EXTENSIONS OF REMARKS

The Colorado River

HON. FRANK E. MOSS
OF UTAH
IN THE SENATE OF THE UNITED STATES

Thursday, April 25, 1968

Mr. MOSS. Mr. President, nearly half a century has gone by since Congress first passed a bill to divide the waters of the Colorado River. It was in August 1921, when the seven States of the Colorado River Basin were authorized to "enter into a compact for the equitable division and apportionment of the water supply of the Colorado River."

Now, 47 years later, the waters, in law, have been divided. Yet we have not succeeded in making them physically available to the entitled States. The authorization of impoundment and diversion and the appropriation of funds for such purposes will be matters likely to be before this body for years to come.

Today, I invite the attention of the Senate to a most useful article on this great river system. Written by a distinguished Arizonan—Lewis W. Douglas—it is carried in the noted publication of that State, Arizona Highways.

The career of Lewis W. Douglas has been both noted and varied—soldier, businessman, financier, State and Federal legislator, educator, supporter of philanthropic and cultural enterprises. For the Federal Government he has served as Director of the Budget, Deputy Administrator of the War Shipping Administration, and special adviser to the Military Governor of Germany.

His exposition of the physical features of the Colorado River and its matchless gorge, and of the complex controversy surrounding use of its waters by the semiarid lands for which it is the lifeline, makes both fascinating and informative reading. It is written by a man who knows with his heart as well as his mind the massive cliffs, the raging waters, the manmade lakes, the years of planning, and the legal jousting over the waters of the Colorado. The article will make a valuable contribution to present and future discussions of the Colorado River issue.

I ask unanimous consent that this valuable article, entitled "The Colorado River: From Its Sources to the Sea," be printed in the RECORD.

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

THE COLORADO RIVER: FROM ITS SOURCES TO THE SEA

(By Lewis W. Douglas)

PART I. A PHYSICAL DESCRIPTION OF THE COUNTRY DRAINED BY THE RIVER WITH EMPHASIS ON THE GRAND CANYON NATIONAL PARK'S UNIQUE SCIENTIFIC REVELATIONS AND IT'S MAJESTIC SCENERY

Over the span of almost a century the Colorado River and its phenomenal and, in places, awe-inspiring and unique features, as they have been discovered from time to time, have evoked many published articles and much controversy. More particularly have they produced in recent times a spate of beautifully written articles based upon the doubtful hypothesis that any dam, anywhere on the river between Glen Canyon and Hoover Dam (or the head of Lake Mead), would damage the majestic and indescribably beautiful sculpturing which has been molded by the forces of nature, and would mar, if not completely destroy, the scientific wonders and breathtaking grandeur which the Grand Canyon National Park reveals to the eye of the general public and to the careful analysis of the scientist.

At the very beginning of this article it should be noted, categorically, that the author, who knows the river and who has followed its course from the sea to the area above Glen Canyon, would be the first one to sound the clarion call to arms should anyone or any institution attempt to modify, alter, obscure, damage or in any manner mar any portion of the area situated within the Grand Canyon National Park and parts of the Grand Canyon National Monument.

Most of the written articles have implied that the entire river, or at least the length of the river from Glen Canyon to Hoover Dam, is similar in almost every respect. This has created confusion in the public mind and has frequently encouraged a debate which has often been acrimonious and passionate.

A careful and objective examination of the long stretch of the river suggests that it should be divided into five different segments of its attenuated and often tumultuous predam journey to the sea. Each of the five segments differs from every other segment. A treatment and discussion of the river within the context of the five different divisions of its varied and sometimes violent passage to the Gulf of California should go far toward clarifying the issues and toward erasing the confusion—at least among those who have no ulterior motive to serve and no hidden purpose to advance.

The first segment, which is an interesting, lovely and occasionally spectacular part of the Colorado watershed, commences at the many high sources of the river, including the Green, the San Juan, the Gunnison and many other tributaries. This upper portion of the river extends far to the south to a point approximately coinciding with the headwaters of Lake Powell in south-central Utah. This watershed area spreads over parts of the states of Colorado, Wyoming, Utah and, to a much lesser extent, New Mexico. It is an area which generates most of the water of the great river. In it there are many lovely valleys, secluded glens high up in the mountains, trout streams, perennial snow-capped peaks, gloriously attractive camping sites and occasional precipitous canyons that have their counterparts elsewhere in the crust of the earth within the continental United States.

Expressed in geological time, the region generally exposes the more recent and younger layers of the earth's surface. In some spots the drainage area has been punctured by the phenomena of volcanism, folding and faulting with accompanying displacement of the layers of the rocks that envelop the earth. On the high reaches of the river, which rise in places to more than 14,000 feet, there is ordinarily in the wintertime a heavy snowpack. This wide expanse of snow melts under the warmth of the spring and early summer sun and rains. The resulting runoff converts the river into a roaring torrent and a rapidly moving, mightly mass of rebellious waters that flow on their majestic way into the southern stretches of the river's course.

Until Glen Canyon and Hoover Dams were built, the Colorado ruled over the area with an iron hand. It brooked no interference with its path. It tolerated no obstruction to its riotous journey to the sea.

The second stretch of the river commences in the north from a point approximating the junction of the Green and the Colorado to a point on its course where Glen Canyon Dam backs up its waters to form the fabulously beautiful Lake Powell. The whole area is clothed by nature with a magnificence and grandeur of its own. The river winds generally through shales and sedimentary rocks, leaving the more recent and resistant parts of the yellow and pink and red sandstone formations separated from the river, often by long mesas. Here the river's rebellious waters have gouged a narrow and sheer gorge out of the older and harder rock formations. The extensive and generally barren mesas are studded with sage and other higher altitude desert shrubs. In places where the pink and maroon sediments have been most resistant to the sculpturing forces of wind and water, the long and gently rising slopes and plateaus, punctuated with sage and similar flora, extend to towering steeples not unlike Mont St. Michel. In places, the distant vertical yellow and vermillion cliffs have been eroded so as to form great windows, gothic arches, fantastic natural bridges and almost every conceivable form and imagery known to man. Often the more resistant formations have been bisected by tributary waters into great canyons that wind their way back into the surrounding multi-colored sandstones and other sediments.

Those who have seen this expanse, like the author, both before and after the construction of Glen Canyon Dam, almost unanimously believe that its beauties have been immeasurably enhanced by damming the waters of the river to form Lake Powell. That the lake is 180 miles long and has a shoreline of more than 1,800 miles is a measure of the serrated nature of the lake's borders and of the long, attenuated canyons which wind back from the main body of the lake. Many of the barren, unattractive slopes, extending as they formerly did from the river to the base of the sandstone cliffs and the isolated sandstone spires, have now been covered up with transparent water in which the ever-changing colors and shades of the cliffs are accurately and beautifully reflected.

Into the many steeply carved canyons the water, now uncontaminated by silt, extends in readily accessible, though tortuous and narrow, waterways between the vermillion and red walls of the sandstone which rise in many imaginable concoidal and other strange configurations above one's head until there can barely be seen, far above, a minuscular strip of the blue expanse of the heavens.

Hundreds of thousands of people each year can now see the magnificence of this area by cruising along the shores of the lake; whereas, before the dam was built and the lake was formed, only a scant hundred or more each year had the wherewithal or the fortitude to face the trials and tribulations of a long, arduous camping trip across a desolate landscape, and thus to penetrate into a veritable maze of canyons, plateaus, steep escapements and needle-like pinnacles in Navajoland. This stretch of the river holds many glorious and spectacular vistas which must and do strike with awe everyone who sees them.

It is perhaps true that some of the hieroglyphics on the walls of the standstones and a few walled habitations of old cliff dwellers of unknown age have been submerged by the rising waters of the lake. But, on balance, the knowledge which voyages on the lake has brought annually to hundreds of thousands of people of the forces of nature, of the grandeur of the area, and of its many remaining visible scientific features compensates for the infinitesimally small loss of the

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artifacts which are to be found, exposed and observable, in other parts of the Southwest. They are not, therefore, lost to the inquiring traveler or to the interested archeologist or anthropologist.

The third section of the river commences at Glen Canyon and extends to the mouth of the Little Colorado, about twenty-two miles below the Marble Canyon damsite. It terminates about 57 miles downstream from the Glen Canyon Dam itself and is all above the boundaries of Grand Canyon National Park.

Here the river has been stripped of its turbulence; its waters are generally clear and, except for a few rapids, are comparatively tranquil. Only when there is an infrequently large runoff from other tributaries like the Paria is the river quasi-unregulated. But even when these occasional tributary floods occur they are easily absorbed by the waters of the mainstream. Glen Canyon Dam on the upper end and Hoover Dam on the lower restrain and control a river that once was a riotous, turbulent and uncontrolled body of moving water, churning and grinding its way to its resting place in the Gulf of California.

Throughout this section of the river, the gorge with its precipitous banks has been ground out of the older (but not the oldest) formations, measured in terms of geological time. The rim of the gorge is a flat plateau of Permian age, extending for many miles eastward to the Echo Cliffs and many miles westward to what are known as the Vermillion Cliffs. Except as the right of access to the gorge may be impeded—a condition which can well and must be remedied—a dam at the Marble Canyon site, situated well downstream from the beautiful area of Lake Powell and well upstream from the Grand Canyon National Park, will add little, if any, regulatory control to those already existing. Nor will it inundate any scientifically attractive features where none of any note now exist—or, if they do exist at all, are duplicated in other parts of the Southwest.

This area, or the third segment of the river, has no special or unique beauty and no peculiar scientific features that are not reproduced elsewhere. It presents little, if any, legitimate claim upon the conservationist and no demand for preservation.

Just as Glen Canyon Dam has made the whole Lake Powell region far more beautiful than it was before the dam was built, so a dam at Marble Canyon, while damaging nothing of scientific significance, may make what attractions it does contain more available than they have ever been before. Many thousands of visitors may want to take advantage each year of a new lake on which they may travel by boat, enjoy fishing and see more clearly the almost perpendicular walls of the gorge.

