during the earlier days of the "Cold War" against Russia, perhaps it would work, here now, against the obviously aggressive ambitions of Red China, and it is admittedly easier to see that, if not our own security, then the security of several other Southeast Asian nations is threatened when South Vietnam's is; those more obvious nations being such as Laos and Thailand, slightly more remotely so Cambodia, and, ultimately, Indonesia, Malaysia, Burma and, even perhaps, India and the Philippines.

So, I would agree: Obviously, South Vietnam is of some considerable strategic geo-political importance to us.

The question is, however: *How much?*

Or, put another way (though this question becomes somewhat academic since the President has done it for us!): If the U.S. is going to go around the world, now, drawing geo-political lines, or taking tough containment stands, is—or was—South Vietnam the proper place to draw such a line?

Evidently, the President thought so and still thinks so, for he has made of that line a national strategic commitment for us.

Our involvement in Vietnam cannot, now, be considered in any other light but that. We have spent, so far, on Vietnam something like \$130 billion over about a 12-year period—and made, as well, the much dearer investment in its future of some 19,000 American lives, with the number going up every day.

This year we are spending in and on Vietnam around \$30 billion—roughly 20% of our national budget—and enough so that the question of national "priorities" elsewhere has assumed a painful significance.

But, still, there we are—with "victory" still nowhere in sight, and the President still waiting wistfully by his telephone, saying—as you have heard him do—"We have done everything humanly possible to get that 'phone (from Hanoi) to ring, but the 'phone does not ring!"

The reasons why it has not rung—and may not ring, though I pray, with you, that someday it shall—are, I think, becoming more obvious.

They are, in part, reflected in your answer to my third question, which was:

"Regardless to your answers to (1) and (2), do you 'generally' approve of President Johnson's conduct of (the) war to date?"

And, here, a rather resounding 63.3% of you said "No", while only 33.2% said "Yes", with 3.5% again having no opinion.

Well, perhaps, this was not an altogether fair question for, obviously, you who are all-out "doves" would say "No" and so would you all-out "hawks"—but it is the same kind of question so often asked by other pollsters, and your response generally parallels that I've seen for recent Gallup polls and the like.

In any event—and I am in no way intending to be partisan about this—I believe this implied criticism of the course the President has followed in Vietnam is fully justified.

I say this, because I believe—though, admittedly, now, with the advantage of 20-20 hindsight—that our course has been most unwise, from a strategic military standpoint, having been based, all along, on a false assumption as a result of which our power, which should have been dominant, has turned out to be inferior!

What do I mean?

Well, there have always been good reasoning behind all those warnings, in past years, from our qualified military people, to the effect that we should never—repeat, never—become involved in a land war in Asia. Our supply lines, there, would be too long, our

logistical problems of a most-difficult nature, the jungle and mountainous terrain unsuited to our best military capabilities and—of special importance—we would be vastly outnumbered (especially fighting more or less alone), in a confused guerrilla war where it takes, perhaps, ten conventional soldiers to "search" out and "destroy" each elusive guerrilla!

In such a situation, where we have denied ourselves the use of tactical nuclear weapons for the very good reason that we fear the consequences of their use both for ourselves and mankind, we have assumed that a gradual day-by-day escalation of our supposedly dominant power would, eventually, get the enemy to throw in the towel and Hanoi to make that 'phone call. This, of course, has not worked—and, instead, our policy of military *gradualism* has given the enemy time to marshal his supplies, disperse their location so they would be more or less safe from our eventually heavier air attacks, and to rally his people in a way the South Vietnamese—whose war this is supposed to be—have never been rallied.

Looking back at it, I think that all along we should have concentrated more on that need to rally the South Vietnamese to their own cause and, if we had failed to do so, reassessed our situation and perhaps cut our losses and gotten out, looking for another and perhaps stronger spot to draw a similar containment line.

But instead, starting in 1965, we began to "Americanize" the shooting war until, now, it is almost totally an American war—and, in what may also have been a mistake, we eventually also began to "Americanize" the all-important political side of the conflict (the so-called "pacification" phase), unmindful of the fact that we could never really "win" a political war (or a geopolitical war) for another people who in the long run could only win it *for themselves!*

Thus, we have drifted—and there is no other word for it—into our present stalemated situation, from which an honorable and worthwhile escape is so painfully difficult to find.

In that questionnaire of mine, I also asked you what you thought we ought to do, now.

Admittedly, it was not easy to draft, as a part of this question, the possible alternatives we may now actually have—but I did the best I could and your response was interesting and revealing.

The largest percentage of you—45.1%—felt we ought to press on to some sort of military victory; only 5% felt we ought to keep doing about what we are (whatever that is); 12.2% felt maybe that bombing pause of the North that Hanoi keeps demanding would be worth a try to see if we could get "talks" started; 24.2% favored turning the war over, gradually, to the South Vietnamese, and only 6.6% favored our unilateral withdrawal (with 6.9% having no opinion or suggesting such things as turning the whole mess over to the United Nations as a further alternative not listed by me).

Well, to that larger percentage of you who feel we ought to be able to produce some sort of a military victory in Vietnam, let me just say that of course we *could*—but, let's not kid ourselves, the cost of attempting to bring such a battlefield victory about (which may well be the course the President has decided upon), is going to be a very high one. Its cost would be far more than you have been told!

For it would require not just the 100,000 or 200,000 or so additional troops the President is considering sending to Vietnam, but more likely a *doubling* of our current troop strength in Vietnam—to something like one million men!

The dollar cost of the war would have to go up, too; perhaps not doubling, but up somewhere close to the \$50 billion annual

level so that all semblance of the current "guns and butter" approach to our more serious domestic problems would have to be jettisoned.

And the far dearer cost in American lives—already escalating rapidly these past several weeks—would continue to climb to new heights!

I think we have to ask ourselves not only whether we are really prepared to make such an additional sacrifice but, more importantly, whether it would really be *worth it*.

Can we, through applying additional military force, really "win" anything in Vietnam now without almost totally destroying that which we went there supposedly to save?

And does "victory" really lie on the immediate battlefield in Vietnam or perhaps, instead, on finding firmer ground on which to stand and better ways in which to thwart whatever may be Communism's long-range objectives in Asia?

These are difficult questions, and the answers to them do not come easily to any proud and patriotic American.

But the questions have to be asked, and the answers sought, and we should permit neither pride nor blind patriotism to induce us to continue to follow what may be an unwise course.

We are at a crossroads now in Vietnam; actually we've been there at such a crossroads for far too long. We can, perhaps, continue to languish there—on dead center—by (as one of my colleagues in the House recently said) continuing to feed some 300 or 400 young Americans a week into a sort of endless Asian meat-grinder. Or, we can take one of the two forks in the road now available to us.

The first goes in that direction of an escalated and accelerated conflict, and if the President can put the case for this option to both Congress and the nation he ought to do so, *now*—demonstrating more convincingly than he so far has why such a course is both wise and necessary.

I know the analogy is not a perfect one, but if the President can ask of the Joint Chiefs of Staff a written declaration to the effect that Khesanh can and should be held, regardless of cost, the nation can and should demand of the President some better evidence than he has so far produced that a military victory, at an acceptable cost, can still be won in Vietnam.

If the President cannot do this, then I believe we should take the *other fork*—the one leading towards the best possible, and earliest, political settlement of the conflict we can make; accepting, in advance, the risk that, if we cannot find an acceptable international substitute for the guarantees we have sought to make to South Vietnam, its people might end up with some form of coalition government in which the Viet Cong would play a part and that, to that extent, we would have failed in our original ambitions for this war-weary and embattled people.

For far too long, now, we have drifted along on a sea of indecision—but it is time to begin to face the harsh facts, and we cannot afford to wait until after the elections to do so.

The strength of this nation is not in the White House—or in the Congress—or in the State capitals; it rests with the people.

And the people are entitled to the truth and then, once they have it, to participate, through their elected representatives, in the tough decision that so urgently now needs to be made.

None are more deserving of having that decision made than those who serve us now in Vietnam—who risk their lives in a gallant attempt to carry out the commitment that has been made for us, all.

If, after reappraising our situation and reviewing our alternatives, we can decide that that commitment is, indeed, worth-

while, then let us give those men everything they need—the full resources of a strong and united nation.

But, if we decide that it is not, then let us begin to end this war—for it is *time we did!*

Casey's Bill To Set 10-Year Term for District of Columbia Gun Crimes Draws President's Support

HON. BOB CASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. CASEY. Mr. Speaker, President Lyndon Johnson, in his message to Congress on crime in the District of Columbia, asked for an additional prison term of 10 years for those who use firearms to rob, or attempt to rob.

This is extremely gratifying to me.

For several years, I have asked Congress to enact bills I have authored which would set a 10-year mandatory prison term for those who use firearms illegally in the District of Columbia. I would go even further, Mr. Speaker, in extending this punitive provision to those who use or possess firearms during the commission of major crimes of violence—and I would make any subsequent offense punishable by a mandatory 25-year term. Such is the subject of my bill, H.R. 4212, dealing with crime in the District, and H.R. 6137, dealing with firearms and crime on a nationwide scope.

Mr. Speaker, I commend President Johnson for his get-tough policy on these punks who repeatedly use firearms to prey on the innocent. His call to Congress signals an abrupt change in direction by the administration in dealing with this subject, and I know that millions of Americans who enjoy the lawful and peaceful use and possession of firearms support this crackdown on the criminal element.

Because many of my colleagues failed to notice the great change in emphasis by the administration in its position on firearms and crime, I am pleased to bring to their attention a fine article from Sunday's Chicago Tribune by William Kling:

L. B. J. SWITCHES STAND ON GUN LAWS FOR DISTRICT OF COLUMBIA: LIMITS HIS PROPOSALS TO NATION'S CAPITAL

(By William Kling)

WASHINGTON, March 23.—President Johnson has switched to a decidedly "hawkish" election year stand to fight use of firearms by robbers, but to date only as far as the nation's capital is concerned.

Johnson slipped his aboutface in his recent message to Congress, entitled "The Nation's First City," by urging passage of a law for the District of Columbia to "add 10 years' imprisonment to the regular penalty when a firearm is used in a robbery or an attempted robbery."

PROPOSAL IS CONTRADICTORY

The proposal, among those Johnson presented for "a strong gun control law," runs exactly counter to sentencing recommendations made last year by Johnson's own national crime commission and testimony on mandatory sentencing before Congress in re-

cent years by two successive attorneys general in Johnson's own cabinet.

It also goes farther than proposals Johnson made earlier for national gun control and anti-crime legislation. In fact, it is more in line with bills submitted by congressmen who want a tougher approach to deal with the nation's rising crime rate—bills that have been opposed on Capitol Hill by the administration.

Johnson noted in his message that nearly 2,500 major crimes—murders, assaults, and robberies—were committed at gunpoint in Washington last year. J. Edgar Hoover, director of the Federal Bureau of Investigation, reported that last year there was a 30 per cent increase nationally in armed robbery.

ASKS FOR STIFF RULES

The President's proposal for the District of Columbia also would require stiff permit regulations for the purchase and possession of pistols; prohibit their possession by minors, drug users and addicts, alcoholics, mental incompetents, and criminals; and make more strict the licensing of persons who manufacture, sell, or repair firearms.

The National Rifle Association, which has campaigned against most gun control proposals as being too restrictive on law-abiding firearms users without providing adequate punishment for those who use guns criminally, endorsed the President's hard-line recommendation.

NO U.S. CONTROLS ASKED

Typical of the type of gun control legislation favored by the N.R.A. is a bill Rep. Bob Casey [D. Tex.] has been pressing since 1965. It provides for a mandatory 10-year sentence on a first conviction for using or possessing a firearm during commission of major crimes of violence if the weapon has been in interstate commerce, and a 25-year mandatory sentence for subsequent offenses.

Administration officials have spoken against the Casey bill on Capitol Hill, but the President has urged Congress only to control interstate distribution of firearms. He has recommended no national punitive measures for criminal use of guns.

But enactment of mandatory sentences for criminals who use firearms was opposed in 1965 by Nicholas Katzenbach, then attorney general, and in 1967 by his successor, W. Ramsey Clark.

Katzenbach told gun control hearings held by the House ways and means committee he has "never believed that minimum sentences were a particularly wise thing for Congress to enact in that [gun control] area."

The national crime commission, technically called the President's Commission on Law Enforcement and Administration of Justice, was dead set against mandatory sentences for any crime, including those involving firearms.

Kyoto Diabetes Association

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. ROSENTHAL. Mr. Speaker, I would like to take this opportunity to include at this point in the RECORD a speech made by Maurice Blond, a New York insurance executive, before the Kyoto Diabetes Association, at Kyoto University, in Kyoto, Japan, on March 14.

Mr. Blond, who is a resident of my congressional district, is a member of the President's Committee on Employment of the Handicapped, and a member of

the National Association of Life Underwriters. He had attended a meeting of the Sixth International Diabetes Federation in Stockholm, Sweden, last summer, and again in his most recent address before the annual meeting of the Kyoto Diabetes Association carries a message of hope and encouragement to those who suffer from diabetes.

His speech follows, along with a message from Francis G. Bray, the president of the National Association of Life Underwriters, to those in attendance at the meeting at Kyoto University:

ADDRESS BY MAURICE BLOND TO THE KYOTO DIABETES ASSOCIATION IN KYOTO UNIVERSITY, MARCH 14, 1968

Arrigato, Domo arrigato, minasama kon-nichiwa tadaima okikino toori watakushino nihongowa ripana monoto omoimasuga kyoowa elgode hanasimasu.

Professor Miyake, Professor Yamagata, Dr. Sakakida, Mr. Chiken and honored guests. I am proud and privileged to address so dedicated a group as the Kyoto Diabetes Association gathered here today in the Kyoto University. A long time ago Cicero said, "In nothing do men more nearly approach the Gods than in giving health to men". This is my tribute to you.

It is a direct result of being inoculated with the same fever of enthusiasm that brought 140 members of your worthy organization to Scandinavia that brings me here to speak to you. The 6th International Diabetes Federation in Stockholm where I first met so many of you was a historic meeting with over 2,500 doctors from all over the world in attendance. The medical world still reverberates with its findings.

At this meeting exciting new data was presented and ideas and philosophies were exchanged. It was heart warming to see, to hear, and to be part of such a large group that probed, analyzed and groped for the answers to this "ghost illness" that affects an estimated 30 million people. It was especially satisfying to see so many laymen involved in the diabetic's problems; and the many social and personal problems that were highlighted were most interesting to hear. I have long felt that the health of the peoples of the world is too important to be left only to the doctors.

My head swam with medical terminology as over 150 presentations to the congress were made. Discussions on insulin-like activity, cellular metabolism, synthesis, storage, secretion pointed up to me how little is known today. Discussions on the clinical picture, genetics, epidemiology, hypoglycemic syndromes and treatment proved a great value to advance medical and health knowledge. Discussions on the social problems which diabetics will meet in their lives, the ways in which these problems are solved in the different countries made clear that a diabetic may live a normal life and that every diabetic should be seen as an individual and not as a group which should be restricted. When we think of work capacity and ability this advanced knowledge may be of great value for the well-being of diabetics all over the world.

At this memorable meeting I called for a more realistic approach to the hiring and to the insuring of the diabetic as this is the area with which I am most familiar. As a member of President Johnson's Committee on Employment of the Handicapped and as a member of the Advisory Committee of the National Diabetic Foundation I am happy to say that progress is being made.

We know that about forty years ago, a diabetic could expect to die in two to ten years and probably in a diabetic coma. Today, he has a good chance of living an almost normal lifespan. His chances of a fatal

coma are less than one in 100. It is statistics that the insurance companies are most concerned with and now they know that diabetics no longer carry automatic death sentences.