The fourth section of the Colorado commences at a point on the river where the Little Colorado River enters the mainstream and extends to a point where it intercepts the western boundary of the Grand Canyon National Monument some 130 to 135 miles downstream. From one end almost to the other end of this stretch the real majesty of the river is exposed to view. Lieutenant J. C. Ives in 1857 was the first American in the annals of our country to explore what is now the floor of the Grand Canyon National Park.* His geologist, Dr. John Strong Newberry, saw what no scientist had ever seen before. His descriptions of the massive, eroded plateau of Northern Arizona and Southern Utah, as well as the titanic, exposed gorges of the Grand Canyon National Park, are among the most important works ever done about the geological features of the western part of our country. It wasn't until 1869 that Major John Wesley Powell and others in his expedition completed the first perilous descent of the river by boat and described the canyon as they saw it. One of the most beautiful articles on the river within the boundaries of the Grand Canyon National Park has been written by Mr. John Bird in the *Saturday Evening Post* of August 12, 1967. There are other publications of the Grand Canyon Natural History Association which, in greater detail, illuminate the geological and other phenomena, which make this segment of the river one of the wonders of the world.[1]

Adequately to describe this portion of the river is beyond the talents of any human pen. Many have attempted it but none has quite succeeded in catching its changing majestic beauty, its varied colored formations, its towering temples and pyramids, its deep and continuing shifting shadows, its many moods, and its spell of mystery, which the erosive forces of wind and water, by folding, faulting and volcanism have created.

The geological maps referred to in the preceding footnote show how this stretch of the river, and especially the portion that lies within the Grand Canyon National Park itself, exposes, as no other segment of the crust of the earth exposes, the various geological periods that bridge almost two billion years, or half the life span of the earth. They make man realize how microscopic a figure he cuts in the matrix of time.

To damage this part of the river—or any portion of it that extends from the northern rim to the southern periphery of the Grand Canyon National Park and from the junction of the Little Colorado with the mainstream to a point east of the western boundary of the National Monument—would be to commit an unforgivable crime against the majestically beautiful and gloriously sculptured rocks of the earth's surface by the irresistible might that nature has generated over a long stretch of geologic time.

It might perhaps be relevant at this point to mention one of the geological conundrums that has, over the course of the last sixty years, puzzled and bedeviled scientists and geologists. They have, until only a few years ago, been unable to develop any hypothesis which satisfactorily explains the perplexing geological differences between the Colorado upstream from the Little Colorado, on the one hand, and the extraordinary, two-billion year old cross-section of the world's surface that is stripped naked for all to see between the Little Colorado and the Toroweap Valley, far to the west.

At last, in 1964, a relatively satisfactory explanatory hypothesis was conceived by a group of twenty-one geologists who came together in Flagstaff. There they explained what before was unexplainable.

The explanation is not a complicated one. It suggests that in Cenozoic times and before there were two river systems or two lines of drainage. The one, which was called the Ancestral Upper Colorado River, flowed in a southerly direction until it reached a point approximating its present junction with the Little Colorado. Here it turned in a southeasterly direction and flowed into Lake Bidahochi and thence into New Mexico. The other drainage area was called the Hualapai and had its sources in what is known as the Kaibab Plateau, or Uplift. It was this great dome that raised almost the whole series of known rocks above the level of the Colorado and that separated the one system from the other. As the Hualapai drainage area, flowing westward, cut ever eastward into the uplifted earth's surface, it finally reached the Ancestral Upper Colorado, captured and imprisoned its waters and provided for them their present outlet through those layers of the earth's surface that extend from the most ancient known rocks of the Archean Period to the Quaternary. There are, of course, a few nonconformities which are explainable by the almost complete erosion of the Mesozoic strata and by the Pre-Paleozoic folding and tilting of the most ancient rocks of the earth's crust.

It was this diversion of the Colorado into its present course that exposed to the human eye the most extraordinary actual visual picture of the earth's surface that can be found in the world.

There is a geological map[2] which shows the various formations through which the Colorado has ground its way from the point at which the Hualapai drainage captured its flow of waters and gave them, as it were, an escape in a northwesterly direction, thence southward to the sea. This stretch of the river, extending from approximately the junction of the Little Colorado with the mainstream to Prospect Creek (near the western boundary of the National Monument) is the stretch of which Theodore Roosevelt said: "Leave it as it is. We cannot improve upon it. The ages have been at work on it and man can only mar it."

The fifth section commences from the point where the western boundaries of the National Monument intersect the river. It includes Lake Mead and the southerly march of the river to the Gulf of California. Just as it cannot be denied that the recreation area of Lake Mead adds to the pleasures of thousands of families, so it can be asserted that whatever of scientific interest lies in this stretch of the river is duplicated in numerous parts of the world and more spectacularly within the Grand Canyon National Park and National Monument themselves.

The final part of the fifth section of the river commences where the waters are discharged from Lake Mead. Here there is a magnificent canyon of striking beauty which is a continuation of the Hoover damsite. But so there must be in almost all locations which are susceptible to the construction of great dams. From this point to the sea, excepting for fascinating recreational areas in the vicinity of Lake Mohave, Lake Havasu and sanctuaries for wildlife, the river plows its uninteresting way through very pedestrian and even in places grim and uninviting desert environments. There are small areas along the banks of the river which can be irrigated. Some are within Indian reservations; some are being irrigated by the white man. Close to the boundaries of Arizona, Mexico and California there are located diversionary works for the All-American Canal, which feeds water into the Imperial and Coachella Valleys in California and the Yuma area in Arizona. Farther up the river at a point above Parker Dam there are diversionary works, a large canal and pumping plants which carry substantial amounts of water across the great desert of southern California, lift the water over the coastal range of mountains and plunge it down onto the Pacific littoral adjacent to Los Angeles and San Diego.

PART II. THE HISTORY OF THE COLORADO RIVER CONTROVERSY

The Colorado River rises high up in the Rockies, flows for over 1,300 miles into the Gulf of California, and drains an area of approximately 242,000 square miles.

Throughout the history of the Colorado—

* Escalante is reported to have seen it in 1776.

[1] For those who are interested in magnificently done fifty-foot contour maps of the Grand Canyon National Park and of the Marble Canyon plateau, the geological maps by Professor John H. Maxson and the publications by the Grand Canyon Natural History Association—particularly the *Grand Canyon, The Story Behind the Scenery*—illustrate beyond anything that has ever been done the characteristics of this stretch of the river. These geographical maps also punctuate beyond controversy the fact Marble Canyon contains no spectacular phenomena.

[2] See preceding footnote.

at least that portion of its history which is confined to its present course—the river during flood season has been a raging torrent. The runoff of the river has fluctuated violently within each year, and from one year to another. The floods created by the melting winter snows in the high Rockies and the other higher elevations in the drainage areas, combined with the runoff caused by precipitation and the "monsoon" rains during the spring and summer, made the Colorado a fickle, unreliable source of water to satisfy the ever-increasing draught on a diminishing supply.

As the Imperial Valley developed, demand for water for irrigation purposes from the Colorado increased. As the population in the Lower Basin states grew, the need for water to satisfy not only the agricultural requirements but the industrial and domestic uses, mounted steadily. In all of the states or the parts of states, excepting California—and even to a degree in California—what is known as the law of priority of appropriation (quite a different concept from the law of riparian rights) governed the acquisition of rights to the use of water. This law was generally common to all of those portions of the states within the two basins, barring California—but even in the southern part of that state it was recognized as a basis for claiming the usufruct of water. In 1922 in the case of *Wyoming v. Colorado* the Supreme Court held that the doctrine of priority of appropriation must be given interstate effect. Therefore, excepting for parts of California, the doctrine of prior appropriation, or "first in time, first in right," became applicable among the seven states of the Colorado Basin or system and within each of the seven states.

Accordingly, as the demands for water continued to expand more and more in California and the population of California grew at a phenomenal rate, the Upper Basin states became more and more agitated lest, because of California's greater abilities and more powerful political influence, she would apply to beneficial use—thus acquiring prior rights to the use of—the waters of the Colorado before the Upper Basin states could similarly acquire rights to those waters of the river which they felt equitably should belong to them. Arizona at a slightly later date also became very apprehensive.

After the *Wyoming v. Colorado* case, the fears of the Upper Basin states became greatly aggravated. Delph Carpenter, who was the Colorado River Commissioner for the state of Colorado, epitomized the situation in the following language:

"The upper states have but one alternative, that of using every means to retard development in the lower states until the uses within the upper states have reached their maximum. The states may avoid this unfortunate situation by determining their respective rights by interstate compact before further development in either state, thus permitting freedom of development in the lower states without injury to future growth in the upper."

As a result of these apprehensions and fears which were certainly not without solid foundation, the Congress, on August 19, 1921, pursuant to what is known as the "Compact Clause" of the United States Constitution, authorized the seven states of the Colorado River basin "to negotiate and enter into a compact for the equitable division and apportionment of the water supply of the Colorado River." The then-Secretary of Commerce, Herbert Hoover, was appointed as a special representative of the United States government to participate in the negotiations regarding this important matter. Each state designated its own representative to negotiate the terms of the interstate "agreement" or "compact."

The states were unable to agree on an equitable allocation of the waters to each one separately. Accordingly, Secretary Hoover intervened with a compromise, under the provisions of which 7.5 million acre feet of water a year were appropriated to each of the basins, with the qualification that the Upper Basin States would not cause the river to be depleted below an aggregate delivery to the Lower Basin of 75 million acre feet in any period of ten consecutive years. The point of division between the two basins was Lee Ferry, close to the Arizona-Utah boundary and one mile below the mouth of the Paria River.

The entire drainage area was divided by the Colorado River Compact into two basins: the Upper Basin consisted of the southwestern part of Wyoming, the western part of Colorado, the eastern half of Utah, a small portion of northwestern New Mexico and a small wedge in northeastern Arizona. The Lower Basin included a slim strip of western New Mexico along the Arizona boundary, all of Arizona excepting for the headwaters of the Yaqui River and a small portion in the northwestern part of the state, a narrow strip of southeastern Nevada, the southwestern corner of Utah, comprising the Virgin and Muddy River basins and a very thin slice of the most southeasterly part of California. California has no tributaries; she contributes no water whatsoever to the mainstream of the Colorado. It was generally understood and later affirmed that the allocation to the Lower Basin states excluded the waters of the Gila River.

On November 24, 1922, the Colorado River Compact, which apportioned waters to the two basins and which contained certain other provisions, was successfully concluded by the representatives of the seven states. It remained, however, for the legislature of each state and for the Congress to ratify.

It came before the Sixth Arizona Legislature in 1923, and, excepting for the position taken by Governor Hunt and a few of the members of that Legislature, the general sentiment initially favored ratification of the Compact. When, however, it became apparent that the Compact did not allocate waters to the state of Arizona but merely to the Lower Basin states collectively, that is to say, California, Nevada and Arizona, and when it became further apparent that California's abilities and political powers were so much greater than Arizona's as leverage for a federal project, or alternatively as the basis for a state-financed project, Arizona's apprehension in the State Legislature became prevalent and widespread.

It is not necessary to review the legislative history of the Compact in the Sixth Arizona Legislature. It is sufficient at this point to note that under the leadership of several members of the Senate and of the House the Compact was not ratified. To many members of the Legislature it became evident that revenue from hydro-power generated on the Colorado was one of the essential ingredients to the economic application of Colorado River mainstream waters to beneficial use within the state of Arizona, excepting for a small acreage around Yuma, the Imperial Valley, Coachella Valley and areas adjacent to the mainstream of the Colorado River Valley below Topock. This applied with equal force to the application of waters of the Colorado on the coastal plains of California. The necessary hydro-electric power revenue was later provided when the Boulder Canyon project was constructed. The revenues thus derived from hydro-power were to be used and have been used to amortize over a period of fifty years most of the cost of the Hoover Dam, without which the Metropolitan Water District would not be able to apply to beneficial use on the littoral of California the waters of the Colorado.

Several bills were introduced in the Congress authorizing the construction of projects on the Colorado for the benefit of California. Finally, the Boulder Canyon Project Act passed the House on December 21, 1928. The preamble was a Congressional declaration of its purposes: (1) to control the flood waters, (2) to improve navigation (although the river had not been navigable in the ordinary sense of the word for many years, and then only with many interruptions between Yuma and Ehrenberg), (3) to provide water for irrigation and other purposes, and (4) to generate electrical energy to make the project self-supporting.[3] Thus, by Congressional dicta, control over the Colorado was firmly vested in the Federal Government and several of its agencies. This is why Arizona must obtain a license[4] for a dam on the Colorado and why the Secretary of the Interior granted to Arizona a contract for the use of 2,800,000 acre feet of water.

In the Senate the bill was modified to limit California's use of the waters of the Colorado to 4.4 million acre feet. It apportioned to Nevada 300,000 acre feet, and to Arizona 2.8 million acre feet in addition to the exclusive use of the waters of the Gila River. It also allocated to Arizona and California, respectively, one-half of any waters in excess of the fifteen million acre feet that were apportioned to the two Basins. The legislation further required California by legislative action to agree to the limitation of 4.4 million acre feet of water from the mainstream before the provisions of the Act for the construction of the Hoover Dam at Boulder Canyon and the All-American Canal were to become effective. This requirement was promptly satisfied by the state of California, and the Boulder Canyon Project Act became effective by Presidential Proclamation on June 25, 1929.

Under the Act, the Secretary of the Interior "purporting to act under the authority of the Project Act, made contracts with various water users in California for 5,362,000 acre feet; with Nevada for 300,000 acre feet; and with Arizona for 2,800,000 acre feet of water from that stored at Lake Mead."[5]

It is not known why the Secretary of the Interior entered into contracts for the delivery of amounts of water which were greatly in excess of the 4.4 million acre feet of water to which California by her own Act had limited her right and which were allocated to her under the terms of the Boulder Canyon Project Act. But, at any rate, some 900,000 acre feet of water more than was apportioned to California as a matter of law and right were contracted for delivery to users in California by the Secretary of the Interior. It is assumed that California would be required to relinquish all title to this 900,000 acre feet if any development on the Colorado were undertaken which would enable Arizona to apply to beneficial use the 2.8 million acre feet apportioned to her. This explains why California—among other reasons—has been continuously so hostile to any developments on the river which would be of benefit to the state of Arizona.[6]

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[3] Interest at 4% was to be charged against the cost of the dam excepting that portion which was allocated to flood control. No interest was to be charged against the cost of the All-American Canal.

[4] In 1923, the author, together with Sen. Harold Elliott of Greenlee County, drafted the first Articles of Incorporation for a state-owned Arizona Power Authority. At their expense they proceeded to Washington to determine what attitude the Federal Power Commission, of which Secretary of War Weeks was the Chairman, would take in regard to any application for such a state-owned authority. The proposal was not received with any particular enthusiasm.

[5] U.S. Supreme Court decision, June 3, 1963, *Arizona v. California*. Dissenting opinions held that the laws of the states were to be applicable regarding the entities which were to be the ultimate consumers—not the authority of the Secretary of the Interior.

[6] In the Colorado River Association *News Letter* for February 1968, published in Los Angeles, there is the following language:

Although the Compact had become effective in 1929 among six of the seven states of the whole Basin and was binding in respect of the apportionment of water to California, Arizona did not ratify the Compact until 1943. This did not, however, dispose of the conflicting claims for waters among the three Lower Basin states.

In view of the absence of any apportionment of waters among the Lower Basin states, except for the terms of the Boulder Canyon Project Act and the self-imposed limitation by California, Arizona brought suit in 1952 against the State of California and seven of its public agencies. This complaint was filed, pursuant to the Constitution of the United States, in the Supreme Court. Later the states of Nevada, New Mexico and Utah were joined as parties to the complaint.

After the Supreme Court had held preliminary pleadings, the case was referred to George I. Haight, Esquire, and, upon his death in 1955, to Simon H. Rifkind, Esquire, as Special Master "to take evidence, find facts, state conclusions of law, and recommend a decree," subject, of course, to final approval or modification by the Court. More than 340 witnesses were heard; the testimony taken spanned several years. The Special Master finally reported his findings, conclusions, and recommended decree on January 16, 1961.

With some exceptions the Supreme Court approved the Special Master's conclusions and issued its preliminary opinion on June 3, 1963, which, after having been referred to the parties in interest, was affirmed by Decree on March 9, 1964.

The effect of the Supreme Court's decree was to apportion to California 4.4 million acre feet of water from the mainstream for beneficial use within that state, 2.8 million acre feet of water to the state of Arizona, 300,000 acre feet of water to the state of Nevada. The court excluded the waters of the Gila from the mainstream of the Colorado. The then-perfected rights to the use of waters were to be satisfied out of the apportionments made effective by the Court's decree.[7]

But the Supreme Court decision did not bring the controversy to an end. It merely transferred the struggle to the Halls of Congress.

For many years bills were introduced authorizing the Central Arizona Projects as a Federal undertaking. It was to consist of Hualapai (Bridge Canyon) Dam combined with diversion facilities on the Colorado near Parker and a canal with the necessary pumping plants to lift the waters over the topographical impediments to the flow of water from the elevations of the mainstream into the Central Arizona alluvial plains. There it was to be used for irrigation, domestic, and industrial purposes. With each passing year the Colorado River water became more and more necessary. The population was growing at a fantastic rate while the underground water supply was being continuously depleted.

But each year for one reason or another federal legislation failed to be enacted, despite the perennial optimistic statements made by the Arizona Congressional Delegation. Always Arizona would obtain her relief *"mañana."* But *"mañana"* never came.

Various proposals were offered. One contemplated the construction of a basin account into which revenues generated by a high dam at Hualapai and another at the Marble Canyon damsite by hydro-electric power were to flow and from which sums were to be withdrawn from time to time for the benefit of the Central Arizona and other projects. One of the proposals looked to a diversion of waters from the Columbia River in the northwest into the Colorado River Basin in the southwest in order to supplement the available supply furnished by the Colorado. This proposal was received with little enthusiasm among the Congressional delegations of the northwestern states.

But none of these proposals received the sanction of both Houses of the Congress. Meanwhile, the Arizona Power Authority, with the support, at first, of a somewhat divided Interstate Stream Commission, had developed a plan which contemplated one important difference from the Bureau's project. Instead of a high dam at the Hualapai (Bridge) site, the Arizona Power Authority plan provided for only a low dam, i.e., some 256 feet lower than the Bureau's proposed dam. *Great emphasis should be given to this important difference, because, while the Bureau's dam would back up waters well into the Grand Canyon National Park, the Arizona Plan would inundate not an inch of either the Grand Canyon National Monument or the Grand Canyon National Park. Nor would the Arizona Plan flood any phenomena of geological significance or any of the beautiful and unique exposures of the crust of the earth.* Yet the low Hualapai (Bridge) Dam would generate about as much *net* revenue as the high Hualapai (Bridge) Dam which was planned by the Bureau of Reclamation.

Suddenly, in 1964, after the Supreme Court decision had apportioned to Arizona 2.8 million acre feet of water from the mainstream of the river, and just as the Federal Power Commission, within whose jurisdiction the matter came, was on the verge of issuing and had actually prepared a license for the Arizona Power Authority to proceed at Marble Canyon, Senator Hayden introduced legislation in the United States Senate which imposed a moratorium on the emission of licenses—for any dam between Hoover and Glen Canyon—by the Federal Power Commission for a period of five years. This moratorium applied to all of the Colorado River within the boundaries of Arizona. The Arizona members of the House quickly endorsed the substance of the moratorium but shortened the period to two years. Presumably Senator Hayden was promised sufficient support for the Central Arizona Canal as a consideration for the moratorium. But the support, if it was promised, was never delivered.

Meanwhile, at and during each session of Congress, the people of Arizona were told that legislation authorizing the Central Arizona Project would be enacted shortly. But each year it was the same old story, *"todo el tiempo mañana"* (always tomorrow).

Several bills were introduced but none passed both houses. All contained some fatal infirmity for Arizona. Either they gave California a guarantee of 4.4 million acre feet of water or imposed what is tantamount to a perpetual moratorium on the issuance of licenses to Arizona by the Federal Power Commission, or both.

While the matter was being debated in the Congress, the conservationists applied themselves assiduously to the dissemination of many confusing and quite deceptive articles about the damage that would be done to the glories of the Grand Canyon National Park and National Monument by the construction of a dam at the Marble Canyon site or by a low dam at the Hualapai site.[8]

The almost complete absence of any damage that would be done to the magnificence of the Grand Canyon National Park and the National Monument or to their scientific phenomena by the construction of either a low dam at the Hualapai site or a dam at the Marble Canyon damsite or both has been dealt with in Part I of this article and need not be repeated.