Twenty years ago it was practically impossible for a diabetic to buy a life insurance policy from any company in the United States. Today the vast majority of diabetics can buy policies from most companies at only a small extra premium.

This spectacular progress has been due mainly to scientific research following the discovery in 1922 of methods to control diabetes by injecting patients with insulin derived from the pancreas of animals. More recently, science has found substitutes for insulin which can be taken by mouth.

Dr. Charles H. Best the co-discoverer of insulin predicted that science will someday discover a method to prevent inherited tendency for diabetes by children from their parents. This will mean interfering with the hereditary process of life itself through the chemical treatment of human genes and their RNA and DNA. Perhaps some day a mechanism will be found that will release insulin in response to need.

Insulin injections or oral medicines, proper diet and exercise can usually prevent diabetic coma and may postpone the degenerative side-effects. But so far, no way has been found to wholly eliminate these side-effects, which are now the most important factor in the longevity and insurability of diabetics.

Diabetes still has a tendency to speed up the normal process of hardening of the arteries and can lead to heart disease, cerebral hemorrhage, kidney trouble, gangrene and falling eyesight.

The cumulative effects increase with the number of years a person has had diabetes. It is likely to cut more years off the life of a person who gets the disease as a child or a young adult than one who gets it in late middle age.

Most life insurance companies in the United States will insure diabetics between the ages of about 15 to 65, if they have the disease under control with no major complications. It has been my experience that a favorable presentation to the underwriter with an assist from the patient's personal doctor will result in the issuance of any policy desired, even term. Some companies act more favorably than others.

The policies available and the extra premium required depend on the age, duration of disease and other factors such as weight, blood pressure, general physical condition, occupation and personal habits.

A great deal remains to be done to correct the ignorance of the employer and the general public—for example there are still women who believe diabetes is "catching", or contagious!

Next to a job which is of prime importance is the search for insurance. I have sympathized with the frustrations of the diabetic who is so eagerly pursued by the aggressive insurance man who suddenly retreats when he learns of prior rejections. It is at this point that I am oftentimes called and am gratified to state that I have been instrumental in helping several thousands of heretofore uninsurables, or those who have had to pay excessive premiums, to obtain insurance at reasonable rates.

Statistics tell us that in the U.S. 22 million are handicapped and an additional 85,000 will receive permanent disabilities this year, while 150,000 were rehabilitated, and jobs were found for over 300,000.

The gathering of facts and statistics must continue to grow so that the employer or insurance company will be convinced that discriminatory practices in the hiring and insuring of the diabetic must end. I look towards a better utilization of the computer and the electronic marvels of the age we live in to both furnish us with the data

needed and to unravel the mysteries of research.

I have been asked to tell you about the work of the President's Committee on Employment of the Handicapped. It is essentially a volunteer effort carried on year-round by business, industry, labor, the mass media, public and private organizations, and individuals in all walks of life.

I was invited to join this very important organization by the late President John F. Kennedy and continued to serve under President Lyndon B. Johnson. It is to their everlasting credit that all our Presidents since President Franklin D. Roosevelt have seen fit to encourage a climate in America in which the handicapped will find equal opportunity in their quest for jobs.

I am convinced that the "Hire The Handicapped Program" is not only economically sound, but morally and socially just. I pledge myself to increased efforts to show not only our country, but the peoples of all countries, what can be done to utilize to the fullest extent possible the skills, talents and capabilities of our disabled veterans and other handicapped citizens.

I accepted membership in the President's Committee in all humility knowing that I would gain strength from the act of helping. I work for this because I cannot think of anything in this world more worth fighting for than the equality of man.

In America virtually any job can be held by a handicapped worker. Properly placed, the handicapped often set performance records equal to or better than the able-bodied. A recent study I completed of the insurance companies was most heart-warming. It showed that the handicapped are sometimes slightly more productive, have a much better safety record, and take no more time off than the able-bodied.

I think it is important to point out that our work furthers not just the cause of the handicapped, but the cause of all humans, the worth of all men and all women, able-bodied and handicapped alike. Our work doesn't just talk about it, but actually demonstrates the deep truth that indeed all men are created equal; that indeed all men are endowed with certain skills and talents, that indeed all men are fully entitled to hold their heads high, to lead lives of independence, to support their families.

I believe in ability; in an entire orientation toward the handicapped that stresses not what is wrong with them, but what is right with them; that emphasizes not disability but ability; that faces the fact that the "can-do" in a man's life exceeds the "can't do."

I believe in the equality of man—and as I see it, this means a sincere respect for the differences between men, whether they be differences of color, of creed, of religion, of physical condition, of mental condition, or whatever.

I believe that, just as all men are born equal, all men are born with individual differences—and once we learn to accept this fact of life, we shall come to accept the handicapped as our fellow human beings in the fullest sense based on the principles of good will, equality and mutual respect.

I believe with Kizo Chiken, your distinguished representative, who said in Stockholm that continued research based on cooperation between patient and doctors transcends national boundaries and race differences with the aim of international good will. I believe that this insures world peace. I heartily endorse and recommend for your approval the Good Neighbor Policy and the Open Door Policy—both conducive to the hiring of the handicapped.

I believe there is a flame burning within each of us—some people call it a soul or spirit—and that this flame is more important than the body that houses it.

Even though the body may be handi-

capped, the flame of the mind should be free to burn brightly. This is the flame of our civilization, the flame that makes us men and not animals, the flame that has given us peace and justice and kindness and mercy and love.

When any man's flame is stifled by prejudice, misunderstanding and rejection, the whole world is poorer. When any man's flame is allowed to burn brightly, the whole world is the richer. We have a stake in humanity. There you have the true meaning of our work.

There are millions of people who have diabetes and do not know it. We must continue to disseminate information to the general public, to emphasize the importance of early detection and treatment.

So, Minasama . . . I bid you sayonara . . . the magic word for the future. It is the same as for the past . . . hataraki-mashov.

Arrigato, Sayonara.

MESSAGE FROM NALU PRESIDENT FRANCIS G. BRAY, AGENT, AMERICAN GENERAL LIFE INSURANCE CO., HOUSTON, TEX., TO INSURANCE MEETING AT KYOTO UNIVERSITY

Those of us engaged in life insurance in the United States have watched with approval and admiration the very significant progress made by the Japanese life insurance business in recent years. This progress, of course, is measured by the meaningful increase in the ratio of life insurance in force to national income from .35 in 1956 to 1.04 in 1966, benefits paid to living policyowners and beneficiaries of those who die, and providing of venture capital so vital to the continued economic development and well-being of your country.

There is another indication of the new vitality and purpose of the Japanese life insurance business. It is the high purpose and commitment of corporate executives and the skill, devotion and energy of sales personnel, who, in numerous ways, evidence a desire to attain and practice professionalism in their essential service.

Then too, one must acknowledge with commendation the viable Japanese economy and free political institutions which constitute the essential backdrop for a new spirit of individual thrift and self-reliance and spread of insurance-mindedness.

Incidentally, I might note that much of our knowledge in the United States of the Japanese life insurance business comes from most pleasant get-togethers with an increasing number of Japanese life insurance people who visit our country. The National Association of Life Underwriters—of which I have the honor of being president and of which Mr. Maurice Blond is a most distinguished member—has welcomed several Japanese life insurance study teams to its headquarters building in Washington, D.C. We have counseled with and learned from one another with mutual benefit. But, even more, I believe that these person-to-person contacts have proved the validity of a statement attributed to James Garfield, twentieth president of the United States . . . and I quote: "Commerce links all mankind in one common brotherhood of mutual dependence and interest."

It is through the cooperative evaluation of our common vocational and professional interests that peoples everywhere—otherwise separated by distance and differing backgrounds—can come to better understand and appreciate one another. Above all, they can come to understand that competitive and creative free enterprise is indelibly linked to the maintenance of human freedom.

Even as the Japanese life insurance business has moved ahead in recent years, so has its counterpart in the United States. At the beginning of 1967 Americans had \$984.7 billion of life insurance protection with legal reserve companies—and more than a trillion dollars of protection counting coverage is-

sued by other insurers and the Federal government. On the average, American families owned \$15,900 of life insurance—the equivalent of slightly less than two years' average family income. Life insurance policies and annuities paid a total of \$12.3 billion in benefits to policyowners and their families during the year.

At the end of 1966 there were about 1,710 legal reserve companies with about 600,000 employees mainly engaged in all sorts of life insurance work. About 225,000 of these receive 50 percent or more of their income from selling life insurance.

The National Association of Life Underwriters is the professional organization of more than 100,000 career life insurance salesmen. Since 1890 it has been an important factor in bringing about greater understanding and appreciation of life insurance among the buying public; in initiating a wide variety of educational, community service, and institutional award programs; in working for equitable life insurance legislation at Federal and state levels.

As you listen to Mr. Blond at your meeting, I know you'll be impressed with his knowledge and dedication—and, perhaps, above all, with his wide scope of interest in all aspects of his business and the world around him. He is representative of the service-oriented, extremely capable, civic-minded businessman that is the American life underwriter.

On behalf of the National Association of Life Underwriters, I wish you well in your deliberations and offer a most sincere invitation to visit the United States and NALU headquarters in our beautiful capital city, Washington, D.C.

A Possible Solution to a Historical Problem

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. ASHBROOK. Mr. Speaker, on March 13 of this year I introduced House Joint Resolution 1162 which provides either prior or subsequent congressional approval of the Presidential dispatch of the Armed Forces of the United States outside the country.

This proposal would require prior approval of Congress in dispatching our Armed Forces abroad "in response to any military aggression, conflict, combat, uprising, incident, or situation" which is deemed by the President to be a threat to our national security.

In the case of a direct attack upon the United States or nations with which we have treaty commitments, the subsequent consideration by Congress of a Presidential action is mandatory.

The proposal would not preclude the stationing of American troops throughout the world in noncombative duties. It would be operative only in those situations where troops so stationed become involved in actual military hostilities or in those situations where troops are dispatched for the specific purpose of responsive or offensive military actions.

House Joint Resolution 1162 is an effort to provide basic guidelines sorely needed at the present time in the use abroad of our military forces. The text of the resolution and accompanying res-

marks appear in the CONGRESSIONAL RECORD of March 14 beginning on page 6645.

An interesting commentary on this problem of long standing appeared in the Washington Post of last Sunday, March 24. Written by Abram Chayes, a former State Department legal adviser, the article presents background and observations on this thorny issue. I insert in the RECORD at this point the article, "Is the Dog of War Off His Leash?" from the Washington Post of March 24, 1968:

IS THE DOG OF WAR OFF HIS LEASH?

(By Abram Chayes)

Thomas Jefferson, writing to James Madison in 1789 about the new Constitution of the United States, said:

"We have already given a simple and effectual check to the dog of war by transferring the power of letting him loose from the Executive to the Legislative Branch, from those who are to spend to those who are to pay."

One hundred and eighty years later, the Senate Foreign Relations Committee said:

"Our country has come far toward the concentration in its national Executive of unchecked power over foreign relations, particularly over the disposition and use of the armed forces. So far has this process advanced that, in the committee's view, it is no longer accurate to characterize our Government, in matters of foreign relations, as one of separated powers checked and balanced against each other. . . . The Executive has acquired supremacy over the making as well as the conduct, of foreign relations of the United States."

As between those two statements, which is correct? And which is the more faithful reflection of the constitutional checks?

AMPLE YET SKETCHY

As on most great issues, the language of the Constitution itself is ample and sketchy. Article I, Section 8, gives Congress power "to declare war, . . . to raise and support armies, but no appropriation of money to that use shall be for a longer term than two years; . . ."

But Article II, Section 2, says: "The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several states, when called into the actual service of the United States; . . ."

The meaning of these two broad grants of power has been forged in the history and practice of the last 180 years, and the process is not complete. The encounter between Secretary Rusk and Chairman Fulbright in the Senate Foreign Relations Committee room two weeks ago is only the latest episode in a never-ending course of constitutional interpretation.

Constitutional issues of this magnitude are commonly decided in this country by the Supreme Court. It tells us, once and for all, what the law is. But the question of the division of the war power between the President and Congress has never really been put to the Court, and it is not likely that it ever will be.

Now and again, the Court has touched glancingly on some of the issues involved. President Lincoln's authority, without the prior approval of Congress, to institute a blockade and to authorize the taking of ships as prizes was challenged in the Prize Cases. In the steel seizure case, at the time of the Korean war, the Court struck down a presidential order seizing the steel mills to avert a nationwide steel strike.

Some of the current batch of draft cases may get closer to the nub of the issues involved. But it is unlikely that a case squarely presenting the question of whether the President can commit troops to battle without prior congressional authorization will ever

get to the Supreme Court, and if it did, that the Court would decide it.

A PROCESS OF INFERENCE

But the process of constitutional interpretation in this area is not so different from what we are used to. It proceeds case by case, and we can't really find out what one case stands for until we can look at the next one and project the line of development.

The Court tells us the rule it is following in so many words, whereas we have to infer the rule that makes sense out of a series of clashes between the Executive and Congress over the war power. But even the Court's rules are not good for all time. They change—as do the unwritten rules that grow out of practice—under the pressure of new conditions and new ideas.

What do the cases—the course of practice, that is—say about the respective powers of Congress and the President on the great issues of war and peace?

In 1950, the State Department prepared a memorandum on the authority of the President to repel the attack in Korea in which it tabulated 85 instances before World War II where the President committed American armed forces without specific congressional sanction. Most of these cases, as critics of this kind of reasoning point out, were relatively minor actions. They could be fairly described as the exercise of police functions: keeping order and protecting the lives and property of American citizens when the authority of the local government was not terribly strong.

But there were some rather more significant episodes: the participation of 5000 U.S. troops in the suppression of the Boxer Rebellion in China; President Wilson's incursions into Mexico. And Franklin D. Roosevelt's actions before Pearl Harbor in ordering the U.S. Navy to convoy merchant vessels bound for Britain, and in stationing U.S. troops preemptively in Iceland, should be added to this list.

It is significant that these more substantial examples of the presidential power of command begin around 1900, the moment we usually take as marking the emergence of the United States as a world power.

CONGRESS WENT ALONG

Through World War II—and excepting the Civil War, which was a very special case—Congress formally declared war under its Article I, Section 8, authority every time the United States was engaged in hostilities big enough to be fairly called a "war." How much significance does this practice have?

The first case was in 1801, when President Jefferson sent a naval squadron to the Mediterranean to protect American commerce from piracy. But the force was under orders not to engage in offensive action. One of the ships was captured by the pirates and Jefferson put the situation before Congress:

"Unauthorized by the Constitution, without the action of Congress, to go beyond the line of defense, the vessel, being disabled from committing further hostilities, was liberated with its crew. The legislature will doubtless consider whether by authorizing measures of offense also, they will place our force on an equal footing with that of its adversaries."

Congress considered, briefly, and Congress authorized. It was not going to keep the hands of American sailors tied.

The point is, of course, that in asking for legislative approval of his actions, the President has enormous power to set up the situation so that the approval can hardly be denied him. This is the persisting dilemma as between the power of Congress to raise and support armies and the powers of the President to command them once they are in being.

The Senate Foreign Relations Committee report concludes that here and now in 1968, we have reached the nadir of the congress-

sional war power. "Never," it says, "has the role of Congress sunk so low."

TRUMAN TOPPED IT

In my view, things are not as bad as all that. The most comprehensive assertion of presidential power as commander in chief was the commitment of U.S. troops to Korea by President Truman in 1950 without any appeal whatever to Congress. There is at least some evidence that this failure to consult Congress was a deliberate decision. Truman relished the defense of presidential prerogative and proposed to hand it down undiminished to his successors.

There is little question that in 1950 Congress would have approved the Korean action with substantial unanimity. Two years later, when the presidential election rolled around, the tune was different. The Korean war became "Truman's war" and a major—some thought decisive—issue in the election that ended 20 years of Democratic rule.