To assert, as is being presently asserted, that the 4.4 million acre feet of water guaranteed to California is unimportant because there will be no shortage of water until about 1990 is to overlook several basic facts.

Whatever waters, if any, in addition to the waters that were apportioned to Arizona under the decision of the Supreme Court, may be developed by weather modification or the transportation into Hoover Dam of desalinized water from the coastal plains of California, will do no more than help (if they are economically effective at all) to satisfy the growing deficiencies which will have developed in the state of Arizona by the year 1990. Also, it should be noted that the suggestion that weather modification as a means of increasing the snow pack and of extracting from cumulus clouds another 2.5 million acre feet of water annually in the Colorado River drainage area rests upon a purely theoretical hypothesis.[9] The desalinization of sea water as an *economic* source of water rests similarly on a scientific hypothesis.

Having in mind the fact that the guarantee of 4.4 million acre feet of water annually to California *must come off the top of any waters available from the mainstream in the Lower Basin,* a consideration of the statistical measurement of stream flow becomes extremely relevant. In the report of Simon Rifkind, Special Master, for the Supreme Court in the case of *Arizona vs. California et al.,* on pages 108, 109, 116 and 117, the stream flow measured just below Hoover Dam and at Lee Ferry (the point of division between the Upper Basin and the Lower Basin) is measured, with some of the Master's observations.

From 1928 to 1958 the stream flow in acre feet, measured at Lee Ferry, has varied from a low of 6,116,000 acre feet to a high of 19,220,000 acre feet.

It is doubtful that the Glen Canyon Dam, combined with the Hoover Dam, can effectively equate these extremely variable flows. The difficulties of equation arise out of contracts for power, contracts for water, satisfying existing perfected rights and a variety of other considerations which include *the 4.4 million acre feet of water contemplated as a guarantee to California.*

It is relevant to note too that in the Senate Committee on Interior and Insular Affairs Hearings, May 2–5, 1967, there is a footnote to the effect that the average expected flow for the Central Arizona Project by 2030 would be 658,000 acre feet. The same footnote makes the statement that the *assured* amount of water for any one year is half the expected amount for the same purpose. These are estimates made by the Bureau of Reclamation itself.

It is significant that the Master took cognizance of the wide variation in the amount of water that flowed annually into

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Probability that there will not be enough water in the river to meet increased demands from new projects is fundamental. The ten million Southern Californians who depend upon the river for 80% of their current needs argue that they already have made a sacrifice of water rights. *In order to effect the Colorado Compact,* California years ago limited its rights. California has contracts with Federal authorities to take 5.3 million acre-feet and now diverts about 5.1 million acre-feet to meet its annual needs.

Should new works be built on the river to serve other states, California points out that 700,000 acre-feet a year which is used now will be denied California by the cut from 5.1 to 4.4, a loss which would half-dry the aqueduct on which they spent $500 million. In years when the flow of the Colorado River is below average, the aqueduct could go completely dry unless protection is given California's *prior right* to take 4.4 million acre-feet before newcomers impose their demands on a short river.

[7] This is a simplification of what the Court decided. Except for a few modifications which might arise out of unforeseeable developments, such as a drought period, this is the substance of the decree.

[8] They make no distinction between a low dam at the Hualapai (Bridge) site and a high dam.

[9] The author was for several years a member of the Weather Modification Committee established by the Federal Government.

the Lower Basin. When there is subtracted the amount of water that is presently being used in the Upper Basin and that will be used in the foreseeable future in the Upper Basin—something approximating 5 million acre feet—from the amount of the stream flow measured at Lee Ferry, it becomes perfectly clear that a guarantee of *4.4 million acre feet of water for each year, taken off the top of the stream flow,* could produce disastrous results for the State of Arizona. It matters little whether the guarantee is given for a period of ten years or a period of fifty years. The longer the period, the greater is the deficiency in the amount of water available for the Central Arizona Project.

The evidence submitted to the Sub-committee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs, House of Representatives, March 13, 14, 16, 17, 1967, confirm the conclusion that during many *individual years* there will be a shortage of water for the Central Arizona Project prior to 1990. This conclusion is arrived at by subtracting from the flow of the mainstream the present and contemplated uses of water in the Upper Basin, the perfected rights in the Lower Basin and the *guarantee to California which must be honored first before waters are available for the Central Arizona Project.*

There are others who take a different view of the guarantee. They are prepared to brush aside as unimportant what appear to be the great risks that are revealed by a careful examination of the *annual* mainstream flow of the Colorado measured at Lee Ferry and the amount of water that may be at the disposal of the State of Arizona in any one year after making the deductions which have been enumerated previously.

At any rate, it is at this stage and with this very important question, combined with what is equivalent to a moratorium in perpetuity on the granting by the Federal Power Commission of any licenses to the State of Arizona to construct a dam at either Marble Canyon damsite or a low dam at the Hualapai site, that the matter now rests in the Congress.

A plan for the benefit of Arizona has been developed by the Arizona Power Authority and the Interstate Stream Commission. This is known as the Arizona Water and Power Plan. It consists of the emission of revenue bonds for the construction of the Central Arizona Project, two hydro-electric pump storage projects, and, initially, a small increase in consumption taxes, as a subsidy pending the issuance by the Federal Power Commission of a permit for a dam at Marble or a low dam at Hualapai, or both. Should the Federal Power Commission fail to issue licenses for either Marble or low Hualapai dam, the revenues from this small increase in consumption taxes will grow as the state continues to grow. This plan, excepting for the increase in taxes, was endorsed by the Arizona Legislature.

One of the most competent engineering firms in the country has been retained for several years by the Arizona Power Authority. It estimates that with a low dam at Hualapai and a dam at Marble Canyon—neither of which whittles way at or impairs either the Grand Canyon National Park or the National Monument—the Arizona Plan will, after the *revenue* bonds have been extinguished, *produce approximately 45 to 50 million dollars in net revenue annually for disposal by the Arizona Legislature.*

But, three of the five members of the Congressional delegation or their representatives, when they heard of the proposed action by the Arizona Legislature to impose the small consumption taxes flew posthaste, in mid-February, to Arizona to plead that action by the State would damage their efforts to persuade the Congress to authorize a Federal Reclamation project which would consist of a Central Arizona Canal and a substantial subsidy to a thermo-electric generating plant in the northern part of the State. This plan. however, would not produce surplus electric revenues to help pay the cost of the Central Arizona Canal. *The Federal taxpayer will foot a large part of this bill.*

This is, among others, a very important consideration that all of Arizona should weigh carefully. Under ordinary Congressional procedure a bill authorizing an expenditure is a necessary preamble to an actual appropriation of funds. Congress ordinarily, therefore, must act twice before any project can be taken as a certainty. In this case, even though the Congress should authorize a Central Arizona Project without disabling provisions such as a guarantee to California of 4.4 million acre feet of water—an eventuality which seems quite unlikely when viewed against the backdrop of past history and California's use of 800,000 to 900,000 acre feet of water in excess of the amount apportioned to her—Arizona must continue to wait—possibly many years—until the Congress actually appropriates the necessary funds for the construction of the Central Arizona Project. The magnitude of the present budget of the federal government and its large deficit naturally raise serious questions as to when, if ever, Congress will appropriate the required sums to initiate and complete the project.

In order to protect the State of Arizona from this peril and others and in order to lift the tax burden off the back of the Federal taxpayers, it is to be hoped that the Arizona Congressional delegation will succeed in insinuating into the present bill under consideration a proviso that nothing in the language of the bill will be interpreted to be or invoked as an impediment to the emission of licenses for either a low dam at the Hualapai site or a dam at the Marble Canyon site, or both, by the Federal Power Commission and the completion of the Arizona Water and Power Plan. Without this safeguard Federal authorization will effectively pre-empt a Federal project as against a State project.

Meanwhile, time runs constantly against Arizona. The water supply continues to decline. The future growth of the state may become problematical [10]—possibly retarded—so long as clouds continue to cast deep shadows over the adequacy of Arizona's future sources of water.

At the time this goes to press, Arizona is confronted once more with her ancient problem.

PART III. THE DEVELOPMENTS ON THE RIVER IN THE LOWER BASIN

Before the white man came to the Southwest there were doubtless primitive irrigation systems along the course of the Colorado below Black Canyon where Indian tribes had settled along the narrow but fertile valley. It is quite likely that the Yuma (including the Quecham Indians) and the Colorado Indians had developed very simple diversionary works to take the waters from the Colorado on to the lands of the river bottom which they were cultivating. Certainly it is known that the Pima Indians had developed quite a sophisticated system of irrigation along the Gila in the vicinity of the Casa Grande Ruins.

Among the first white people to use water from the Colorado for the cultivation and growth of crops were those who had located in the vicinity of Yuma and who irrigated a small acreage on the lower elevations below the mesa.

Ft. Yuma was established in the middle of the last century. Steamboats of shallow draft navigated the river as far as Yuma in 1851 and made their interrupted voyage upstream as far as Ehrenberg. Thomas H. Blythe, for whom the town of Blythe is named, moved to the Palo Verde Valley along the Colorado River in 1856 and was one of the first recorded users of Colorado River water for irrigation purposes. The Federal Government first attempted to reclaim lands on the Colorado River Indian Reservation in 1867.

At some time during the latter part of the last century and the early part of the twentieth century, settlers came into the Imperial Valley in California. They constructed, in 1902, diversionary works on the Colorado and a canal which transported waters from the Colorado largely through Mexico and back into the United States to irrigate the lands which they were then cultivating.[11] It was while these diversionary works were being repaired and a temporary diversion facility had been constructed upstream that a flash flood on the Gila—not the Colorado—tore through the alternative diversion break in the banks of the Colorado and caused the whole stream thereafter to flow into the Imperial Valley and to create the Salton Sea. It was not, it should be noted, a flood from the Colorado which *initially broke through* the main banks of the river.

The flow of the Colorado into the Imperial Valley and the Salton Sea, which was below sea level, was finally brought under control by the action of the Southern Pacific Railroad and the heroic measures which it took to prevent the river from continuing on its destructive course and to return it to its normal channel. It was this flood which gave rise generally to the great demand for flood control on the Colorado.

The prejudices against the privately owned public utilities caused by the misbehavior of some of them created a political climate favorable to federal legislation. Moreover, the pressures for controlling the floodwaters of the Colorado, which had been generated and aggravated by the experience which formed the Salton Sea, combined with the ever-increasing demand for water on the coastal plains of California, and what was then considered to be a project larger than any one state could undertake, gathered support like a snowball for the passage of the Boulder Canyon Project Act [12] to achieve the four purposes of:

1. Controlling the floods.
2. Improving navigation (although the Colorado River Compact itself declared navigation to be subservient to other uses) and regulating the flow of the river.
3. Storing the waters of the river and delivering them for reclamation and other beneficial uses within the United States.
4. Generating electric energy as a means of making the project self-supporting and financially solvent.

It also authorized the construction of the All-American Canal to transport waters into the Imperial and Coachella Valleys, respectively. The diversion works on the mainstream that were to direct the waters into the All-American Canal were to be either the Laguna Dam or some alternative diversionary works which would, subject to the judgment of the Secretary of the Interior, "the better to serve the purposes for which the legislation was enacted." The Imperial Dam was, accordingly, subsequently constructed. The waters diverted by it were transported by the All-American Canal into the Imperial and Coachella Valleys in California and were also dropped through the siphon which had existed in connection with the Yuma Project to service the perfected rights in and around Yuma on the Arizona side of the river.

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[10] The author knows of at least one substantiated industry which would have come to Arizona had a water supply of good quality been assured.

[11] By 1904 some 8,000 people had settled in the Imperial Valley in California.

[12] This legislation was discussed more fully in the previous part of this article which deals with the controversy over the Colorado River.

Later there was constructed on the river the Parker Dam and the Davis Dam. Both are operated by the Federal Government as the Parker-Davis Project. There is installed capacity to generate 120,000 kilowatts at Parker and 225,000 kilowatts of hydroelectric energy at Davis. Half the power generated at the Parker Dam, that is to say about 60,000 kilowatts, is absorbed by the Metropolitan Water District for the purpose of pumping waters over the coastal range, thence to flow by gravity to the areas around Los Angeles and San Diego. The other half of the power generated at the Parker Dam is absorbed into the Reclamation Service power grid. The cost of the Parker Dam and the Metropolitan Water District Canal with its ancillary facilities was defrayed by the emission of bonds secured by the organized Metropolitan Water District of California.

Davis Dam, which is a part of the Parker-Davis Project, was originally installed further to regulate the waters of the Colorado to satisfy the provisions of the Mexican treaty of February 3, 1944.

In addition to the hydroelectric power which was generated and the additional regulation which it provided, Davis Dam created a lovely and attractive recreation area and caused the formation of Lake Mohave.

Parker Dam also created Lake Havasu, which is similarly used for recreational purposes and is adjacent to the Havasu development. Both these areas attract many thousands of people each year, where they may boat and swim and fish and enjoy all the water sports.

After the Boulder Canyon Project Act there was also constructed the Headgate Rock Dam. This dam generates no power, but it services the Colorado Indian Reservation in California.

Below the Headgate Rock Dam and upstream from the Imperial Dam, there is the Palo Verde Dam, which is the diversion facility that services the Palo Verde irrigation district around Blythe on the California side of the river.

Below Yuma there is the Morales Dam, which was built by Mexico, to give effect to one of the provisions of the Mexican treaty.

On the California side of the river there is a small pump storage project into which waters released from Lake Mead surplus to immediate needs, are pumped and from which water is released in order to meet the varying day-to-day demands upon the river at Imperial Dam. This is called the Senator Wash Dam and generates a small amount of power.

Similarly, an insignificant amount of power is generated along the All-American Canal and elsewhere in other facilities. But the amount of power is so unimportant that it is not worth mentioning.

The waters that are reserved under the Supreme Court decision for the Chemehuvei Indian Reservation are relatively small in amount. The lands have seldom, if ever, been irrigated. They are situated in California between Parker Dam and the Fort Mohave Indian Reservation.

The waters that are reserved for the benefit of the Fort Mohave Indian Reservation are substantial in amount, though no irrigation to speak of has ever been undertaken on this portion of the public lands reserved for the Ft. Mohave Indians. The Reservation is situated in the three states in the area where the southwestern Nevada boundary intersects the Colorado River.

The Yuma Indian Reservation is situated in California although it includes the "Yuma Homesteads" irrigated under the Yuma Project in Arizona. The facilities in the vicinity of Yuma—the Imperial Dam and the Laguna Dam—service this reservation.

The largest reservation of Indian rights to be satisfied under the provisions of the Supreme Court decision applies to the Colorado River Indian Reservation. The Headgate Rock Dam services this particular irrigable portion of the bottomlands of the Colorado River and is located largely on the Arizona side of the river.

The Cocopah Indian Reservation is situated in Arizona, southwest of Yuma. The amount of water which it requires and which has been reserved for use on its land is unimportant.

The Imperial Dam, in addition to diverting waters for the Imperial and Coachella Valleys and the much older Yuma Project, is also used as a diversion facility to supply waters for the Gila Project, which includes the Yuma-Mesa Project, the Wellton-Mohawk Project and the North and South Gila Valley Projects. These are the only areas for which facilities have been made available along the Colorado River for the benefit of Arizona, either by the Federal Government or by the Arizona Legislature.

To sum up the way in which the 2.8 million acre feet of water apportioned to Arizona for consumptive use by the Supreme Court are to be distributed, the following table will be illuminating:

	Acre-feet
Apportioned from main stream	2,800,000
Indian uses	381,000
Federal non-Indian reservation wildlife and hatcheries	50,000
Projects:	
Old Yuma	173,000
Yuma-Mesa, Wellton-Mohawk, and north and south Gila Valley	600,000
Miscellaneous	15,000
Total main stream uses	1,219,000
Leaving for beneficial use within State of Arizona from main stream	1,581,000

There is, pending in Congress legislation which would authorize the Central Arizona Project. This legislation has passed in the Senate and is in the House, where it has been referred to the Committee on Interior and Insular Affairs. A sub-committee has marked up a bill for consideration by the full committee. It authorizes the Central Arizona Project and includes, for an unspecified period of time, a 4.4 million acre foot annual guarantee to California. It also authorizes a thermal plant, partly owned by the Federal Government, near Page and charges such waters as may be used in the plant against the apportionment of waters to Arizona. It contains many other provisions which seem to be inimical to the interests of this state, including, among others, language which can be interpreted to be a perpetual prohibition against the construction of any dam on the Colorado within the boundaries of the State of Arizona which otherwise might be licensed by the Federal Power Commission.

Arizona has a contract with the Secretary of the Interior for 2.8 million acre feet of water from the mainstream from which present perfected rights and rights in Arizona reserved under the Supreme Court decision are to be satisfied. The project referred to in the previous paragraph is designed to enable Arizona to apply to beneficial use in the central plains of the state the balance of the water which has been apportioned to her under the Supreme Court decision. Whether the various provisions of this legislation presently pending before the Full Committee on Interior and Insular Affairs will actually provide Arizona—after the satisfaction of all perfected rights, the *guarantee to California* and other adverse provisions of the Act—with an adequate water supply is a very debatable question. A careful and objective analysis by competent hydrologists suggests that for *many specific years prior to 1990* there will be a significant deficiency of water for the Central Arizona Project after, of course, the guarantee to California of 4.4 million acre feet has been satisfied, present perfected rights have been honored and Upper Basin projects developed.

The Arizona plan which has been discussed in Section II of this article, since it is part of the controversy over the Colorado, is a possible alternative in the event the Congress fails to enact satisfactory legislation which will provide Arizona with an adequate supply of water to resolve at least a substantial part of her water problem.

Work on the Arizona Plan, although it has been meticulously engineered and carefully prepared, has not as yet been commenced. And besides, although the Secretary of the Interior has granted a contract for 2.8 million acre feet of water, he has refrained from granting to Arizona any finite easement across the public domain and has not designated a specific point of diversion on the mainstream of the Colorado. Except for a small increase in the consumption taxes necessary to subsidize the waters, the plan was approved by the State Legislature in 1967. A more complete summary of the plan. combined with the objections to it voiced by certain members of the Arizona Congressional delegation, is contained in the second part of this article.

This is a brief resume of the developments which have taken place in the lower basin and of those that are contemplated, either pursuant to federal legislation or, failing a satisfactory federal project, pursuant to the Arizona plan. Glen Canyon Dam and Lake Powell are within the upper basin states.

It is interesting to record that in the early twenties an application for the construction of a hydroelectric dam at Diamond Creek was submitted to the Federal Power Commission by certain individuals, for whom James G. Girand was the engineer. This application was never approved by the Federal Power Commission and the dam was never built.

During the 20's and the early 30's, when the debate was at white heat about the propriety of ratifying the Colorado River Compact and when legislation in Congress for the benefit of California was being argued, one of the issues was public power vs. private power. This issue was particularly persuasive because of the doubtful actions taken by the management of certain private power interests. *Today, however, the issue is not one of private power vs. public power; the issue in respect of the Arizona plan is one of state public power vs. federal public power.*

To those in Arizona this issue should be particularly important and should be reviewed with particular care. The Arizona Power Authority and the Interstate Stream Commission are creatures of the state of Arizona and subject to the will of the people of this state. The Bureau of Reclamation is beyond the reach of the Arizona Legislature and the citizens of this state. Against it the state has no recourse; from its decisions the state has no appeal except to the halls of Congress, where Arizona's five electoral votes are vastly outnumbered by California's massive votes.

These fundamental differences between a state project, difficult as it may be, and a federal project, which at the time this goes to press, appears to be most unlikely, should be meticulously examined by the people of this state, for the first is subject to their will and the second is far beyond any controls which they may wish to establish. It is, of course, acknowledged that the Arizona Water and Power Plan must be operated in coordination with the Federal projects on the Colorado.

By May of this year, or by the time this article sees the light of day, there should be more clearly silhouetted the probable actions that Congress may take or fail to take in regard to the Central Arizona Project. It is not beyond the realms of possibility that

there will be enacted legislation for the alleged benefit of the State of Arizona containing fatal infirmities and which certain members of the Arizona Congressional delegation may herald and acclaim as a great victory. But if any legislation contains the 4.4 million acre feet guarantee to California and other infirmities—including what is tantamount to a moratorium forever on the emission of licenses to the Arizona Power Authority in areas which will not damage or impair the majestic beauties of the Grand Canyon National Park or the National Monument—then it may, upon careful analysis of stream flows, turn into a Pyrrhic victory of what appears at first blush to be a successful conclusion of a controversy which has stretched over almost half a century.