Whether congressional approval at the outset would have made any difference in this course of events is hard to say. At least his successor thought so, though of course President Eisenhower and his party had a much more limited conception of presidential powers than did Truman.

In any case, in the Formosa crisis of 1955, the President obtained a joint congressional resolution. And in every major crisis since then, some such congressional resolution of approval has been involved—in the Middle East in 1957, with respect to Cuba in 1962 and the much discussed Tonkin Gulf resolution in 1965.

The resolutions vary in their wording. Not all of them are as specific as the Formosa resolution in "authorizing" presidential action. The Middle East resolution said "the United States is prepared to use American forces . . ." The Cuba resolution said "the United States is determined . . ." and the Tonkin Gulf resolution said the "the United States is prepared, as the President determines, to take all necessary steps including the use of armed force . . ." The different verbal formulations represent the outcome of struggles between Executive and Legislative draftsmen.

Yet despite the difference in circumstance and language, the adoption of these four resolutions in the 15 years since the Korean war represents a significant change in the earlier line of development. President Truman's assertion of the unilateral power to commit U.S. forces to combat without congressional action is no longer a fair summary of the constitutional practice.

On the other hand, Congress has not found itself able to deny the President an authorizing resolution when he has asked for it. The advantage of the initiative, the infinite contingency of the future, the position of the President as leader of the Nation and spokesman for it in the world make it very hard for Congress to turn him down when the issue is posed as a vote of confidence.

That really is the essential dilemma for Sen. Fulbright and others who want a right of advance approval—whether in the form of a declaration of war, a resolution or a "consultation"—on major actions of the President in his role as commander in chief. The President can always set the stage so that it is all but impossible for Congress to refuse him.

SOME ALTERNATIVES

Is there any alternative to the advance approval approach, or must we conclude that Congress can be no more than a rubber stamp—as devoid of real power as the Foreign Relations Committee says it is?

For the answer, we must turn from Congress's power under the Constitution to declare war and to raise and support armies. Congress could limit the appropriations for the armed forces and maybe even impose conditions on the uses to which the appropriated funds could be put, but again the

President seems to have the upper hand. Once the troops are committed, it is hard to deny them the necessary support.

But Congress need not be so crude as to cut off appropriations. First, it can enforce the accountability of Executive officers. That, in essence, is what the Foreign Relations Committee was seeking to do in interrogating Secretary Rusk. In forcing him to defend his policies in an adversary public forum, the committee permits the public to judge for itself how well he has carried out his responsibilities.

On occasion, such hearings can serve as turning points on great issues. The hearings upon Gen. MacArthur's return from Korea are one example. The Army-McCarthy hearings are another. But such outcomes are rare.

For the most part, these hearings are short and the debate is on a general and abstract level. As the encounter between Rusk and Fulbright showed, they can be survived with polite restatement of well-worn positions.

A more effective way to hold the Administration to account was Sen. Edward Kennedy's investigation into U.S. policies and actions on refugees in Vietnam. There were no hot TV lights or screaming headlines, but Kennedy was able to establish a shocking picture of dereliction in this field. That kind of investigation, followed up with detailed demands for corrective action, must have a significant effect on policy.

A BROAD INQUIRY

A committee on the conduct of the war could extend this kind of investigation across the whole range of strategic and policy issues. In the Civil War, Ben Wade was a continuing thorn in Lincoln's side. He has not been treated kindly by the history books, but there is no question that he injected Congress into the wartime policy making process with both feet.

Such a committee today—perhaps a joint committee representing both houses—could greatly increase the practical power of Congress for continual surveillance of the President's military policy. The problem here as elsewhere is not an absence of power on the part of Congress but an absence of the political will to exercise that power effectively as a corporate body.

But in the last analysis, if the Presidency is a bully pulpit, Congress is a forum—an affirmation of our belief that in the clash of opinion and judgment, a broader vision of the right course of action arises. And here the result depends not on the corporate action of Congress but on the force and persuasiveness of individual Senators and Representatives in making use of their forum.

It is a slow process. The political articulation and organization of the dissent—especially against a President in wartime—cannot be managed in a day. But over the course of the last three years, it has begun to tell.

It is not surprising that it is Robert Kennedy and Eugene McCarthy—two Senators—who have taken the final step of transferring the controversy from the debating forum of Congress to a direct confrontation with the President in the electoral field.

"You've Got a Right"—Parts 1 and 2

HON. CHARLES McC. MATHIAS, JR.
OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. MATHIAS of Maryland. Mr. Speaker, citizens' understanding of their constitutional rights and civil liberties is essential to the preservation of our free society. Yet far too few Americans today comprehend the protections and guaran-

tees of the Constitution and the Bill of Rights, while even fewer appreciate the historical evolution of our structure of constitutional law.

Group W, the Westinghouse Broadcasting Co., in association with the New York University School of Law, is now presenting a very interesting series, "You've Got a Right," which is dedicated to the proposition that "a frequent recurrence to fundamental principles is absolutely necessary to secure the blessing of liberty." Through this 10-part series, Group W hopes to help viewers understand more clearly the principles of the Constitution and the meaning of current doctrines of constitutional law.

"You've Got a Right" is being broadcast this winter in Baltimore over WJZ-TV, channel 13. The first two programs, on "Privileges and Immunities," were presented on January 18 and January 25, and outlined in dramatic form the cases through which the guarantees of the Bill of Rights have been extended, through the 14th amendment, to State action.

I would like to include these two scripts in the RECORD today, and commend them to my colleagues:

[Group W—Westinghouse Broadcasting Co.]

YOU'VE GOT A RIGHT

(The 14th amendment (Privileges and Immunities) (*Palko v. Connecticut*))

(Written and produced by Robert Lewis Shayon; directed by Henry Behar)

PART 1

Cast

Director: Joseph Wiseman.

Actor 1 (Rep. Rogers, Wm. Comley, Justice Miller): Conrad Bain.

Actor 2 (Rep. Bingham, David Goldstein): Addison Powell.

Actor 3 (Speaker (off camera), Judge Cornell, Fagan, Foreman of Jury): Richard Kilbride.

Actor 4 (Justice Brown, Chief Justice Maltbie, Justice Avery, Warden): John McGovern.

Actor 5: Conrad Jameson.

Actor 6 (Judge Ells, Judge John A. Campbell): Alexander Clark.

Actor 7 (Frank Palko): John Karlen.

Actor 8 (Verges): Luis Van Rooten.

Prologue

Two desks on the floor of the House of Representatives, 1866. Rep. Andrew J. Rogers stands at one, addressing the House, Rep. John A. Bingham sits at the other, listening.

ROGERS (Actor 1). I oppose the resolution before this House proposing the 14th amendment. It is time to check the unwarranted growth of centralized power.

BINGHAM (Actor 2) (raises hand). Mr. Speaker.

SPEAKER (Actor 3) (off camera). The chair recognizes the representative from Ohio, Mr. Bingham.

BINGHAM (Actor 2) (rises and speaks mildly). I repel the suggestion made by Representative Rogers of New Jersey that the 14th amendment seeks to take away from any state any right that belongs to it. (They argue.)

DIRECTOR (interrupts). No, no, no. Your attack is too mild, Addison. Bingham was an abolitionist, a Radical Republican, a fierce defender of human rights.

BINGHAM (Actor 2). Put some heat in it. DIRECTOR. Definitely. The men who debated the 14th amendment in the 39th Congress were still moved by the passions of the Civil War. We'll come back to continue in a moment.

DIRECTOR (to camera). Hello. We're a repertory company, nine actors rehearsing

freedom, more specifically the Bill of Rights, the first ten amendments of our Constitution. Right now we're working on the 14th amendment, which is not unrelated and which guarantees, in part, that no state shall abridge the privileges or immunities of a citizen, nor deprive him of due process of law, nor deny him the equal protection of the laws. I'm the Director.

We all play many roles. Occasionally we wear costumes. We suggest our setting, and we're always arguing about the issues. The 14th gives us plenty to argue about: it's the most controversial amendment of our Constitution. Oh, the author of our play? The real author signed his name in the very first line of the Constitution: "We the people of the United States." (Turns) Places for the Palko scenes, gentlemen. (MUSIC)

CARTIDGE. Group W, Westinghouse Broadcasting Company, in association with the New York University School of Law presents "You've Got a Right," a series of programs dedicated to the proposition that "a frequent recurrence to fundamental principles is absolutely necessary to secure the blessing of liberty." This is Part One of a Two-Part Program about the 14th Amendment. In a moment, Act One.

Act I

(Director before prison cell. Palko (Actor 7) inside cell.)

DIRECTOR (to camera). Palko vs. Connecticut, a famous case involving the 14th Amendment, was decided by the United States Supreme Court in 1937. We begin January 1935. Wethersfield State Prison, Connecticut. Frank Palko, age 24, is confined at hard labor for the term of his natural life.

PALKO (Actor 7). I was a riveter working at Sikorsky Aircraft. My buddy and I had a quart of rye in our apartment. Then we went to a tavern and had two or three beers. We came back to our apartment and had another quart of rye. We went out again and the police said we stole two radios from a music store, and I shot and killed two policemen. I was on parole at the time, Connecticut indicted me for first degree murder with pre-meditation. At my trial I said I was drunk and couldn't remember anything. The jury brought in a verdict of second degree murder. When the judge sentenced me to life he said I was never to be paroled.

DIRECTOR. Good, John. Next scene. The trial court. William H. Comley, prosecuting attorney for the state of Connecticut, refuses to accept the verdict of second degree murder.

COMLEY (Actor 1) (Addressing the bench). I ask this court for permission to appeal to Connecticut's Supreme Court. Section 6494 of our General Statutes says that appeals in criminal cases may be taken by the state in the same manner as the accused.

Judge CORNELL (Actor 3). Permission to appeal is granted.

ACTOR 2. That was the first injustice.

ACTOR 1. What do you mean?

ACTOR 2. A state is much stronger than an individual. The state is the police, the D. A., the judge. It's got everything on its side. It's a leviathan. The defendant in a criminal trial stands alone. The state should have one pass at him. No more.

ACTOR 4. Even if he's guilty?

ACTOR 2. Guilty or innocent. That's one of his rights. That's the only way the defendant can get an even break.

ACTOR 4. But what about the rights of the community? What about . . . ?

DIRECTOR (Interrupts). What about the next scene in the Connecticut Supreme Court? It's a five-man court. John, you're Justice Brown who delivers the opinion. (to Actor 8) And Luis, you're the Chief Justice, Maltbie.

ACTOR 8. On the bench.

DIRECTOR. Okay. Comley argues before Connecticut's highest court.

COMLEY (Actor 1). The State of Connecticut is as much entitled to a fair, legal trial as the accused. There was no legal trial in

this case. It was contaminated by error. The presiding judge made errors in his charge to the jury. Connecticut appeals to this court to order a new trial.

Justice BROWN (Actor 4). This court finds that there was error, and a new trial is ordered.

DIRECTOR. Okay, the second trial takes place in Superior Court, Bridgeport. The court has appointed Attorney David Goldstein to defend Palko. That's you, Addison. You're at the defense table . . . we have a new Justice on the bench, the Honorable Arthur F. Ellis . . . and Frank Palko is brought from prison for the trial. He sits beside his attorney . . . William Comley again speaks for the state.

COMLEY (Actor 1). Under the original indictment, Connecticut accuses Frank Palko of the willful, pre-meditated deliberate murder, with malice aforethought, of Patrolman Thomas Kearney, murder in the first degree.

GOLDSTEIN (Actor 2) (Has stepped to bench). The defense moves to dismiss the indictment. When Frank Palko was found guilty of murder in the second degree, he was acquitted of first degree murder. He cannot be tried again without violating his constitutional right against double jeopardy as guaranteed in the 5th amendment.

COMLEY (Actor 1). No double jeopardy is involved in this action, your Honor, this is not a new trial; it is a continuation of the old trial.

GOLDSTEIN (Actor 2). Double jeopardy is involved, your Honor. If you accept the state's argument, there's no reason why the accused may not be tried a third time? Why not a fourth, even a fifth? I insist that this action is contrary not only to the 5th but also to the 14th amendment of the Constitution.

JUDGE ELLS (Actor 6). The court has considered the arguments of learned counsel. Motion to dismiss the indictment is denied.

ACTOR 7 (Interrupts). Wait a minute. If a second trial violates the 5th and the 14th amendments, as Goldstein claims, why does the judge refuse to dismiss the indictment (he snaps his fingers) like that?

DIRECTOR. Because he knows what the United States Supreme Court has ruled in previous cases involving similar issues.

ACTOR 7. So the lawyer must know, too. What's the point of his objecting?

ACTOR 8. He's laying the foundation for an appeal to the higher courts.

ACTOR 7. Appeal from what? The law's the law.

DIRECTOR. There is such a thing as settled law, but the Supreme Court does change its mind, reversing the old decisions. Goldstein is a good lawyer, fighting for his client, as he was appointed to do by the court. Now, Palko stands before the Superior court bench. (Actor 7 takes place) Foreman in the jury box. (Actor 3 takes place).

ACTOR 3. Right.

DIRECTOR. Palko's second trial has proceeded and ended. It is October 15, 1936. The jury has returned . . . and—Judge Ellis.

Judge ELLS (Actor 6) (To Foreman). Has the jury reached a verdict?

FOREMAN (Actor 3). We have, your honor. We find the accused guilty as charged—murder in the first degree.

JUDGE ELLS (Actor 6). Frank Palko, step forward to hear the sentence of this court. On the 15th of February 1937, before the hour of sunrise, in accordance with the law, within an enclosure within the prison walls so constructed as to exclude the public view, and prepared for that purpose, you will have the punishment of death inflicted upon you by electrocution.

Rep. ROGERS (Actor 1). His lawyer will appeal.

Rep. BINGHAM (Actor 2). Of a certainty—all the way to the United States Supreme Court if necessary.

Rep. ROGERS (Actor 1). Another test of the 14th amendment. Does it or does it not in-

corporate, embrace, take under its umbrella, all of the Bill of Rights?

Rep. BINGHAM (Actor 2). Obviously an important case. We must follow its progress.

Rep. ROGERS (Actor 1). We have a stake in such matters transcending time and death. I am Andrew Rogers, Democrat, of the 39th Congress that proposed the 14th amendment, I voted against it.

Rep. BINGHAM (Actor 2). And I, John Bingham, Republican, voted for it. How could I have done otherwise? I wrote the first section.

CARTRIDGE. In a moment, Act Two of "You've Got a Right," The 14th amendment.

Act II

(Goldstein and Palko inside Prison cell.)

DIRECTOR. As a result of his second trial, Frank Palko is back in Wethersfield State Prison, under sentence of death for first degree murder. The time—December 21, 1936, less than a month before the day set for his execution.

GOLDSTEIN (Actor 2). (Carrying his coat) Good news, Frank. We've got a reprieve from the Governor so that I can appeal your case to the Connecticut Supreme Court.

PALKO (Actor 7). That's great. Till when?

GOLDSTEIN (Actor 2). May 26, 1937. Five months.

PALKO (Actor 7). Only five months.

GOLDSTEIN (Actor 2). Time enough to begin preparing appeal to the United States Supreme Court.

PALKO (Actor 7). We'll have to go higher, huh? There's no chance in the Connecticut Supreme Court with those. . . .

GOLDSTEIN (Actor 2). Easy, Frank, easy. I don't expect the lower court to reverse. This is a constitutional issue, and in such matters, the State Supreme Court takes its cue from past decisions of the United States Supreme Court.

PALKO (Actor 7). You mean even when we get to Washington, the Judges there won't agree with you about these amendments you keep talking about—the 5th and the 14th?