Should this, unhappily, be the situation which the people of this State then face, they should consider objectively the Arizona Water and Power Plan which has been so carefully worked out and which can be financed without hypothecating the general credit of the State.

It is, accordingly, imperative that if the people of this State are to enjoy an option for an infirm and inadequate bit of Federal legislation, there be included in any Federal bill language which does not prohibit implicitly or otherwise the Federal Power Commission from emitting licenses to the Arizona Power Authority for a low dam at Hualapai, a dam at the Marble Canyon damsite, or both, and for the construction of the Arizona Water and Power Plan.

The future of the State depends in large measure on how this great issue is to be resolved. This may be our last, best chance.

The Teachers Corps

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. SCHEUER. Mr. Speaker, the Teachers Corps is making an outstanding contribution to American education and its current request for funds should be supported.

The Teachers Corps is serving needy children in 12 schools in New York City, including my own district and that of other Congressmen. There are 66 intern teachers being supervised by 12 team leaders. I would like to compliment these young, dedicated people for performing splendid work in areas of real need.

The Teachers Corps is a national effort to improve educational opportunities for children from low-income families. It seeks to attract able college graduates to teach in poverty-area schools. At present there are more than 1,800 interns teaching in 29 States, Puerto Rico, and the District of Columbia. Teacher interns receive $75 a week plus $15 for each dependent. While teaching and working on community projects, the intern attends a nearby university and studies toward a master's degree and teaching certificate.

Beyond teaching, however, the intern gets involved in the life of the community. In New York City, for example, the interns make home visits to the parents of the children they teach; operate a language assistance center for Puerto Rican families and conduct cleanup programs. In the summertime they become involved in constructive programs for children.

In praising the work of the Teachers Corps, Bernard Donovan, the superintendent of schools in New York City said:

Our experience this year already indicates that the interns constitute a valuable resource for the enrichment of education and that the training received by Teacher Corps interns is extremely valuable in enabling them to better cope with the problems of teaching disadvantaged children. Also our school system is being provided with a reservoir of additional teachers.

The Teachers Corps is a new development in American education. The intern begins to grasp some of the serious problems that afflict our cities through his teaching experience and home visits. By its participation the university becomes involved in community life in the areas of most need. In New York City, the participating institutions of higher learning are: Hunter College, New York University, and Queens College.

Although the Corps is funded 90 percent by the Federal Government the control of this program is in the hands of the local school district. The members are employees of the school system where they work. They are hired, fired, and reassigned by the school's authorities.

The "Report of the National Advisory Commission on Civil Disorders" had this to say about the Teachers Corps:

The teaching of disadvantaged children requires special skills and capabilities. Teachers possessing these qualifications are in short supply. We need a major national effort to attract to the teaching profession well-qualified and highly motivated young people and to equip them to work effectively with disadvantaged students. The Teacher Corps is a sound instrument for such an effort.

It is interesting to note that, in its 2 years of existence, the Teachers Corps has had 15,000 applications from American college graduates willing to devote themselves to teaching in the slums. Because of its small budget it was only able to hire 1,800 interns and team leaders.

This outpouring of response must be met in the future. Not only should the Teachers Corps be continued but it should be expanded to meet the great need in the Nation's cities and rural areas. I support the current appropriations request for $31.2 million to add 1,500 new corpsmen this summer.

The appropriations for the Teachers Corps fiscal 1969 is now being considered by the Congress. I will support this commendable program and I urge my colleagues to offer their support too.

The Violence Which Grips America

HON. CLIFFORD P. HANSEN

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Thursday, April 25, 1968

Mr. HANSEN. Mr. President, an editorial published in the Rocky Mountain News of April 22, 1968, discusses some of the problems we now face in the aftermath of rioting and destruction in the Negro communities of America. In a reference to police protection in ghetto areas, the editorial asserts:

But the friendless poor are belittled and pushed around when all is calm. When their homes are set afire . . . authority denies them the equal protection of the law because if the law moved in promptly on the arsonists somebody might get hurt.

Despite repeated assertions of police brutality by a vocal and exceedingly small minority, growing evidence indicates that disapproval with police behavior and performance results most frequently from failure on the part of law-enforcement officials to provide adequate protection uniformly and universally of any man's life, person, and property.

The best way for city government to dispel the notion that our peace officers cannot or will not maintain peace is to maintain police forces adequate to the task and assist them in discharging their duties.

This summer, we will see either more violence, with destruction blackening ever-widening areas of America's cities and more of her citizens needlessly dying; or we will see Americans working together to rebuild, build anew, and restore peace and opportunity.

The fate we will inherit is not beyond our control. A number of steps have been proposed by Congress and the administration. Central to the success of each of these, though, is adequate police protection for all citizens.

I would be the first to admit that there are many deep-rooted problems involved in this violence which grips America. But unless we restore law and order, we are likely to be dealing later with the rubble and ashes of riot-ridden, blood-stained streets, having already lost the opportunity we had to improve on what we have.

The policeman needs our support. He cannot function well without our esteem. But for some to accept these premises will not insure that others will recognize their continuing validity.

What is needed now is the strong reassurance that only law enforcement can give frightened people. Most ghetto inhabitants are angry and keenly disappointed with the role of "the typical cop"—not because of the physical excesses some accuse him of, but because his presence has not brought adequate protection to all citizens.

As the editorial puts it:

Unemployment and failure to enforce the criminal laws without fear or favor are, in our view, at the core of the so-called negro problem, which is better termed a poor folks problem.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

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

YOU CAN'T INTEGRATE WITH RELIEF CHECK

The idea that the riots are a cry of despair from the Negro slums is persuasive theory, eloquently expressed by such zealots as the Rev. James E. Groppi of Milwaukee. But it is not exactly in line with some of the facts.

In city after city those arrested in the riots have included many who certainly couldn't be numbered among the poor and oppressed. In Washington, D.C., for instance, all but a minor percentage of those arrested for looting had steady jobs, a number of them with the Federal Government. Most had finished high school. There were several college students.

This doesn't greatly help to explain the riots which often appear to have been started by children breaking windows, giving criminal types an excuse to loot and burn and finally sucking in the emotionally unstable, a great many of whom never had been in trouble with the law before.

Official permissiveness, allowing the riots to gain momentum, is perhaps an unconscious form of race prejudice which deals lightly with crime in the Negro sections, in and out of riots. In these riots it has been "only" Negro slum homes which were being burned. One wonders how long it would take to call out the troops were the burnings to start in the wealthy, white sections of town.

The slum Negro, as Father Groppi told the American Society of Newspaper Editors in Washington, is inclined to consider the policeman his enemy, instead of his protector, this, we think, is due to a still-existing tendency to treat Negroes like children.

Suppose they cut each other up, sell a little dope, annoy girl children on the way home from school. Negroes, so goes the notion, are like that.

Nonsense! They are not like that.

But the friendless poor are belittled and pushed around when all is calm. When their homes are set afire, again "it's only Negroes," and authority denies them the equal protection of the law because if the law moved in promptly on the arsonists somebody might get hurt.

The Rev. Leon Sullivan, distinguished Philadelphia clergyman, scored heavily with the editors in saying the "civil rights" problem is as much economic as racial, indicating little faith in such reforms as open housing which will be of small benefit to those who can't afford even the hovels in which they now live.

"You can't integrate the suburbs with a relief check," he remarked.

Mr. Sullivan places emphasis on job training and education to give the Negro true pride in his race. Give him jobs, in the opinion of Sullivan, and he will take care of his own problems.

Unemployment and failure to enforce the criminal laws without fear or favor are, in our view, at the core of the so-called Negro problem which is better termed a poor folks problem. It all comes down to a decent respect for fellow human beings plus an enlightened compassion for people in trouble.

Address by Frank Ikard

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. WRIGHT. Mr. Speaker, on April 25 our distinguished former colleague, Frank Ikard, who now serves as president of the American Petroleum Institute, delivered a very perceptive address to an industry group from the United States and Canada meeting in Detroit.

Under leave to extend my remarks, I include this address by Mr. Ikard and commend it to the reading of our colleagues:

ADDRESS BY FRANK IKARD

The pleasure of meeting with one of our Production Division districts is enhanced today by the presence of our colleagues and neighbors from Canada. I am happy to join in welcoming them.

Next month our Canadian friends will be hosts to the Rocky Mountain district meeting in a joint session with the Petroleum Society of the Canadian Institute of Mining and Metallurgy.

This will be the first API Production Division meeting ever held in Canada. It is a happy omen. The fact that our two countries are so abundantly blessed with oil and gas, and with other mineral resources that can be converted to these fuels, makes us all feel more secure today and more confident about tomorrow.

Along with great material resources, our two nations enjoy the benefit of a long tradition of democratic institutions. Therefore, the people of Canada and the United States have the opportunity—and with it the responsibility—to take a stand for sound and enlightened policies for the development of their oil, gas, and other mineral reserves.

We in the United States, like you Canadians, feel justifiable pride in our living standards. We credit these high living standards to many favorable factors—including our faith in private enterprise and individual initiative. However, a comparison of the per capita incomes of the various nations of the world—and the per capita energy consumption of those nations—reveals another important consideration.

The nations at the top of the list in energy consumption per capita—like the U.S. and Canada—are also, not surprisingly, nations with high per capita incomes. And this relationship between income and energy consumption exists right down to the nations at the bottom of the ladder.

In the U.S., oil and gas together supply 75 per cent of the energy consumption. Much of our nation's military and industrial power, much of its achievement in productivity and in better living, result from its ability to harness and use efficiently the energy of petroleum. Much of our hope for continuing future progress rests upon even greater use of petroleum in an expanding technology.

We did not get where we are today by being more intelligent than our ancestors. We cannot even claim that our achievements result from our being more energetic than they were or from working longer hours than they did. The record belies any such theories. As recently as 1890 the average work week in manufacturing industries was 60 hours. And on the farms—where most people lived and toiled—the work day began at dawn and ended when it was too dark to go on. Our ancestors put in much longer working days, and, in most cases, much harder days. We have shorter hours and a shorter working week because machines have taken over much of the drudgery that burdened our ancestors. And most of those machines are run by petroleum.

It takes little imagination to visualize the effect on our lives if—for any reason—our supply of oil and gas were suddenly cut off. To put it in a few words—we would be practically paralyzed.

We could have been reduced to something approaching that condition last summer when the Middle East crisis suddenly did cut off about one-third of the Free World's oil supplies. But that disruption didn't create much of a stir among the consumers of oil products in this country. There was no run on service stations or fuel oil dealers.

The American people, who have come to expect a steady supply of petroleum products even under adverse conditions, were not disappointed.

Altogether, our domestic industry supplied some 90 million additional barrels of oil to make up for the disruption of Middle East supplies. Those of you who took part in this feat know how much of an effort it required. But it was done with such quiet efficiency that it made no headlines. Few—if any—of the industry's customers realized last summer that near miracles of production and transportation were being accomplished daily to insure their supplies of gasoline, fuel oil, and other petroleum products.

We could not expect the public to take a personal interest in the details of the industry's operations even under emergency conditions.

But considering the importance of oil and gas to this public, all of us in the industry must continue to do our utmost to inform our fellow Americans on petroleum matters that are of direct concern to them as consumers.

One such matter that comes immediately to mind is the cost-price squeeze on our industry. This is no private problem of ours. It's a problem of our customers, too. They should know about the effect of the cost-price squeeze on exploratory drilling and ultimately on new discoveries. And if we don't tell them, nobody else will.

The story doesn't have to be phrased in terms of complex economics. It's a situation that can be readily explained to those who have seen their own living expenses rise year after year. The oilman's costs of doing business have also risen steadily and sharply over the past decade. And in this same period of rising costs, the average domestic price of crude oil has dropped almost six per cent. It has gone down from $3.09 a barrel in 1957 to $2.91 in 1967.

In a natural cause and effect sequence, exploratory drilling fell off sharply in this period. Forty per cent fewer wildcat wells were drilled in 1967 than in 1957.

As most of you know, the latest report on proved crude oil reserves was recently released by the Institute's Commitee on Reserves and Productive Capacity, and the news is what would be expected with the downward trend of exploratory drilling. Proved crude oil reserves declined again during 1967—for the fourth time in the last eight years.

Proved reserves of natural gas showed a slight net gain at the end of 1967. However, the ratio of gas reserves to production continued the decline of recent years to a new record low. Natural gas reserves at the end of 1967 were less than 16 times production for the year—down from 21 times production at the end of 1957.

These adverse trends can be corrected. All scientific evidence points to an abundance of oil and gas still to be discovered in the United States. The problem is finding it—and this is essentially a matter of economics.

Recently an associate professor of management at Massachusetts Institute of Technology voiced a warning that should inspire serious thought among those who are responsible for natural gas policies. He predicted that if the present pricing policies in the regulation of natural gas production are continued, the supply of gas will be ten to 15 per cent short of minimum demand by 1970. I am neither agreeing with his prediction nor arguing with it. I merely pass it on as the observation of one informed and disinterested observer. It is obvious, from the trend of proved reserves in relation to production during recent years, that present regulatory policies are discouraging the search for natural gas. It must be equally obvious that this trend is directly contrary to the best interests of the consuming public.

No one questions or could—justifiably—question the technical skill and know-how of the American petroleum industry in finding, developing, and conserving oil and gas.

The recent National Petroleum Council study entitled "Impact of New Technology on the U.S. Petroleum Industry" brings out in impressive detail the tremendous technological achievements of our industry in the post-World War II era, and indicates what these achievements have meant to the American people.

For example, this study shows that technology and efficient management together resulted in savings that reduced the cost of crude oil by as much as $1 per barrel in the post-war period. We can see from this one example that the cost-price squeeze, and its consequences, would have been even more severe if the industry had not countered the trend with new technology.

The NPC study also credited improvements in oil recovery techniques between 1946 and 1965 for about half of the gain in recoverable supplies of oil in that period.

Many other impressive examples of technical advances are documented in the NPC study—and they are not just in the producing branch of the industry. Refining and transportation also contributed their share of new techniques and cost-cutting procedures.

This same NPC study looks into the future and discusses the tremendous prospective demand for petroleum. Meeting this demand will call for continually improving technology. It will require risk-taking on a scale beyond anything that even our venturesome industry has yet experienced.

Let's look at what's ahead for us. Based on projections by the Interior Department, between now and 1980 the U.S. petroleum industry will have to find some 74 billion barrels of new reserves to meet the nation's needs. This is only ten billion barrels less than the total amount of oil produced in our country since the first commercial well was drilled in the U.S. in 1859. Putting it another way, in the next 12 years we will have to find almost twice as much liquid hydrocarbons as our present proved reserves.

If the industry is to meet this challenge, it is estimated that exploration and development expenditures, which have been running about $4 billion a year in the U.S., will have to be doubled—to around $8 billion a year.

Altogether, according to the best available projections, the U.S. petroleum industry will have to spend up to $200 billion here and abroad to meet consumer demand over the next 12 years. And about half of this total will have to go for finding and developing new reserves right in the United States.

Much of the capital will have to be risk money in the literal sense of the term. But I don't have to tell this audience that the dry hole is the typical result—and the successful well the rare exception—in all exploratory drilling.

People who invest in exploratory ventures also know that the odds are overwhelmingly against them. They are willing to take the chance. But how many would be willing to run these risks if geology, economics, *and* the tax laws were all stacked against them?

This leads me to a strange contradiction: the fact that criticism of percentage depletion seemed to reach a peak during last year's Middle East crisis. That's a little like urging a man to cancel the fire insurance on his house right at the moment when his whole roof is ablaze. Yet the depletion attacks went on in complete disregard of repeated expressions from federal officials about the need for an intensified exploratory effort to find more oil and gas. It is totally unrealistic to talk about cutting the depletion rate for oil and gas and expect that the industry will respond by greatly expanding its expenditures in the search for new reserves.

The petroleum industry is in no position to bear the added tax burden that a cut in depletion would mean. For this is already a heavily taxed business.

The most recent of the studies of this subject by the Petroleum Industry Research Foundation fully bears this out. It shows that in 1966 the U.S. petroleum industry paid two and a half billion dollars in federal, state, and local taxes on its earnings, operations, and properties. These figures do not include the added billions collected by government from taxes on motor fuel and other petroleum products.

The study also compares the petroleum industry's domestic direct tax burden for 1964 and '65 with tax payments of industry as a whole and finds that petroleum is paying its full proportionate share of the cost of government. This is without including product taxes. If excise and sales taxes on products are included, the petroleum tax bill becomes disproportionately high.

Petroleum industry profits afford little margin for meeting the effects of a cut in depletion rates from this source. It is true that the earnings of many oil companies are at record levels. But so, too, are the investments from which the profits were generated.

Studies by the First National City Bank of New York show that oil company profits, as a percentage of invested capital, have averaged 11.2 per cent over the 1958–1967 decade, slightly below the average for all manufacturing.

As a matter of fact, the petroleum industry's rate of return has been below the all-manufacturing average in seven of the last ten years. This then, is the real yardstick of profitability; not profits as such, but profits in relation to invested capital.

Economics is not considered the most exciting subject in the world, but it is one of the most important. And the facts that I have mentioned are of great significance in a country such as ours which depends so heavily on oil and gas.

The people of our nation benefit enormously and in a great variety of ways from the availability of low-cost energy from petroleum. We may seem to yearn at times for the good old days, but I don't think we really mean it. I don't think many farmers really yearn for the days of the horse drawn plow. I don't think many construction workers would want to go back to the days when the pick and shovel were the most advanced way of digging a hole. Nor do I think that many housewives would want to learn to cook all over again with a woodburning stove, or would look forward to an old-fashioned wash day, or to emptying ashes from a coal furnace in the basement.

These are the good days for a greater number of people in America—and in Canada—than any time in history. *These* are the days of greater comfort and convenience, of increased productivity with less physical strain, of more leisure and more varied ways to spend it. And behind much of this progress has been petroleum.

Our two nations look to the enterprise and the skill of men like yourselves to provide the petroleum energy for what we expect will be even greater progress in the future.

Thank you.

War on Poverty

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Thursday, April 25, 1968

Mr. JAVITS. Mr. President, some weeks ago, I addressed the Urban Leadership Symposium hosted by the Ripon Society concerning the question of how private enterprise can be brought into the war on poverty. As this subject continues to be of much interest to the Congress, and touches upon much legislation now before us, I would like to lay my thoughts before my colleagues, and ask unanimous consent to have the speech printed in the Extensions of Remarks.

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

Viewing the urban crisis through the fuzzy spectacles of the President's new budget, it seems to me that one basic conclusion must be reached—the Federal government has insufficient resources to deal adequately with our domestic urban needs. The President can no longer pretend with credibility that we are supplying butter as well as guns. For example, he is squeezing an already dehydrated antipoverty program in order to build up adult work training efforts in FY 1968 by about $100 million. In the process, such vital programs as Headstart, Legal Services, and the Job Corps are being cut back well below their present operating levels. As the urban crisis grows, many time-proven parts of the poverty program are actually shrinking—and this in the face of Sargent Shriver's testimony last year that we could not win the war on poverty at present spending levels.

Higher education is another program facing severe cuts—the Congress appropriated $300 million under the Higher Education Facilities Act for the present fiscal year, and yet the new budget submitted by the President has cut this back to $33 million for fiscal year 1969.

But the tight budgetary situation does offer one important, if disguised, blessing. It is forcing the Administration and the Congress to look for ways to stretch the Federal dollar. It is forcing a challenge to the line of thinking prevalent since New Deal days—that Federal assistance programs normally take a straight grant-in-aid or loan approach. Under this method, there is no direct multiplier effect produced by the Federal dollar; now, in a time of strict budget restraint, the President is being forced to seek that multiplier effect.

The outcome, of course, is a new reliance on the private sector—a path which I and other Republicans have been urging for many years. It took a severe shortage of funds to focus the Administration upon the need to mobilize the resources of private business and the talents of private people. We should seize upon this consensus on the need for greater private sector involvement to take the lead in converting Federal programs as much as possible to such mechanisms as interest subsidies, guarantees of private financing, and procurement of public services. In this way, we can have both guns and butter. For while the resources of government are limited, the resources of the country are almost unlimited and by using Federal authority and funds as a sweetener, we can channel the solution of the urban crisis into the normal private economic processes.