GOLDSTEIN (Actor 2). There's a real chance they will. The Supreme Court is taking a more liberal view of a citizen's rights in criminal cases. (Puts on coat)

PALKO (Actor 7). Not even the Supreme Court is going to give a convicted cop killer a chance.

GOLDSTEIN (Actor 2). Understand this, Frank. Every man's life is important—yours, the dead policeman's. But there are issues in this case involving the rights and lives of all free men. The Supreme Court may rule for you or against you, but they won't do it in a spirit of vengeance. They'll do it in a search for justice.

PALKO (Actor 7). If I've got any chance at all, it's because of you.

DIRECTOR. (To Actor 7). John, when Goldstein reaches for his coat in that scene, help him on with it.

ACTOR 7. Right. Good idea. His lawyer said that Palko at times could be a very polite young man.

DIRECTOR. Addison, Goldstein now appears before the Connecticut Supreme Court. Attorney Goldstein begins to spell out the Constitutional argument he will pursue all the way to the Supreme Court in Washington.

GOLDSTEIN. (Addresses the five judges, Chief Justice Maltbie (Actor 4) in center). The 14th amendment prohibits a state from making or enforcing any law which abridges a citizen's privilege or immunities; and which deprives him of his life or liberty without due process of law. Due process includes all the fundamental rights of American citizens. It includes the privilege against double jeopardy. Furthermore, protection from double jeopardy is expressly provided for in the 5th amendment of the "Bill of Rights". The 14th amendment which uses the phrases, "privileges or immunities," and "due process of law" provides a bridge over which Frank Palko may cross to the double jeopardy pro-

tection of the 5th amendment. The entire action . . . of the second trial is null and void and without effect—and so is the sentence of death.

ACTOR 7. Palko's lawyer is building a bridge from the 5th amendment to the 14th because the Supreme Court, in *Barron v. Baltimore*, said that the 5th didn't apply to the states.

ACTOR 5. The Court went further. It said that none of the amendments of the Bill of Rights were enforceable on the states.

ACTOR 6. What was the purpose of the Bill of Rights, then? Why did the people insist on adding it to the Constitution before they ratified it?

DIRECTOR. To protect citizens from the new national government which had strong powers. The people weren't afraid of their states. They had constitutions of their own guaranteeing many individual rights. The 14th does apply to the states, though, and Goldstein is trying to use it to make the 5th applicable to the states.

ACTOR 7. I get it. He's arguing that a state can't put a citizen in the 5th amendment's double jeopardy without depriving him of the 14th amendment's "due process of law."

DIRECTOR. Precisely! Now, let's get back to Goldstein before the Connecticut Supreme Court. (To Actor 2) John, you were Justice Brown before. This time you play Justice Avery. April 7, 1937. Mr. Justice Avery delivers the opinion of the five man Connecticut Supreme Court.

Mr. Justice AVERY (Actor 4). The Supreme Court has never held that the privileges or immunities of a citizen of the United States include protection against double jeopardy. The accused, Frank Palko, has had a fair, impartial trial. We conclude that our statute 6494 does not subject him to the 5th amendment's double jeopardy, nor does it abridge his rights under the 14th amendment. Judgment of the lower court is affirmed.

ACTOR 7. Okay, so the Connecticut Supreme Court refuses to accept Goldstein's 5th amendment appeal, and that makes sense in the light of the *Barron* Supreme Court Decision. But they also refused to accept his 14th amendment appeal. What was the 14th created for if it's not applicable in a case like this?

DIRECTOR. Excellent question—the intention of the framers of the 14th. The answer is part history—part speculation. We know that the 13th amendment was passed after the Civil War to abolish slavery. But the South continued to violate the rights of the freed men.

ACTOR 8. As well as the rights of white northerners who came South to help them.

DIRECTOR. Correct. So, in 1866, when the 39th Congress met, the Radical Republicans, who had a majority, added the 14th amendment to the Constitution.

ACTOR 8. They intended to prevent such violations forever.

ACTOR 6. They meant much more than that. They weren't limiting the 14th to the question of Negro rights. They wanted it expressly to overrule *Barron v. Baltimore* and make the Bill of Rights enforceable not only on the national government but on the states as well.

ACTOR 3. That, my friend, is merely your opinion—and that's precisely what the argument is all about. Did they or did they not so intend?

(Rep. Rogers and Rep. Bingham appear at their Congressional desks, seated informally)

Rep. BINGHAM (Actor 2). There never was any doubt about it, was there, Andrew? We did so intend.

ROGERS (Actor 1). Why then didn't you express your intentions in the words you wrote? Why didn't you say: "This changes the balance of power between the states and the national government?" Why did you veil your intentions with vague phrases . . . "privileges or immunities, due process, equal protection under the laws?"

BINGHAM (Actor 2). As a politician, An-

drew, you understand why. There was an election coming up. People in the North as well as the South were disturbed about the revolutionary effects of giving the Negroes the full roster of rights as citizens. We had to compromise in the actual wording of the amendment, but in our speeches we said clearly what we meant.

ROGERS (Actor 1). The Supreme Court has wisely ruled that one disregards speeches. One interprets what is written.

BINGHAM (Actor 2). The court has also held that in interpreting what is written, one tries to put himself in mind of the framers of the amendment.

ROGERS (Actor 1). It all comes down, my esteemed colleague, to what a famous justice of the Supreme Court said: "The Constitution is what the judges say it is."

DIRECTOR. Very true. And the Supreme Court first interpreted the 14th amendment in 1873. You were justices on the bench at that time . . . so if you . . .

ACTOR 1 (mock question). Rogers and Bingham were justices of the Supreme Court?

DIRECTOR. Oh come now. Out of your roles. Into your robes, please.

(They move to bench.)

(To cast). Places for the case of the Butchers Benevolent Association v. Crescent City Live Stock Landing and Slaughterhouse Company.

(Music.)

CARTRIDGE. In a moment, Act Three of "You've Got a Right," The 14th Amendment.

Act III

(Director is setting scene for action in Judge Campbell's law office, New Orleans, 1868. A roll-top desk, chairs, law books, faded Confederate flag on stand.)

DIRECTOR. Okay. New Orleans, 1868. (To Actor 6) Alex, you're John A. Campbell, a former justice of the Supreme Court, now practicing law privately in New Orleans. (To Actors 8, 3, and 4) Silvain Verges and his two fellow-butchers have just entered . . . The stage is set for the case of the Butchers Benevolent Association v. Crescent City Live Stock Landing and Slaughter House Company. Begin.

VERGES (Actor 8). Yessir. You see before you Silvain Verges. I have the honor to be President of the Butchers Benevolent Association of New Orleans, representing two thousand honest butchers. My associates—Mr. William Fagan and Mr. Paul Esteban.

CAMPBELL (Actor 6). Gentlemen. (They acknowledge.)

VERGES (Actor 8). As you probably are aware—the corrupt carpetbagger legislature of Louisiana has passed an infamous measure called the Slaughter House Bill.

CAMPBELL (Actor 6). I have heard of it. It creates a monopoly to control the landing of livestock and the slaughtering of animals.

VERGES (Actor 8). It is a measure which will injure the butchers and destroy their interests. We are compelled to land animals and butcher them only at the Crescent City Live Stock Landing and Slaughter House Company.

FAGAN (Actor 3). We must pay one dollar for each head of cattle slaughtered; 50 cents for all hogs and calves; 30 cents for all sheep, goats and lambs.

ESTEBAN (Actor 4). Their greed knows no end. They demand the head, horns, hoofs, entrails and blood of each head of cattle butchered . . .

FAGAN (Actor 3). (Quickly) With the exception of the heart and liver, which belongs to us.

VERGES (Actor 8). (Interrupts Esteban). Please! Spare him the details! M'ster, members of the Louisiana Legislature, sir, hold stock in this new company. That is why they passed the bill in the name of public health. (Warmer) Judge, in this state, they say "When you have a hard job to do, turn it over to God and Mr. Campbell." Will you, sir,

the most distinguished attorney in Louisiana, do us the honor to take our case?

DIRECTOR. Judge Campbell argues the case of the benevolent butchers unsuccessfully through the Louisiana Courts. On February 3, 1873, the man who left the Supreme Court to fight for the South in the Civil War, stands before his former associate justices in Washington. His argument is based entirely on the recently ratified 14th amendment.

CAMPBELL (Actor 6) (Addressing the 4 Justices on the bench). The creation of a monopoly in the business of live-stock landing and slaughtering of animals subjects the butchers of New Orleans to involuntary servitude. It deprives them of the privilege and immunity of pursuing their lawful trade. It denies them the protection of the laws; and it takes property from them without due process. The act, by virtue of the 14th amendment, is unconstitutional.

DIRECTOR. The Supreme Court divides 5-4. Mr. Justice Miller delivers the historic controlling opinion.

Justice MILLER (Actor 1). While we may question some of the details of the Slaughter House Bill—it has always been conceded that the States may regulate their own affairs, provided they do not violate fundamental rights expressly stated in the Constitution. The 14th amendment was not intended to bring within the power of the national government the entire domain of civil rights heretofore belonging exclusively to the states. The judgments of the Supreme Court of Louisiana in these cases are affirmed. (Rises and takes off robe)

ACTOR 1 (To Actor 6). And that, Judge Campbell, my distinguished Southern lawyer, takes care of you. Your benevolent butchers are busted!

ACTOR 5 (Takes off robe). That was interesting. A southerner arguing against states rights. He had no other choice, I guess.

ACTOR 3 (also takes off robe). Talk about a slaughter! The Court by one vote—just one vote, mind you—seven years after the Civil War is over, completely and utterly nullifies everything the war was fought for. The states could still kick anybody around. (white or black), and the Court said it's perfectly okay—it's merely a legitimate exercise of a state's police power.

ACTOR 4. But why did the Court make such a ruling?

DIRECTOR (Still in robe). It's no mystery. The Supreme Court is the balance wheel of our system. The majority felt that the passions generated by the Civil War had gone too far to the extreme of control by the national government. They felt it was time to swing the pendulum the other way—to restore the balance again—to strengthen the rights of the states.

ACTOR 6 (Still in robe). Plausible myth. The Court's real purpose was to deny the freed Negro slaves equality with the white man, lest it cause too great a social revolution.

DIRECTOR (To Actors 1 and 2). My explanation and yours, Alex, are merely theories. No one will ever know. Each of us takes one side or the other depending on his prejudices. In any case, let's get back to Palko. John, Dick (Director motions to them) Wethersfield Prison, May 13, 1937—two weeks before his extended execution date—the Warden comes to see him.

WARDEN (Actor 4). Got a present for you, Frank. (He hands him a document)

PALKO (Actor 7). What is it?

WARDEN (Actor 4). Copy of the Governor's order. Your execution has been stayed again to allow your lawyer to appeal to the United States Supreme Court.

PALKO (Actor 7). Never mind the garbage. What's the new date?

WARDEN (Actor 4). December 15th—seven months.

PALKO (Actor 7). We'll beat this rap yet.

WARDEN (Actor 4). I don't know why he does it—your lawyer, I mean. David Gold-

stein was appointed by the court to defend you because you couldn't pay for your own attorney—but now he's carrying your case all the way to the Supreme Court.

PALKO (Actor 7). It's still his job, ain't it?

WARDEN (Actor 4). Not on your life it isn't. He's paying for your appeal out of his own pocket.

(Camera to Rep. Rogers and Rep. Bingham.) (Both men have small date books open and pencil poised.)

Rep. ROGERS (Actor 1) (Reckoning). Let's see. It will be about 6 months before the Supreme Court will be ready to hear oral argument . . . another month for the justices to make their decision . . . condemned man won't keep his appointment at sunrise. . . .

Rep. BINGHAM (Actor 2) (Interjects). If he keeps it at all.

Rep. ROGERS (Actor 1). A possibility . . . distressing but still a possibility . . . until the end of 1937.

Rep. BINGHAM (Actor 2). Give or take a few weeks.

Rep. ROGERS (Actor 1). Agreed. (They write in date books.)

Rep. BINGHAM (Actor 2). Andrew and I have just noted in our calendar books that we will be present in Washington on that opinion Monday when the United States Supreme Court announces its decision in Palko v. Connecticut.

Rep. ROGERS (Actor 1). See you at that time?

(He winks at camera. They turn to each other and disappear electronically, leaving empty set.)

CARTRIDGE. In a moment, Epilogue to "You've Got a Right," The 14th Amendment.

Epilogue

(Cast, some in costume, arguing.)

ACTOR 5 (to Actor 6). Now wait a minute. What would you have done had you been on the Supreme Court in 1937 when Palko was decided?

ACTOR 6. Reversed Connecticut court. Let Palko serve out his life sentence.

ACTOR 4. I would have affirmed the state court. Let the sentence of death be executed.

DIRECTOR. And so it goes—nine actors rehearsing freedom. "Liberty," said a famous judge, "lies in the hearts of men and women. When it dies there, no law can save it." (He joins cast which comes on stage to talk.)

CARTRIDGE. Group W, Westinghouse Broadcasting Company, in association with New York University School of Law, has presented Part One of "You've Got a Right," a two-part program about the 14th Amendment. Part Two will be presented as the next program in this series dramatizing the origins and contemporary significance of the "Bill of Rights."

PART TWO

Cast

Director (Justice Cardozo, Justice Brennan): Joseph Wiseman.

ACTOR 1 (Rep. Rogers, Wm. Comley): Conrad Bain.

ACTOR 2 (Rep. Bingham, David Goldstein): Addison Powell.

ACTOR 3 (Justice Butler, Malloy): Richard Kilbride.

ACTOR 4 (Manager, Benjamin Gitlow, Clarence Gideon): Joseph Julian.

ACTOR 5 (Judge, Justice Black): Conrad Jameson.

ACTOR 6 (Harold Strauch, John O'Neal): John McGovern.

ACTOR 7 (Frank Palko): John Karlen.

ACTOR 8 (Verges, A. J. Kearns): Luis Van Rooten.

Script Girl (Dollree Mapp): Ellen Holly.

Prologue

MANAGER (Actor 4) (Verges mutters parenthetical phrases). A hundred beeves at a dollar (Sacre Bleu!) hundred calves at fifty cents (Thieves! Robbers!) 75 hogs, 25 sheep, 10 goats at thirty cents (Canaille) 310 head inspected at 10 cents (Extortioners!) Stalls, eighty dollars. That's \$309, Mr. Verges (Death

to every sentiment of honesty!) And \$500 renewal for your license. Total \$809. Sign here, please. (Hands Verges clipboard with pen.)

VERGES (Actor 8). An outrage! Louisiana creates a Slaughterhouse monopoly in New Orleans. You force two thousand butchers to pay toll to you or face ruin!

MANAGER (Actor 4). That's an old story now. This is 1873. You butchers took your cases to the United States Supreme Court. You had the best lawyer in the South, a former Supreme Court judge himself—and you lost.

VERGES (Actor 8). The Constitution! Bah! (Snaps fingers, walks and turns) The 14th Amendment, a farce! (Snaps again.)

DIRECTOR. Fine! Let's move on to the Palko scenes. Hello. We're a repertory company, nine actors rehearsing freedom, more specifically the Bill of Rights, the first ten Amendments to the Constitution. Right now we're working on the Fourteenth which is not unrelated and which, briefly, commands that no State shall abridge the privileges or immunities of a citizen, deny him due process of law or equal protection of the laws. We all play many roles. I'm the Director. The author of our play . . . We the people of the United States. (Business with Script Girl.)

CARTRIDGE. Group W, Westinghouse Broadcasting Company, in association with the New York University School of Law, presents, "You've Got a Right." This is the conclusion of a Two-Part program about the 14th Amendment. In a moment, Act One.

Act I

(Supreme Court. Actors 3, 4, 5, 6 and 8 on bench wearing robes. Palko (7) in cell. Comley (1) and Goldstein (2) at counsel table before bench.)

DIRECTOR (To Camera). November 12, 1937, the United States Supreme Court is ready to hear oral argument in Palko v. Connecticut, a case involving the 14th Amendment. Frank Palko, 24, is in the death house at Wethersfield State Prison, Connecticut.

PALKO (Actor 7) (In Cell). I was convicted of second degree murder for shooting a policeman while on parole. After I was brought here to start serving a life sentence, the state appealed to Connecticut's Supreme Court and got a new trial for 1st degree murder, and I was convicted on that charge. My lawyer said the Constitution doesn't allow anyone to be tried twice for the same offense: it's double jeopardy. Unless those judges on the Supreme Court bench reverse the decision, I'll die in the electric chair.

GOLDSTEIN (Actor 2). Frank Palko must not be put to death. He should be allowed to serve out his life sentence.

DIRECTOR. David Goldstein, Connecticut Attorney, appointed by the court to defend Palko.

GOLDSTEIN (Actor 2). The guarantee against double jeopardy is contained in the 5th Amendment of the Constitution. The 14th Amendment forbids any state to abridge the privileges or immunities of any citizen or deprive him of his life without due process.

COMLEY (Actor 1). I disagree. The verdict of the second jury—first degree murder—was the just verdict.

DIRECTOR. William H. Comley, prosecuting attorney for the state of Connecticut.

COMLEY (Actor 1). Palko's original trial was legally in error. The second trial was not a new trial. It was merely a continuation of the original trial.

PALKO (Actor 7) (In cell). Wait a minute. What was the error in the original trial.

DIRECTOR. The judge made a mistake in charging the jury on the question of premeditation.

ACTOR 3. If that's the case then it was right to bring him back for a second trial.

ACTOR 8. I don't agree. The State had its chance. If it muffed it, that's too bad . . . criminal or no criminal. Otherwise what are legal procedures for?

ACTOR 6. When Palko was convicted of

second degree murder, he was acquitted of first degree murder. That's the end of it.

ACTOR 5. But can you let a murderer get away with . . .

DIRECTOR (Interrupts). Shall we let the real lawyers argue the case?

(To Actor 2) Go on please.

(Actor 7 returns to cell)

GOLDSTEIN (Actor 2). The central question is whether the 14th Amendment makes the guarantees in the Bill of Rights enforceable on the States. Or in other words, does the 14th absorb or incorporate the first ten amendments of the Constitution, the Bill of Rights, including the 5th Amendment's guarantee against double jeopardy.

COMLEY (Actor 1). Since 1873 the Supreme Court has consistently held that the 14th does not incorporate the Bill of Rights as a whole.

Justice BUTLER (Actor 3). May I interrupt the learned counsel?

DIRECTOR. Mr. Justice Butler.

Justice BUTLER (Actor 3). Why is Connecticut so intent on taking Frank Palko's life?

COMLEY (Actor 1). The state, sir, wishes to see justice done.

Justice BUTLER (Actor 3). But this young man is in prison for the rest of his life, at hard labor. It seems that the state in this case is more bent on vengeance than on justice.

ROGERS (Actor 1) (Agitated). It appears to me, John, that Mr. Justice Butler has made up his mind already. I fear that he intends to overrule the lower courts' decision in Palko v. Connecticut. If the other justices . . .

BINGHAM (Actor 2). Spare the rhetoric, Andrew. You're not in Congress.

ROGERS (Actor 1). I forgot, John. You and I are witnesses from history. (He presents Bingham to Camera) Congress John A. Bingham, Radical Republican representative from Ohio in the 39th Congress.

BINGHAM (Actor 2). And my colleague, Representative Andrew J. Rogers—Democrat from New Jersey. We served together on the Joint Committee that drafted the 14th Amendment.

ROGERS (Actor 1). Indeed, John was the man who wrote most of the Amendment's catastrophic first section.

BINGHAM (Actor 2). And Andrew was one of the busiest and most strident voices that spoke against the Amendment (To Rogers) Now then—about Mr. Justice Butler. I hope you're right. I hope he is giving us a clue to the way the court will vote, but frankly I doubt it. Ever since the Court first interpreted the 14th, it has, time and again, chosen to support the power of the states over the rights of the individual.

ROGERS (Actor 1). How can you misread history so eloquently? What about the Supreme Court's decisions in the 20th Century—incorporating the first and sixth amendments into the 14th.

BINGHAM (Actor 2). Episodes, mere interruptions of a major rhythm—What about the 19th century decisions denying that the 14th was meant to absorb the first 10 Amendments, the Bill of Rights?

DIRECTOR (Interrupts). (Bingham & Rogers become Actors). Excellent. Now Addison, let Bingham call his witnesses from history and Conrad does the same for Rogers.

ACTOR 1. But Rogers reserves the right to call a surprise witness.

ACTOR 2. Tricky, eh?

ACTOR 1. One of his privileges or immunities?

ACTOR 2. He's got a right.

DIRECTOR. Begin.

BINGHAM (Actor 2). Very well. I call Mr. Silvain Verges.

(Verges appears.)

VERGES (Actor 8). Present.

BINGHAM (Actor 2). Take the stand, please.

VERGES (Actor 8). With pleasure, M'ster.

(He moves to witness chair. Bingham faces him.)

CARTRIDGE. In a moment, Act II of "You've Got A Right, The Fourteenth Amendment."

Act II

(Verges on witness stand. Bingham facing him.)

BINGHAM (Actor 2). Mr. Verges, in 1873 were you the president of the Butchers Benevolent Association of New Orleans?

VERGES (Actor 8). I had that honor, M'ster.

BINGHAM (Actor 2). And did you bring an action before the Supreme Court to prevent a corrupt Louisiana Legislature from creating a monopoly in the Slaughter House business?

VERGES (Actor 8). We did, and we claimed that it violated our right under the 14th amendment to pursue our trade freely.

BINGHAM (Actor 2). And did the Supreme Court protect you?

VERGES (Actor 8). Ha! It said the 14th amendment did not include the guarantees of the Bill of Rights.

BINGHAM (Actor 2). (To Rogers) There you are, Andrew. That was the beginning. (To Verges) Thank you, Mr. Verges. You may step down, Mr. Verges. What does the Supreme Court do in its very first interpretation of the 14th? It nullifies it absolutely, completely, as if it had never been written.

ROGERS (Actor 1). You're over-simplifying the issue terribly, John.

BINGHAM (Actor 2). Then let me simplify it further. John O'Neil.

O'NEIL (Actor 6). Present.

BINGHAM (Actor 2). To the stand please. Listen to this man's case. A classic example of how a state violated a citizen's fundamental rights. (To O'Neil) in 1890, Mr. O'Neil, where did you live?

O'NEIL (Actor 6). Town of Whitehead, New York. If Frank Palko is expecting the Supreme Court to look after his rights, he's spitting down a hollow tree stump.

BINGHAM (Actor 2). Picturesque, but accurate. State your business in 1890.

O'NEIL (Actor 6). Liquor dealer—wholesale and retail. Shipped gallon jugs C.O.D. across the state line into Vermont. Got arrested for doing it.

BINGHAM (Actor 2) On what charge?

O'NEIL (Actor 6). Unlawfully selling liquor in Vermont at (quote); 475 "divers times." (He makes the quote sign with fingers).

BINGHAM (Actor 2). What happened?

O'NEIL (Actor 6) (Points to Actor 5, who has assumed place on a bench). Ask him. He's the Vermont Justice of the Peace that tried me.

JUDGE (Actor 5). John O'Neil, you are fined nine thousand . . . (he falters) . . . nine thousand and . . . (falters) . . . Lines please. SCRIPT GIRL \$9,140 . . . 79 years.

JUDGE (Actor 5). You are fined \$9,140 and sentenced to 79 years in jail at hard labor.

BINGHAM (Actor 2). Naturally you appealed, of course, to a higher court in the state of Vermont.

O'NEIL (Actor 6). Helped a little, County court jury cut the "divers times" to 307. Reduced my punishment to \$6,140 fine and a mere 54 years in prison . . . hard labor.

Appealed to Supreme Court, they declined even to discuss. Bill of Rights not included in the 14th. 54 years in jail for wetting the whistles of thirsty Vermonters.

BINGHAM (Actor 2). Thank you, step down. (To Rogers) Can you deny it, Andrew? That's how it went, case after case. The Supreme Court erased the Civil Liberty provisions of the 14th Amendment from the Constitution as if they were a blot of ink.

ROGERS (Actor 1). Will the Gentleman from Ohio yield?

BINGHAM (Actor 2). I yield to the Gentleman from New Jersey.

ROGERS (Actor 1). I call Mr. Benjamin Gitlow to the stand. (Gitlow (Actor 4) appears and seats in witness chair. He wears a business suit) (Rogers to Camera) My colleague is afraid that the Supreme Court will affirm the lower court's decision in Palko vs. Connecticut. I fear the court may overturn the Connecticut decision against Palko. I will illustrate why (To Gitlow) Mr. Gitlow, in

1925, you came before the Supreme Court on a conviction by New York for criminal anarchy.

GITLOW (Actor 4). Correct, and what you, sir, intend to draw from my testimony is not the comment I wish to make.

ROGERS (Actor 1). I appreciate the fact that you are a hostile witness, but kindly speak to my point.

GITLOW (Actor 4). I was a radical member of the Socialist Party in 1925, in favor of revolutionary action.

ROGERS (Actor 1). The New York courts found you guilty of advocating the overthrow of organized government by force and violence. The Supreme Court, in deciding your appeal made an unfortunate ruling.

GITLOW (Actor 4). Unfortunate is right. The Court upheld the New York conviction.

ROGERS (Actor 1). On a matter of law, having nothing to do with the incorporation issue. Nevertheless, in *Gitlow vs New York*, the majority of the court held, for the first time, that the 14th Amendment did incorporate or absorb the first amendments guarantee of freedom of speech and press.

GITLOW (Actor 4). A lot of good that did me. I went to jail.

ROGERS (Actor 1) (To Camera). Thank you. And in 1933, in one of the celebrated *Scottsboro* cases, the Court, in *Powell v. Alabama*, went still further along this treacherous road. It took more power away from the states by bringing under the umbrella of the 14th, major aspects of the 6th Amendment's right to council.

Congressman Bingham, watch this. Mr. Justice Butler, it was you, sir, was it not, who delivered the dissenting opinion in the case of *Powell v. Alabama*?

Justice BUTLER (Actor 3). I remember it well. Nine Negro youths were found guilty by Alabama of forcible rape and sentenced to death. A majority of the court agreed that they had been denied proper counsel and ordered new trials.

ROGERS (Actor 1). But in your dissent, you argued eloquently that they had *not* been denied a fair trial.

Justice BUTLER (Actor 3). Indeed, I held that the majority ruling was an extension of federal authority into a field hitherto occupied exclusively by the several states.

ROGERS (Actor 1). And in your opinion, Mr. Justice Butler, will the Supreme Court's decision in *Palko v. Connecticut* extend that federal authority still further—or will it end the evil trend away from the wisdom of the *Slaughterhouse* decision.

Justice BUTLER (Actor 3). Were you a lawyer, Representative Rogers?

ROGERS (Actor 1). Yes, sir, I was.

Justice BUTLER (Actor 3). Then surely you must know that your question is improper. I can make no comment on a case still under adjudication. I'm afraid you'll have to wait for the court's formal decision.

CARTRIDGE. In a moment, Act Three of "You've Got a Right," The Fourteenth Amendment.

Act III

(The Supreme Court in Background. Rogers and Bingham in Foreground.)

BINGHAM (Actor 2). Opinion Monday, Andrew, December 6, 1937. This is the morning the Supreme Court delivers its decision in *Palko v. Connecticut*.

ROGERS (Actor 1). Who's that—the Chief Justice?

BINGHAM (Actor 2). No. Associate Justice Benjamin Cardozo. He will deliver the Court's opinion. Ssh. Remember, we're ghosts.

CARDOZO (Director). The appellant argues that what the Bill of Rights forbids the federal government to do is now also forbidden to the states by the 14th Amendment. There is no such general rule. Certain rights may have value and importance, but they are not of the very essence of a scheme of ordered liberty. Other rights are so fundamental that neither liberty nor justice would exist if they were sacrificed. Does the action of Connecti-

cut in the *Palko* case violate those fundamental principles, which lie at the base of our civil and political institutions? The answer surely must be "no". The state asks no more than that the case against *Palko* shall go on until his trial is free from substantial legal error. The edifice of justice stands. The judgment is affirmed.

ROGERS (Actor 1). Splendid decision!

BINGHAM (Actor 2). Excellent judgment!

ROGERS (Actor 1). I don't understand. How can you rejoice, John? Isn't the opinion a denial of the incorporation argument?

BINGHAM (Actor 2). Not at all. It opens the door to a full absorption by the 14th of all the Bill of Rights. It sets up a yardstick by which the court may judge which rights are so fundamental that no state may abridge them.

ROGERS (Actor 1). But the court may use the yardstick to allow each state to decide for itself what is and what is not a fundamental right.

DIRECTOR. Excellent, gentlemen. Let's take a break now and come back to Cardozo's honor roll of superior human rights.

ACTOR 4. Dig that honor roll metaphor! Some rights are in and some are out. And whether you're in or out depends on what a judge happens to think is fundamental to justice. I call it a slot-machine system.

ACTOR 5. I call it a neat compromise. You deserve the federal form of government but, at the same time, you warn the states there's a point beyond which they must not go in dealing with a citizen's rights.

SCRIPT GIRL. The Supreme Court still hasn't made the 14th shorthand for the entire Bill of Rights—But they've brought almost all the specific guarantees of the first ten under the umbrella of the 14th. Mapp v. Ohio...

ACTOR 4. *Gideon v. Wainwright*.

ACTOR 3. *Malloy v. Hogan*.

ACTOR 7. Which amendment goes with which case?

DIRECTOR. Now's a good time to rehearse those cases again.

SCRIPT GIRL. But we don't have an actress to play Mrs. Mapp.

DIRECTOR. You've heard the lines so often... surely you must know them by heart.

SCRIPT GIRL. But...

DIRECTOR. We don't have time to argue. Into the cell. When I cue you, you're Dollree Mapp. (She moves) (To cast) The *Gideon* scene will follow—and then *Malloy*. Ready? (She nods) Mapp v. Ohio, 1961.

MAPP (SG). I'm Dollree Mapp. The State of Ohio wanted to keep me here for seven years, because they found some dirty books and pictures in my house that belonged to a tenant. The police broke into my house without a warrant and illegally obtained the obscene literature as evidence, courts in Ohio said it was okay to use the evidence; and without that evidence they couldn't have convicted me, but I had a lawyer, he knew all the angles. Mr. A. J. Kearns.

KEARNS (Actor 8). The Supreme Court knew all the angles. The angle in *Mapp v. Ohio* was that a state may not use evidence obtained by illegal search and seizure. Item: By a vote of 6-3, the 4th amendment, which guarantees that protection, is incorporated into the 14th.

(Mrs. Mapp leaves cell and links arms with Kearns)

MAPP (SG). A man's home is his castle—and so is woman's. No prison for Dollree Mapp. I got a right.

DIRECTOR. Good girl. *Gideon vs Wainwright*, 1963.

GIDEON (Actor 4) (In Cell). I'm Clarence Earl Gideon. Do you think a poor man's right to have a lawyer is so fundamental that his trial becomes unconstitutional if a state doesn't give him counsel to defend him? A Florida court sentenced me to 5 years in prison for breaking and entering a pool room. But I appealed by own case to the Supreme Court, on grounds that my rights under the

6th and 14th amendments had been violated. And this is what Mr. Justice Black said for a unanimous court.

Justice BLACK (Actor 5) (On bench). The right of one charged with crime to counsel may not be deemed fundamental and essential to fair trials in some countries but it is in ours. The judgment of the Supreme Court of Florida is reversed.

GIDEON (Actor 4) (Outside cell). Item. The 14th includes the 6th for everyone, even a pauper who can't afford to hire a lawyer has a right.

DIRECTOR. *Malloy vs Hogan*, 1964.

STRAUCH (Actor 6). I'm Harold Strauch, attorney for William Malloy. In 1959, in a Connecticut investigation into gambling, my client was asked a number of questions relating to his arrest and conviction for the crime of pool-selling, a misdemeanor.

MOLLOY (Actor 3). My lawyer told me to take the 5th.

STRAUCH (Actor 6). Molloy was cited for contempt and committed to prison until he agreed to answer.

MOLLOY (Actor 3). I might have stayed in prison forever.

STRAUCH (Actor 6). We appealed to the Supreme Court.

(Mr. Justice Brennan, in delivering the majority opinion, said this:)

Justice BRENNAN (Director). The 14th amendment secures against state invasion the same privilege that the 5th amendment guarantees against federal infringement, the right of a person to remain silent unless he chooses to speak in the unfettered exercise of his own will, and to suffer no penalty for such silence.

STRAUCH (Actor 6). (Offers a hand to MALLOY who has come out of cell). I feel elated Bill. What have you got to say?

MALLOY (Actor 3). Like you said, Mr. Strauch. I'm an American. I took the Fifth. (They exit.)

BINGHAM (Actor 2). *Palko vs Connecticut* opened the way for that decision and to a gradual enlargement of the ancient, dynamic concept that there are some rights so fundamental to the dignity of human existence that no government—national or state—may give them—or take them from the free human being.

ROGERS (Actor 1). But to this day, the 5th amendment's guarantee against double jeopardy has still not made Justice Cardozo's Honor Roll of Superior Rights. In 1938, Frank *Palko* left his cell in Wethersfield Prison. But he did not walk to freedom. He walked a short distance to an enclosure so constructed as to exclude the public view, and there, before the hour of sunrise, in accordance with the law, he had the punishment of death inflicted upon him by electrocution.

BINGHAM (Actor 2). Would you say that justice had been done, Andrew?

ROGERS (Actor 1). Who can measure justice, John. I'd say that the law had prevailed.

BINGHAM (Actor 2). We'll never stop arguing about that will we, Andrew?

ROGERS (Actor 1). Why should we? Even ghosts have a right.

CARTRIDGE. In a moment Epilogue to "You've Got a Right", the 14th Amendment.

Epilogue

(Cast arguing.)

ACTOR 1. The only rights still under state control are indictment by Grand Jury, jury trial, double jeopardy, counsel in civil cases, and a few others. All the rest of the original Bill of Rights are now in the hands of the National Government.

SCRIPT GIRL. Are you against the Bill of Rights?

ACTOR 1. No, but the Bill of Rights isn't absolute. Ours is a system of separation of powers, of divided responsibility. Put all power in the national government and you destroy the very freedom you're trying to protect.

DIRECTOR. And so it goes, Nine Actors rehearsing freedom. "Liberty" said a famous

judge, "lies in the hearts of men and women. When it dies there, no law can save it."

CARTRIDGE. Group W, Westinghouse Broadcasting Company, in association with the New York University School of Law, has presented "You've Got a Right," a series of programs dramatizing the origins and contemporary significance of the Bill of Rights, the first ten Amendments to the Constitution.

Growing Support for Cigarette Legislation

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. MOSS. Mr. Speaker, I am extremely pleased to see the action that 15 of my colleagues have taken today. I speak of their introduction of a bill to make effective the Federal Cigarette Labeling and Advertising Act. In this action they join the efforts of myself and the following 41 other Members of this body—JONATHAN B. BINGHAM, Democrat, of New York; RICHARD BOLLING, Democrat, of Missouri; JOHN BRADEMAS, Democrat, of Indiana; GEORGE E. BROWN, Jr., Democrat, of California; PHILLIP BURTON, Democrat, of California; DANIEL E. BURTON, Republican, of New York; JOHN CONYERS, Jr., Democrat, of Michigan; DOMINICK V. DANIELS, Democrat, of New Jersey; JOHN D. DINGELL, Democrat, of Michigan; JOHN G. DOW, Democrat, of New York; DON EDWARDS, Democrat, of California; LEONARD FARBSTEIN, Democrat, of New York; EDITH GREEN, Democrat, of Oregon; WAYNE L. HAYS, Democrat, of Ohio; HENRY HELSTOSKI, Democrat, of New Jersey; JOHN JARMAN, Democrat, of Oklahoma; JOSEPH E. KARTH, Democrat, of Minnesota; ROBERT L. LEGGETT, Democrat, of California; SPARK M. MATSUNAGA, Democrat, of Hawaii; GEORGE P. MILLER, Democrat, of California; JOHN J. McFALL, Democrat, of California; Abraham J. Multer, Democrat, of New York; BARRATT O'HARA, Democrat, of Illinois; RICHARD L. OTTINGER, Democrat, of New York; THOMAS M. REES, Democrat, of California; JOSEPH Y. RESNICK, Democrat, of New York; GEORGE M. RHODES, Democrat, of Pennsylvania; PETER W. RODINO, Jr., Democrat, of New Jersey; BENJAMIN S. ROSENTHAL, Democrat, of New York; J. EDWARD ROUSH, Democrat, of Indiana; EDWARD R. ROYBAL, Democrat, of California; WILLIAM F. RYAN, Democrat, of New York; JAMES H. SCHEUER, Democrat, of New York; RICHARD S. SCHWEIKER, Republican, of Pennsylvania; JOHN V. TUNNEY, Democrat, of California; MORRIS K. UDALL, Democrat, of Arizona; CHARLES A. VANIK, Democrat, of Ohio; JOSEPH P. VIGORITO, Democrat, of Pennsylvania; JEROME R. WALDIE, Democrat, of California; CHARLES H. WILSON, Democrat, of California; JOHN W. WYDLER, Republican, of New York—who during the first session of this Congress introduced H.R. 11717 and related measures identical to the legislation offered by my colleagues today.

It is obvious that cigarette smoking is not only hazardous to a person's health, but it is evident beyond any reasonable

doubt that cigarette smoking may cause death from cancer and other diseases. Both governmental and private health agencies have been hard at work on this problem and their conclusions are almost unanimous—cigarette smoking is of such a negative value that Congress must legislate means for protecting our Nation's health. Yet, we must always be mindful of the personal freedom the individual is guaranteed under our system of government; we do not ask Congress to outlaw the smoking of cigarettes, but rather to provide our citizens with the protections they are guaranteed.

The problem is especially pressing today; the cigarette industry is again mounting a massive campaign to convince the public that cigarette smoking is not hazardous at all. In fact, I wish to insert two articles from the Wall Street Journal at this point in the RECORD to show the extremes to which the tobacco industry will go:

[From the Wall Street Journal, Mar. 21, 1968]

PROSMOKING ARTICLES AREN'T NECESSARILY ALL THAT THEY SEEM TO BE—SENATOR MAGNUSON ASKS INQUIRY INTO STORY BY PR WRITER—TOBACCO MEN BUY REPRINTS
(By Ronald Kessler)

NEW YORK.—It seemed like a windfall for the tobacco industry. "To Smoke or Not to Smoke—That Is Still the Question" was the title of an article in the January issue of True magazine. There was little question which side of the issue the article took.

Dismissing statistical evidence of cancer hazards in smoking cited by the U.S. Surgeon General, the article concluded, "At the moment, all we can say for sure is the cause of cancer isn't known and that there is absolutely no proof that smoking causes human cancer."

The story was widely promoted in advertisements, and reprints were mailed to about 600,000 "opinion makers" around the nation. Not surprisingly, five of the six major tobacco companies mailed reprints to their employees and shareholders.

The article couldn't have presented the tobacco industry's case better if it had been written by the industry. And though there's no proof the industry did that, the circumstances surrounding its publication are interesting.

"BUNK" SAYS A TABLOID

The author, Stanley Frank, is an employee of Hill & Knowlton Inc., long-time public relations representative for the industry's Tobacco Institute Inc. The reprints and ads, ostensibly a True promotion, actually were paid for and handled by Tiderock Corp., a second public relations firm hired by the Tobacco Institute last October.

More recently, the March 3 issue of a sensational tabloid, the National Enquirer, carried a story under the headline "Cigaret Cancer Link is Bunk." The byline read "Charles Golden," but Nat Chrzan, editor of the Enquirer, says the author was Mr. Frank. "Charles Golden doesn't exist," Mr. Chrzan says. "It's all perfectly legal."

Mr. Frank at first flatly denied authorship of the Enquirer story; a week later he conceded that he had written it. "You've got me on that one," he said. As to the True article, Mr. Frank says he submitted it last April, while he was a free-lance writer, whereas he didn't join the public relations agency until October. True and Hill & Knowlton give a like account of the chronology, although the public relations director of a major tobacco company says he understands that Mr. Frank was working on the True story last fall.

Congressional sources say the tobacco in-

dustry is mounting an aggressive new campaign to counter medical evidence that cigarette smoking is damaging to health. The Surgeon General has been asked by Sen. Warren G. Magnuson, chairman of the Senate Commerce Committee, to investigate the True article and the legality of the reprints.

DISPUTE OVER A BOOK

A similar dispute arose early last year on publication of the book *It Is Safe To Smoke* by Hawthorn Books Inc., New York. The book concluded that it was "safer" to smoke cigarettes having charcoal filters, such as Liggett & Myers Tobacco Co.'s Lark brand. Several industry sources, in fact, say the book amounts almost to a commercial for Lark.

Liggett & Myers denies, however, that it subsidized the book. Hawthorn's chairman and president, W. Clement Stone, says, "There are a lot of things that happened with that book that I didn't approve of." He won't elaborate. Hawthorn agreed last April to discontinue sales of the book after the deceptive practices division of the Federal Trade Commission began investigating the advertising.

A well-known Washington journalist reports that she was approached last year by a tobacco industry representative and asked if she would put her name on an article attacking the Surgeon General's report on smoking and health. The article already had been written; the plan was to submit it to a national magazine for which she writes frequently. The journalist who asks not to be identified, refused.

Several aspects of the True episode are in dispute. Charles N. Barnard, True executive editor, denies that the magazine produced the reprints. However, they bore a note signed "The Editors" with no other attribution, and a True production official says they were printed on the True presses.

The production official says Tiderock, the public relations agency, ordered 607,000 copies. In addition, five tobacco companies say they bought a total of 449,000 copies from True. Mr. Barnard denies, however, that True got payments from any industry sources.

The promotional ads for the True article were paid for by individual tobacco companies through Tiderock, according to Reginald B. Wells, executive vice president of the agency. Mr. Wells says Tiderock is exploring various ways "to get the tobacco industry's side before the public."

The tobacco industry reported record sales and profits last year, but per capita consumption of cigarettes declined for the first year since the Surgeon General's report was issued in 1964.

[From the Wall Street Journal, Mar. 22, 1968]

TOBACCO INDUSTRY UNIT ACCUSED OF DECEPTION—INSTITUTE, TWO PUBLIC RELATIONS CONCERNS HIT WITH CHARGES DUE TO PROSMOKING ARTICLES

NEW YORK.—Complaints charging "unfair and deceptive" trade practices "were filed against the Tobacco Institute Inc., and two of its public relations firms over pro-smoking articles in True magazine and the National Enquirer.

The complaints were filed with the Federal Trade Commission's Bureau of Deceptive Practices, the U.S. Post Office Department's Fraud Section, and the New York State Attorney General's Bureau of Consumer Frauds and Protection by John F. Banzhaf III, executive director of Action on Smoking and Health, New York.

A complaint by Mr. Banzhaf last year resulted in a Federal Communications Commission ruling requiring Broadcasters to devote "substantial time" to anti-cigarette commercials. The ruling is being appealed.

Mr. Banzhaf's complaint charges that the Tobacco Institute, Hill & Knowlton Inc., and

Tiderock Corp. "conspired together to plant in a number of national publications apparently factual and unbiased reports discounting the evidence against smoking . . . but that these articles were actually prepared and written by persons in the employ of the Tobacco Institute's public relations firm as an attempt to mislead the public . . . by leading them to believe that the articles were the result of careful research and impartial evaluation by unbiased journalists."

Rosser Reeves, president of Tiderock, the other public relations firm had the following comment on the complaint:

"A long list of distinguished doctors and scientists does not believe that the Surgeon General's case against the cigaret is a correct one. This other side of the cigaret controversy—the fact that cigarets have not been scientifically proven to cause illness—has never been fully presented to the public.

"We believe in an open discussion of both sides of this unresolved, and very important question. While we have not seen Mr. Banzhaf's letter, he, the American Cancer Society and others, apparently wish to stifle all discussion."

The True article, like the National Enquirer story, dismissed medical and statistical evidence of the health hazards of smoking cited by the Surgeon General's report and concluded, "There is absolutely no proof that smoking causes human cancer."

The complaint says reprints were mailed "without revealing the circumstances surrounding their authorship or that the mailing was sponsored by the Tobacco Institute."

The complaint concludes that the articles were "nothing more or less than advertisements by the cigaret manufacturing industry," that the articles violated FTC regulations by placing health claims in advertisements and by failing to label them as advertisements, that "it was an unfair and deceptive trade practice to advertise and distribute such planted articles with no indication of their sponsorship . . ." and that "the use of the U.S. mails to accomplish this purpose may also constitute postal fraud particularly because the identity of the mailer was not represented."

William Kloepfer Jr., the Tobacco Institute's vice president, public relations, said the Institute hadn't seen Mr. Banzhaf's complaint but that, "There is nothing improper in any effort by anyone to invite public attention to any published materials on any controversial question such as smoking and health."

Mr. Speaker, it is our duty, our responsibility to act, but we must act now and we must act effectively. The original 1965 legislation was designed and promoted by the cigaret industry; this new legislation is designed and promoted by 57 Congressmen who wish to protect our Nation's health.

There are two types of smokers we must protect; the habitual smoker and the nonsmoking youth. The former must realize that if he ceases or substantially reduces his cigaret smoking, his health will markedly improve. The latter must be shown the almost inevitable diseases that result from cigaret smoking. In essence, our entire population must be made aware of the inherent dangers of cigaret smoking so that they may make a rational decision as to smoking.

These 57 Congressmen do not stand alone. There are many public and private health agencies that are already vocally opposed to cigaret smoking due to its health hazards. These agencies are requesting action; our Nation's health demands action—I urge your support.

Mr. Speaker, for the benefit of my colleagues, I am at this point inserting a

copy of H.R. 11717 which is identical to the measure introduced by my colleagues, EDWARD P. BOLAND, Democrat, of Massachusetts; FRANK J. BRASCO, Democrat, of New York; JAMES C. CORMAN, Democrat, of California; CHARLES C. DIGGS, Jr., Democrat, of Michigan; JOSHUA EILBERG, Democrat, of Pennsylvania; DONALD M. FRASER, Democrat, of Minnesota; AUGUSTUS F. HAWKINS, Democrat, of California; CHARLES S. JOELSON, Democrat, of New Jersey; ROBERT W. KASTENMEIER, Democrat, of Wisconsin; CLARENCE LONG, Democrat, of Maryland; ROBERT MCCLORY, Republican, of Illinois; JOHN S. MONAGAN, Democrat, of Connecticut; ROBERT N. C. NIX, Democrat, of Pennsylvania; WILLIAM L. ST. ONGE, Democrat, of Connecticut; LESTER L. WOLFF, Democrat, of New York.

The bill referred to follows:

H.R. 11717

A bill to amend the Federal Cigarette Labeling and Advertising Act with respect to the labeling of packages of cigarettes, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1333) is amended—

(1) by inserting "(a)" immediately after "Sec. 4";

(2) by striking out "Caution: Cigarette Smoking May Be Hazardous to Your Health." and inserting in lieu thereof "Warning: Cigarette Smoking Is Dangerous to Health and May Cause Death From Cancer and Other Diseases"; or the package of which fails to state the average tar and nicotine yields per cigarette in such package as determined by a method approved by the Secretary of Health, Education, and Welfare"; and

(3) by striking out "Such statement" in the second sentence thereof and inserting in lieu thereof "Each such statement"; and

(4) by adding at the end thereof the following new subsection:

"(b) It shall be unlawful for any person to disseminate or cause to be disseminated any advertisement which is intended to induce, directly or indirectly, the purchase of any cigarettes in commerce, unless there is included as a part of such advertisement the statement 'Warning: Cigarette Smoking Is Dangerous to Health and May Cause Death From Cancer and Other Diseases', and a statement of the average tar and nicotine yields per cigarette (as determined by a method approved by the Secretary of Health, Education, and Welfare) of the cigarettes referred to in such advertising."

Sec. 2. Section 5 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1334) is amended—

(1) by striking out the caption and subsections (a), (b), and (c) of such section and inserting in lieu thereof the following:

"REGULATION OF LENGTH OF CIGARETTES, REPORTS

"Sec. 5 (a) If the Secretary of Health, Education, and Welfare determines that longer cigarettes increase the risk to persons smoking such cigarettes of incurring or aggravating any disease or diseases or other debilitating physiological condition or conditions, he may, in cooperation with the Federal Trade Commission, after notice and opportunity for a hearing, prescribe rules establishing a maximum length or maximum lengths for cigarettes.

"(b) It shall be unlawful for any person to manufacture, import, or package for sale or distribution within the United States any cigarette which is longer than the maximum length for such cigarette under rules pre-

scribed pursuant to subsection (a) of this section."; and

(2) by striking out "(d)" and inserting in lieu thereof "(c)".

SEC. 3. Section 10 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1339) is repealed.

SEC. 4. The amendments made by this Act shall take effect on the one hundred and eighty-first day after the date of enactment of this Act.

Pittsburgh's Mayor Barr Testifies on Urgency of Housing Legislation

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. MOORHEAD. Mr. Speaker, the city of Pittsburgh, a large part of which it is my privilege to represent in the Congress, is fortunate to have as its mayor the very able Joseph M. Barr.

Mayor Barr has been a leading force in making Pittsburgh the renaissance city of America, and the U.S. Conference of Mayors has recognized his achievement by electing him as its president.

Last week, in testimony before the Housing and Urban Affairs Subcommittee of the Senate Banking and Currency Committee, Mayor Barr made an eloquent plea for the passage of the administration's far-reaching Housing and Urban Development Act of 1968. In spite of past legislation, he said:

My fellow mayors and I see too many of our citizens living in crumbling buildings, unsafe and unhealthy, and we have neither the tools to repair those buildings nor the resources to replace them.

The mayor supported all the proposals in the administration bill, hailing them as significant steps in "an effort of unprecedented proportions" necessary to "treat the sickness in our cities."

Under leave to extend my remarks, I insert Mayor Barr's testimony at this point in the effort and commend it to the careful attention of my colleagues:

REMARKS BY MAYOR JOSEPH M. BARR BEFORE THE SUBCOMMITTEE ON HOUSING AND URBAN AFFAIRS OF THE SENATE BANKING AND CURRENCY COMMITTEE, WASHINGTON, D.C., MARCH 19, 1968

Mr. Chairman, my name is Joseph M. Barr. With me today are Mr. Robert Pease, Executive Director of the Allegheny Conference; Mr. Earl Onque, Model Cities Coordinator in Pittsburgh; and Mr. Robert Walter, from the staff of the U.S. Conference of Mayors.

I come before you today in a dual role; first as Mayor of the City of Pittsburgh and spokesman for that City and its citizens, and secondly, as President of the U.S. Conference of Mayors, an organization of mayors from some 600 cities with a population of 30,000 or more.

I am pleased to appear today in support of the Housing and Urban Development Act of 1968. If I may be permitted to draw upon an analogy, I feel somewhat like a man asking for flood control legislation at a time when the water is swirling about our knees.

It is unnecessary for me to enumerate the many and complex problems which fall under the unfortunately fashionable label called the urban crisis. Suffice it to say, gentlemen, that the view from the mayor's desk these days is a most unpleasant one.

My fellow mayors and I see too many of our citizens living in crumbling buildings, unsafe and unhealthy, and we have neither the tools to repair those buildings nor the resources to replace them.

We see too many citizens becoming embittered because they cannot realize a dream that is commonplace to most Americans, the dream of owning their own home; and we, the mayors, have no way of realizing that dream for them. This, gentlemen, is only half of the housing problem. The other half is the plain fact that we cannot provide even standard rental units for our citizens.

We see our citizens on the streets, and in picket lines, and in our offices and our Council Chambers. And when they ask us what we're doing for them, the best we can say is, "We have tapped all our available resources. We're going to Washington to try to get some legislation."

Gentlemen, how much longer do you think we can tell them that?

In Pittsburgh, we have tried—within our limited resources—to uplift the lives of those citizens who are trying to break through the economic and social barriers which, thus far, have denied them full participation in our society.

We have created a \$6-million land reserve fund administered by our Urban Redevelopment Authority. The purpose of the fund is to acquire sites for low- and moderate-income housing.

The Redevelopment Authority has joined with the Pittsburgh Housing Authority and ACTION Housing, Inc., in an attempt to launch large-scale housing rehabilitation efforts.

ACTION Housing's 22-home rehabilitation experiment in Pittsburgh's Homewood-Brushton section has received nation-wide publicity and there are hopes to step up this program to 500 units per year with the support of private industry, lending institutions, and the FHA.

The City has approved the Homewood section as a conservation renewal project, calling for rehabilitation of 1,525 dwelling units in the next several years.

These are just some of the attempts we are making in Pittsburgh. I have not mentioned these to show you that I think we are getting the job done. The truth is that we are not. These efforts, however worthy and imaginative, are like trying to empty the ocean with a spoon.

In the City of Pittsburgh, 62 per cent of our housing supply is more than 45 years old and 22 per cent is deteriorating or dilapidated. This latter figure includes 35,000 deteriorating and 8,500 dilapidated units—as reported in the 1960 census.

Clearly, we in local government cannot do the job alone.

Clearly, we cannot do the job with the tools presently allocated to us by the federal government.

This is why I have come here today to speak in support of the Housing and Urban Development Act of 1968. I would like now to take a few moments to comment on some of the specific programs contained in the Act.

With your permission, I am going to divide these comments into two categories: First, the category of housing and, secondly, the tools to enhance the provision of housing.

Let me turn now to the programs I am listing under the first category, that of housing.

In commenting on the housing programs outlined in the Act, I would be remiss if I did not, first of all, urge the removal of unit cost limitations and tie the maximum costs to local building costs levels.

Another severe limitation to housing production is the unavailability of sites for housing projects.

As long as these two limitations exist, our major cities will be unable to provide a substantial number of housing units.

I will refer now to some of the specific programs.

HOME OWNERSHIP

For most Americans, home ownership is a natural event in the course of their lives.

For thousands of American families, however, the dream of owning a home is an economic impossibility. Many of them are crowded into dilapidated housing, doomed to move through their lives shuffling from one rented dwelling to another.

You have before you a proposal which can change the lives of many of these people by providing them with homeownership; not a giveaway program, but a proposal which levies responsibility upon the potential homeowner by demanding a specified percentage of his income for mortgage payments.

I am encouraged to see that this proposal wisely calls for the inclusion of debt counselling, financial management and other assistance vital to the new homeowner.

My fellow mayors and I are further encouraged by the insurance provision for non-profit corporations to acquire blocks of housing units, rehabilitate these units and sell them to individuals.

RENTAL AND COOPERATIVE HOUSING FOR LOW AND MODERATE INCOME FAMILIES

A number of families in Pittsburgh—and in other cities—fall into a kind of economic limbo as far as their housing needs are concerned.

Their income is not great enough for 221 (d) (3) programs. Yet, it is too high to qualify for public housing.

That is why the Conference of Mayors is supporting the Rental Housing Program which, by providing greater interest payments, will go far in assisting these families.

PUBLIC HOUSING

For several years now, the mayors of the nation have been asking for tenant services funding.

Therefore, we strongly support the program contained in the legislation before you. We believe that institution-like public housing will be made a great deal more livable through enactment of this program.

SPECIAL MORTGAGE INSURANCE ASSISTANCE

For some, only one barrier stands between them and home ownership. I am referring to eligibility requirements for mortgage insurance.

I do not believe that any man in America should be denied the right to own a home simply because he lives in a declining area. These are the very areas we are supposed to be helping instead of penalizing.

The Federal Housing Administration has taken great steps in the recent past to meet the need of insuring mortgages executed by persons unable to qualify for such insurance provided by existing programs. The Special Mortgage Insurance Assistance program would support the FHA in its endeavor.

The U.S. Conference of Mayors strongly support the special risk insurance assistance concept as drawn in the Act.

NEW TOWNS

As President Johnson has pointed out to the Congress, an estimated 40 million more Americans will move into cities during the next decade. This augurs of crowded slums and dense suburban areas unless another answer can be found—another place for people to live.

The New Towns concept offers such hope. It calls for self-contained, well-balanced communities where people can work, live, shop and send their children to school.

Gentlemen, the U.S. Conference of Mayors encourages the development of the New Towns concept within the central cities of the nation.

URBAN RENEWAL

As you know, urban renewal is a subject close to the heart of Pittsburgh local govern-

ment. I would, therefore, like to dwell a bit on this topic.

One of the basic problems in our cities has been the long delay which occurs between original renewal announcements and ultimate action. The provisions in Section 501, Title V of the Senate Bill, would tend to eliminate this delay and therefore add a great deal of credibility to removal programs planned and executed at the local level.

In addition, these same provisions would make it possible to plan the development of an entire neighborhood while, at the same time, executing such improvements as playground installation, acquisition and demolition of dilapidated buildings, street rehabilitation and other work projects.

These programs would be funded on an annual grant program which, as far as I am concerned, makes for a flexible renewal program—one that has been needed for some time.

I note that Section 502 proposes additional financial aid in fiscal 1970.

At the present time, there is a backlog of renewal project applications totalling approximately two billion dollars. This points out that even the increased authorization proposed in this bill is not adequate to really let the urban renewal program take off. I urge you, therefore, to increase the authorization for fiscal year 1968 (that's the current year) by \$1,000,000,000 and to increase the authorization for next fiscal year to \$2 billion from \$1.4 billion.

In my own city we have achieved some very effective results under the rehabilitation grant program. It is apparent that those results could be more remarkable if the present maximum \$1,500 grant could be increased from \$1,500 to \$2,500.

I also support Section 504 which covers the rehabilitation of larger numbers of units by local urban renewal agencies. Rehabilitation will become a more and more effective tool for the provision of decent housing for our citizens.

Section 506 would make possible capital grants assembling urban renewal open land to be used for the creation for low- and moderate-income housing. The need for such housing is self-evident. The land shortage in our great metropolitan areas is such that I believe Section 506 would be a great help.

Section 507 reflects the current money shortage. In those cases where a local renewal agency borrowed money on the current market at an interest rate in excess of the Federal lending rate, the Federal government would have the option of paying the interest differential or making a direct loan at the Federal rate, depending on the Federal money supply, and the Federal government would be free to make its choice. This is an example of a flexible and healthy approach to a practical problem.

I would also support Section 508, which would make possible earlier close-outs of projects with only small fragments of land remaining to be disposed, and I would enthusiastically support Section 509, extending rehabilitation loans through 1973, and at such levels as necessary to make the program meaningful.

In addition, I strongly endorse the proposed new program for interim assistance in slum areas.

Passage of this provision will give our cities the mechanism we need to make immediate short-term improvements in blighted areas of our communities.

I would add at this point a brief word on the Model Cities Program, which is an important adjunct to urban renewal. In 63 cities, and with more to come, planning is proceeding toward the development of proposals for the execution of Model Cities Programs. It is my experience that the expectations of other residents of Model City neighborhoods are rising because of their eager anticipation of the improvements to come which they, with the assistance of many technicians, are now planning.

While commenting on the Model Cities program, I should also like to inform you of my strong support of the neighborhood development program. This would give cities much-needed flexibility in the use of Federal funds to develop small portions of large project areas and thus provide fast, visible and effective assistance in the model cities areas.

COMPREHENSIVE PLANNING

A major national problem is the lack of adequate housing sites in central cities. Indeed, it is one of the most serious problems in the City of Pittsburgh.

The Comprehensive Planning Program envisioned here could play a substantial role in alleviating this problem.

URBAN MASS TRANSPORTATION

The problem of providing adequate transportation systems is an integral part of the overall effort to erase the crisis in our cities.

We are attempting to move in such areas as housing, new employment opportunities, and improved recreational and cultural facilities. If we are going to make these improvements, we will have to provide adequate transportation systems so that all our citizens can benefit from the improvements.

Local governments face grave financial difficulties in underwriting transportation.

By allowing the private transit operator to contribute to meet the local share, as provided for in Senate Bill 2700, the mass transportation program would be significantly more effective.

NATIONAL INSURANCE DEVELOPMENT CORPORATION ACT OF 1968—INSURANCE AMENDMENT

This brings me to an area of particular concern—the inner city insurance problem.

Last month, the Pittsburgh Human Relations Commission conducted its own hearings into the problem of insurance coverage in our slum neighborhoods.

The hearings, gentlemen, produced a parade of slum residents who gave a pathetic recital of their inability to insure their property against damage by fire, crime and other dangers.

The effects of this are twofold. First, the property owner is denied one of the basic economic protections in our free enterprise system. Secondly, the lack of insurance coverage contributes to the deterioration of the slum.

I consider the call for a national program to improve the availability of insurance protection to be one of the most important factors which you will weigh in judging the merits of the measures before you.

I strongly urge enactment of this amendment.

AUTHORIZATIONS

While I recognize that the Federal deficit is causing concern over funding levels, I must, at the same time state that the crisis of our urban areas cannot be overstated.

Obviously, it is going to cost money—lots of money—to correct the gross deficiencies in our cities and in the lives of many of their people. We are paying now for decades of neglect and we must face the reality that there is no cheap way out of this situation.

I strongly, most strongly, support the authorization request for Model Cities, Rent Supplements, Urban Renewal and other programs essential to meet the crisis.

The funds you are being asked to appropriate represent minimal figures. Any less would only cause further decay and blight and a continuation of intolerable housing conditions.

As I near the end of my testimony, Mr. Chairman, I respectfully request that several documents be accepted for the record of this hearing. They deal in greater detail with these programs and make further recommendations. They also represent policy statements of the U.S. Conference of Mayors.

I have tried in these few moments to express to you my sentiments on major pro-

visions of the Act, as well as my sentiments regarding the plight of virtually every American city.

Perhaps you have detected frustration in my appeal. I have not tried to hide this. The fact is that my fellow mayors and I are frustrated. To paraphrase one of them, we are being given band-aids with which to treat the sickness in our cities.

The sickness was well outlined a few days ago in the report of the National Advisory Commission on Civil Disorders. This report, I believe, may well take its place as one of the historic documents of our time for its pages contain the blueprint for salvation in Urban America. Conversely, to ignore the recommendations of this Committee is to turn one's back on one of the most pressing problems this nation has ever known.

Earlier, I lamented over the unhappy view which today's mayor sees from behind his desk. I can appreciate that the floor of the United States Senate is no bed of roses either.

I can appreciate that in making your considered judgments, you must look at the overall picture and establish priorities of funding.

I submit, however, that the atmosphere which pervades our cities today demands an effort of unprecedented proportions.

In the legislation before you, you have a beginning of that effort. Speaking for the mayors of the nation, I would say that failure to enact this legislation would be folly. Thank you.

Bill Brock Stands for Freedom

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. BLACKBURN. Mr. Speaker, soon this House may face the decision of whether or not to pass another civil rights bill. Included in this legislation will be an announcement demanding that Americans throughout the country give up another precious right which is absolutely essential under our constitutional guarantee.

My colleague and friend, the gentleman from the Third District in Tennessee, BILL BROCK, has courageously and with great clarity, pinpointed the vital issues which are at stake concerning the rights of an individual, to dispose of his property as he sees fit.

I know that the statement issued by BILL BROCK will be of great benefit to all of our colleagues here in the House, so today I am inserting into the RECORD an editorial of Tuesday, March 19, 1968, as published in the Chattanooga News-Free Press which applauds BILL's stand and his courage. This should be an example for all of us:

BILL BROCK STANDS FOR FREEDOM

With the Senate having completed action on a radical, unconstitutional, freedom-destroying bill to deprive private property owners of their right to determine the disposition of their own property, Rep. Bill Brock, with integrity and judgment and principle that the people of this area have come to expect and appreciate, has made a declaration that every American should consider with care.

Ignoring the political pressures, rising far above the sorry positions of Sens. Howard Baker and Albert Gore who supported the iniquitous bill, Rep. Brock has declared his

opposition as a part of the continuing fight to preserve Americans' individual freedom from governmental control. Let us consider his entire comment:

"Edmund Burke once said that 'people will never surrender their liberty except under some delusion.' In the next few days, the House of Representatives will consider legislation fostered and promoted by the delusion that government can advance the interests and general welfare of a few by demanding and compelling the surrender of fundamental and inalienable rights of all Americans.

"Compulsory federal open housing is a blue print for the erosion and ultimate destruction of the individual's right to the liberty of possessing and enjoying private property. Some advocates of the measure have even gone so far as to suggest that the Department of Housing and Urban Development be empowered to enforce the law's provisions by levying fines against those who have been administratively (without recourse to the courts) found guilty of discrimination. This sums up the contempt with which many so-called liberals view constitutional guarantees of 'due process of law.'

"If Congress has the legislative power now advocated—the power to invade and control the personal relationships and private transactions of individuals in the manner and to the extent here suggested—then there is no relationship between private individuals that cannot be regulated and controlled, which cannot be eroded and manipulated out of existence by an act of government.

"Those who support this legislation say that it is necessary to protect the right of every person to be free of discrimination on account of race, color, religion, or national origin, in the purchase, rental, leasing, financing, use and occupancy of private residential property. But, what it actually does is to violate a fundamental and inherent right which every individual possesses, regardless of race, color, creed, or national origin—the right to freely dispose of his residential property in accord with his own wishes and preferences.

"I will not be a party to such an action." Your freedom and Bill Brock's position may be defeated by Congress in this instance. We hope that will not be the case, but the odds will be difficult to overcome. This statement and this position taken by Rep. Brock should alert every American, however, to the dangerous encroachments that are more and more making our people vassals of the state rather than free men.

Time for Coal

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. SAYLOR. Mr. Speaker, anyone who reads Time magazine cannot help but be impressed with the quality and purpose of the National Coal Association's series of advertisements. They are institutional advertisements directed more at winning friends for the industry than in increasing coal sales.

As America moves into what is left of this century, the general public will come to appreciate the coal industry more each year. The pity of it is that there is far too little realization of what it means to all of us at this time. Without it more than a quarter of the Nation's homes would have no electricity and our principal manufacturing plants would be entirely inoperable. No more steel for build-

ing, for defense, for space research. No new automobiles, nor aircraft, nor ships. The moratorium would extend to cement mills and to countless other manufacturing industries. The quarter billion dollars and more received annually from overseas for coal sales would remain abroad to bring further embarrassment to our balance-of-payments position.

In my own part of the country—everywhere that coal is mined—collapse would come more quickly, for the business generated by our mines and mills is prerequisite to survival. Actually, no one would last much longer, because coal contributes to daily life in Boston and Chicago and wherever else there is need for a can of beans, a strand of wire, or a rubber tire.

The prospect of no coal is too horrible to contemplate. Thankfully, the 830 billion tons of bituminous coal available for our use and the men and the mines that stand ready to extract it provide pleasant perspective. With these resources the Nation can proceed to progress even as other energy reserves are exhausted.

As a recent advertisement points out, coal has had its share of critics, if only because there is a hackneyed belief that where there is coal fire there is smoke and fly ash. The additional pollutant, sulphur dioxide, is a somewhat recently discovered nuisance made popular by alarmist pamphleteers in the Department of Health, Education, and Welfare.

Critics are confounded, however, when they dare to enter the confines of a modern powerplant. Fly ash that once covered streets, sidewalks, porches, and windowsills is now removed by wondrous engineering devices before it leaves the stacks. Smoke has disappeared because of improved combustion techniques, and thus far not a single victim of sulphur dioxide has been located in the vicinity of a powerplant despite the frightening charges of Government-subsidized agitators.

There is also a cleanup taking place at steel mills, with industry pouring millions of dollars each year into facilities and equipment aimed at preventing both particulate and gaseous discharges from soiling the atmosphere. All of coal's customers, in fact, are utilizing the results of scientific advance to improve their standing in the neighborhood.

The Bituminous Coal Research, Inc., laboratory is presented in Time in dedication to industry critics, so the copy goes. Not content with the incredible progress already achieved in the quest for cleaner air, BCR scientists and technicians are applying full effort to further reduction of air contamination.

Several of my colleagues have accompanied me in my periodic visits to BCR at Monroeville, Pa. I invite anyone else who may be worried about the Nation's fuel supply of the future or the clean air supply of the present. In addition to their search for still less pollution, NCA and BCR are involved in every envisioned phase of coal's potential—an expedition that can and will lead to a better life for everyone for centuries to come.

Parallel Government: How Satyagraha Is

Done

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 26, 1968

Mr. RARICK. Mr. Speaker, chapter I of Krishnalal Jethalal Shridharani's book, "War Without Violence," sets forth in detail the 13 steps of the revolution leading up to the parallel government under the Gandhi theory.

Because the Gandhi movement is being taught and used against our Government and people daily, I feel our colleagues will find peculiar interest in a résumé of Gandhi's technique of Satyagraha and I include the condensation as follows:

1. NEGOTIATIONS AND ARBITRATION

The search for a peaceful solution as the indispensable first step in the strategy of Satyagraha has a twofold significance. In the first place, it emphasizes the fact that, though unfortunately disrupted for the time being, the disputants have a fundamental unity. It also emphasizes that the unemotional attitude of give-and-take is the ideal condition is not obtainable at the critical moment, the Satyagrahis hope to create it as a result of their non-violent direct action.

Over and above utilizing such legislative channels as are open to them, the Satyagrahis may enter into direct negotiations with the responsible party on the opposite side. Sending a deputation composed of influential and notable citizens to the proper authorities. Failing in either action, the Satyagrahis may seek arbitration by a third party...

When even arbitration fails to satisfy the demands of the Satyagrahis, the time is ripe for them to take the second step in the programme of non-violent direct action.

2. AGITATION

Generating "cause-consciousness" becomes the supreme aim of Satyagraha leaders at this stage of the movement.

Issuing pamphlets . . . circulating books and papers . . . are . . . activities of the agitators. Catchy songs and slogans upholding the "Cause," personal contacts, speeches, group meetings, debates and discussions also form a vital part of the propaganda activity. The use of modern means of communication such as the radio and the cinema is also included as an integral part of the machine of mass propaganda.

In case there is even an infinitesimal conflict in anti-Satyagraha ranks with regard to what stand their body should take, that conflict is now increasingly aggravated by the constant activity of the Satyagrahis. And at this stage . . . the Satyagrahic assignment is to disrupt the balance of personal and group loyalties in the opponent by psychological suggestions.

3. DEMONSTRATIONS AND THE ULTIMATUM

"Cause-consciousness" now seeks expression. Public meetings grow larger and larger. Schools and colleges, though under the control of the government, become undercover centres of Satyagrahic thinking and planning.

Satyagraha at this point is colourful, and "colour" leads to good publicity. Thereupon this publicity draws in more people. Party songs and party slogans are directed toward individuals who have not as yet been swayed. Uniforms are paraded and the youth of the community finds a new outlet for its energies.

Included in this stage of Satyagraha is the precipitous step of issuing an ultimatum. . . . A specific time limit is set for the government's fulfillment of these minimum demands. If the government does not change its position after the ultimatum the people, confident that they can make government impossible, embark upon direct action. Thus the ultimatum amounts to a "conditional declaration of war."

If this decisive phase of Satyagraha also fails to bring about a just settlement, the populace is then called upon to plunge into the more militant programme of direct action.

4. SELF-PURIFICATION

By taking upon themselves a part of the responsibility for "the wrong" they are fighting against, the Satyagrahis undertake a different line of attack from that of the revolutionists. Contending that the wrong might not have materialized but for their own submission, the Satyagrahis begin to change their own behavior and thought patterns.

5. STRIKE AND GENERAL STRIKE

From this point on, it is hard to present a progressive, step-by-step development of Satyagraha. Many of the phases of Satyagraha that are to follow are not the direct outgrowth of one from the other, but are, on the contrary, distinct instruments to be utilized either simultaneously or separately.

The strike as such is labour's instrument for the acquisition of a desired standard of treatment and living from the employer. Its place, therefore, in a political movement directed toward either amending or toward ending the government is not so obvious. But a closer scrutiny of our complex economic life will uncover a few places where modern forms of government are extremely vulnerable to the weapon of the strike. Attacking these vantage points through the instrument of the strike, consequently, becomes a part of Satyagraha strategy.

6. PICKETING

Picketing is the natural consequence of a strike. In the programme of the Indian Satyagraha, however, a strike is not the only signal for picketing. The latter has been evident many times in India independent of any strike. In most cases, picketing as a phase of Satyagraha has followed the boycott.

7. DHURNA—SIT-DOWN STRIKE

The success of the sit-down is due to the fact that no industry which sells its products directly to the public can afford to alienate public opinion. The general public is always opposed to violence and bloodshed in suppressing strikes, and unless these methods are utilized, it is almost impossible to break a sit-down strike. Dhurna, therefore, is the most dramatic way of influencing public opinion both when the effort is successful and when it is crushed.

8. ECONOMIC BOYCOTT

Boycott, as an organized programme of withdrawing and of inducing others to withdraw, from business relations with the opponent, is too well-known a weapon in the Western world to warrant a detailed analysis here.

9. NONPAYMENT OF TAXES

The call for non-payment of taxes ushers in non-violent direct action in its purely illegal, unlawful and seditious stage.

When a "no-tax" is attempted, the reactions of the state can easily be imagined. It strikes back at the Satyagrahis with arrest, confiscation of land plots and leases, confiscation of property, bank accounts and cattle.

10. NONCOOPERATION

The withdrawal of public support must mean an end of a political system. The community, as distinguished from the state, can render the latter powerless by not cooperat-

ing with it. Thus, noncooperation constitutes a potent weapon in the hands of the people in order to end an oppressive rule.

1. Surrender of all titles of honor and the voluntary giving up of all honorary offices.
2. Nonparticipation in government loans.
3. Boycotting of law courts by litigants. It would amount to the suspension of legal practice by lawyers and the settlement of civil disputes by private arbitration. It is conceived as a weapon for further lowering the prestige of the government as well as a starting point for a new authority.
4. Boycott of government school and colleges. This step would provide the movement with a crop of youthful recruits and at the same time check the influence of academicians.
5. Boycott of the legislative councils. Outstanding and able politicians would, as a consequence, come out to work among the people instead of wasting their time in impotent debates. By withdrawing from the legislatures, the leaders are likely to rob the government of such status as is bestowed by their participation.
6. Withdrawal from government service.
7. Withdrawal of men from the Army and

the police. The state, without the indispensable assistance of coercion would be virtually emasculated. Anti-militarism would further threaten the existence of the state should a coup d'etat be attempted.

10A. OSTRACISM

Ostracism, or social boycott, is a weapon of the community against its members who refuse to join in the general programme of noncooperation with the opponent. Thus he who refuses to non-cooperate is non-cooperated in turn. It is generally justified on the ground that by siding with the community's enemy he has forfeited all the privileges that are the result of community life.

11. CIVIL DISOBEDIENCE

By refusing to obey the statutes of the state, the Satyagrahis deny the existence of the established order. One by one, or simultaneously, the important laws and decrees of the state are broken, so that eventually the entire "rule" is uprooted. It is important, Gandhi has insisted time and again, that only unpopular and obnoxious laws be broken at the beginning of a Satyagraha. Only the breaking of unjust statutes attracts the sympathy of the general public and favorable world opinion.

No government is likely to allow a deliberate breach of any of its laws, much less a programme of disobedience. It will fight for its very existence. It will strike back with all the coercive measures at its command.

A government faced with civil disobedience would arrest and imprison all lawbreaking individuals and groups. The Satyagrahis, in that eventuality, have pledged not to defend themselves but are expected to accept the punishment willingly. But how many people can a state arrest?

12. ASSERTIVE SATYAGRAHA

During the operation of this measure, the Satyagrahis begin to discharge, partially at least, certain of the activities and functions of the state made stagnant by their own previous action.

13. PARALLEL GOVERNMENT

Parallel government is the full materialization of the programme of its immediately previous stage, viz. assertive Satyagraha. Herein the Satyagrahis establish a new sovereignty by replacing the established order. Parallel government is the community act of taking over all the functions of the tottering government, thus squeezing the established order out of existence.

SENATE—Wednesday, March 27, 1968

The Senate met at 11 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, in whose peace our restless spirits are quieted, from the flickering torches of our own understanding, we would lift the difficult decisions of the public service into Thy holy light.

We would bring to this daily prayer our inner selves, cluttered and confused where the good and the evil, the petty and the great, the wheat and the tares, are so entwined.

Grant us for the living of these days Thy enabling grace, that in our public service and in all our contacts this and every day we may live more nearly as we pray.

Gird our hearts to seek peace and pursue it, that the sadly Sundered family of mankind at last may be bound by golden cords of understanding fellowship around the feet of the one God—as nation with nation, land with land, in-armed shall live as comrades free; in every heart and brain shall throb, the pulse of one fraternity.

We ask it in the name of the One whose truth shall make us free. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, March 26, 1968, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on

March 26, 1968, the President had approved and signed the joint resolution (S.J. Res. 138) calling on the Boy Scouts of America to serve the youth of this Nation as required by their congressional charter.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States withdrawing the nomination of John P. Hanley to be postmaster at Wilmette, Ill., was communicated to the Senate.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the following committee and subcommittees be authorized to meet during the session of the Senate today:

The Subcommittee on Criminal Laws and Procedures of the Committee on the Judiciary.

The Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary.

The Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs.

The Subcommittee on Air and Water Pollution of the Committee on Public Works.

The Subcommittee on Government Research of the Committee on Government Operations.

The Committee on Interior and Insular Affairs.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Subcommittee on Housing of the Senate Committee on Banking and Currency be permitted to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Committee on the Judiciary be permitted to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. SYMINGTON. Mr. President, I ask unanimous consent to proceed for 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NATO TROOP REDUCTION AND VIETNAM—THE NEED FOR REALISM

Mr. SYMINGTON. Mr. President, yesterday, the able and distinguished junior Senator from Kansas [Mr. PEARSON] made a statement with respect to the withdrawal of troops from Europe. I would associate myself with his remarks and commend him for making them. Let me take a few minutes this morning to approach this problem from a slightly different viewpoint.

On February 27 I stated in the Senate that if the situation in Vietnam deteriorates, and if the troops the United States has in Europe are not utilized, "there will not be much more than a corporal's guard of trained men left in the United States to defend this country";