That means allowing business to operate normally in working to solve the problems of poverty. There has been a lot of fuzzy thinking about how to bring private enterprise into the war on poverty. In my view, there is one adequate way to do that in the magnitude required: to make that involvement, like other business operations, reasonably profitable.

There should be no effort to turn business leaders into social workers—to quote Mr. Harvey, from his excellent paper which will be presented this afternoon: "leadership by its nature represents a constituency and, unless it performs in the interests of its constituency, it fails to remain leadership." We can, to be sure, expect some results from appealing to business on moral and social grounds, but—again, to borrow from Mr. Harvey—those results come from the business leader in his capacity as a citizen, rather than as the agent of an institution generally owned by hundreds of thousands of shareholders. If we are to move the entire business community—including those companies led by men without a powerful social conscience—we must appeal to self-interest. The personnel manager, for example, has to justify his activities on a profit and loss basis—he doesn't have quite the discretion enjoyed by the chairman of the board. We have to allow how to show that hiring the hard-core poor makes sense from the point of view of the company's own earnings.

Some groups have objected to his idea. For example, the AFL–CIO condemned the idea of a profit-making Economic Opportunity Corporation I have suggested at its Executive Council meeting in late 1966. But, I think, it is no more wrong for management and workers alike to earn benefits on a contract to perform needed urban services than

it is for them to do so in connection with a defense contract.

A warning should be added here that we must not expect too much of private enterprise. *The turn to the private sector should not be accompanied by a shirking of responsibility by government. Rather there must be a realistic division of labor with each performing in the areas it knows best.* And while the private sector is tooling up for this job, we should not shy away from placing heavier emphasis on government—as by providing a temporary public service employment program.

Also, and very importantly, the attitude of government officials and legislators must be congenial to business participation—there must be a minimum of headline hunting, and red tape, as well as an understanding of the profit motive. Business does not have to and will not tolerate intermittent and delayed Federal funding; constant changes in the specifications; or being made a scapegoat of demagogues.

There seem to me to be two basic lines along which we can develop reasonable profit making participation in the effort to solve the crisis of the cities. I have tried to develop legislation to implement each of these approaches and will use those bills as examples of what I mean.

First, we can attempt to route the normal processes of economic development into the geographic areas with which we are trying to deal. Historically, economic development has been the most important and successful tool for the elimination of poverty.

The percentage of American families with incomes below the purchasing power equivalent of $3,000 a year in 1965—that is, purchasing power measured in constant 1965 dollars—has declined tremendously as the country has prospered. In 1896, 67% of the families were below this $3,000 purchasing power level, with the figure dropping to 30% in 1950, 20% in 1960, 17% in 1965, and to an estimated 10 to 12% by 1976.

The point is that general prosperity and full employment are the best antipoverty weapons. The problems with that, however, is that the general growth in prosperity is not reaching soon enough the economic backwaters of our slums and depressed rural areas. It is useful to think of full employment as the key antipoverty weapon, but it must be full employment in poverty areas too. If we can increase the demand side of the employment equation in these poverty areas, then employment and training problems will, to a large extent, take care of themselves.

In fact, however, the economic development picture has been worsening as far as the central cities are concerned. For example, between 1958 and 1963, New York and Chicago each experienced a net loss of about 600 manufacturing plants. Between 1954 and 1965, almost two-thirds of all new industrial buildings and a little over half of all new stores were constructed outside the central cities cores.

A new strategy of urban economic development is called for to promote an economic rebirth of our slum areas. That strategy cannot realistically focus upon establishing large manufacturing plants in the central cities. These kinds of businesses are no longer compatible with urban location since they would require major land clearance and would pose problems in terms of water and power availability and air pollution. Rather, the emphasis must be upon service companies, office buildings, construction firms, light manufacturing, and retail and wholesale distribution companies.

For these types of businesses, a key inhibition to location or expansion in urban ghetto areas is a lack of financing for construction or purchase of fixed assets and for working capital. This is particularly a problem for minority group businessmen. At the present time no significant amount of long-term, low-interest mortgage money is available from public or private sources for such industrial and commercial projects. A particularly severe problem is the lack of financing for most of project costs, for example, 90% mortgage loans. Typically, the only mortgage loans for commercial purposes which are now available would be on the order of 15 to 20 year loans of 50% of project costs at a "constant factor"—interest plus amortization of principal—of 9 or 10%. And such loans would be available in poverty areas only to well established, credit worthy borrowers. At these terms, there is no incentive to locate facilities in a poverty area and no opportunity for any other than the most credit worthy businessman to get financing.

By far the larger number of potential borrowers in poverty areas cannot get loans at all, despite the fact that a great many are excellent credit risks. Virtually no loans are available to "speculative builders" who would construct office or loft buildings without having previously leased or sold all of the space.

The fact is, quite simply, that the banks, insurance companies, and other lending institutions have better risks elsewhere, given the demand for money in this tight credit market. Perhaps the only companies which would not have these credit problems on moving into a slum area are the large corporations who tend to finance their expansion activities from internal capital or by selling their own notes on the market.

In my view, the key economic development incentive for the central cities is the provision of attractive financing. Tax credit proposals are useful, but it is important to recognize that tax credits won't help the man who can't get credit to start a business in the first place—which, as I have said, is the case with most of those businesses which are suitable to central city location. Moreover, tax credits will not stimulate the development of locally owned small business which can, for example, give the slum Negro a vital economic stake in his own community.

The proposal which I lay before you, and which was cosponsored by 19 other Republican Senators, calls for the establishment of a domestic version of the World Bank, designed to provide low-cost financing in high risk areas for business and commercial ventures. The Bank would make loans and guarantee private bank loans for business ventures which are either (1) located in a designated urban or rural poverty areas; or (2) are located outside such an area, but which will draw at least one-half of their employees from among unemployed or low-income residents of those areas. Loans could go to businesses and projects of all sizes, including both the larger job-producing establishments and smaller businesses which could be owned by indigenous entrepreneurs. There is a variety of supportive assistance functions which the Bank could provide, from technical help to insurance, and the legislation includes a number of protective provisions including a requirement that credit be provided only where it is not available on reasonable terms from private sources.

The key, of course, is the financial structure of the Bank. Along the model of the World Bank, I have suggested that the Domestic Development Bank be funded by $2 billion subscription of its stock by the Federal government—$400 million of that amount would be paid in initially, with the remaining amount being subject to call by the Bank if necessary as a guarantee to private investors in it. The bulk of the Bank's loan funds would be raised by selling bonds to private investors at normal commercial interest rates. Since these bonds have the backing of a callable Federal subscription of Bank stock, we have what amounts to a government guarantee which will have a multiplier effect in terms of raising private funds.

We can expect that the Bank's bonds would sell on the open market at about 6¼%, allowing the Bank to make mortgage loans at a rate of about 7½% including amortization of principal. Such rates would be extremely attractive to developers and business men, especially when coupled with 30 year terms and coverage of 80 to 90% of project costs. Such credit is simply not now available in slum areas. It would create a tremendous incentive for economic development, for it would allow developers for example, to charge tenants rents that are up to ⅓ less than in other areas of the city and would allow them to get their own equity investment back in a matter of two to three years. This latter point is crucial—the developer who can rapidly recoup his original 10 to 20 percent equity investment by taking advantage of the high interest and appreciation deductions, presently available under the tax code, against other profits he is making is being offered a real business incentive.

Lastly, the whole system is financially sound because the Bank will earn sufficient profits of its loans and guarantee to allow it to pay off its bondholders and perhaps even to return a profit to the Federal Government. This is a technique which works on the international level, and it is high time that we used it here—the World Bank, for example, earned $169 million in net profits in the year ending June 30, 1967. Everyone makes money, with the major input by the Federal Government being the pledging of its credit. In this manner, the Bank serves the role of routing the Nation's financial power into inner-city development; it gives institutional investors, pension fund managers, and banks a way to invest with a fair return in job-creating, anti-slum projects.

There is a second way in which the private sector can participate in the war on poverty. In this case, *rather than using Federal funds as leverage to attract private financing, we would use tax revenues to purchase public services from the private sector.* Government and public services is one of the fastest growing sectors in the economy yet it is a market hardly tapped by private companies. There are a number of areas of activity which could be performed on a contract basis by private business without the need for government to build up vast operating bureaucracies, including, for example, manpower training, small business counseling, systems planning and management of urban programs, and even sanitation and rat control.

The development of such a business role should, I feel, be one of the functions of the non-profit Economic Opportunity Corporation for which I have introduced legislation with 23 other Republican Senators. This Corporation would be of mixed public and private ownership and would provide a broad range of technical services to private business to assist it in participating directly in antipoverty activities. The Economic Opportunity Corporation would be a center for information, research, and demonstration projects designed to develop opportunities for business to undertake the performance of public services. I understand that Governor Reagan has now set up just such an organization in California.

While itself a non-profit organization, the Corporation could establish profit-making subsidiaries which could serve as small business development and investment companies. These subsidiaries would perform the initial research and feasibility studies to develop business opportunities, would provide seed capital and would take an equity interest in joint ventures for the more promising ones. Such business opportunities might be developed as joint ventures between existing companies—for example, a sewing machine company and a textile company could collaborate on establishing sewing centers for poverty area residents who could rent the machines and purchase mill ends. Alternatively, such businesses might be initially owned by one of the subsidiary investment companies, until proven to be sound and

capable of being sold off. Such investment companies could, hopefully, sell stock and attract private capital.

In this manner, the Corporation would be helping to develop types of business enterprises which would benefit the poverty areas and still be attractive ventures for private investment. This type of entrepreneurial activity has been performed at the international level by the International Basic Economy Corporation and by the ADELA Investment Company (which I helped to establish in 1965).

Finally, the Corporation would be a central source of information on our government programs through which business can engage in anti-poverty activities, and a source of case histories of successful private company projects. That kind of one-stop shopping center is desperately needed to serve the vast numbers of private companies which are seeking information about relevant Federal programs and private experiments.

I believe that these two bills embody the kind of profit-making approach to the involvement of the private sector that we must pursue. The fact that a majority of Republican Senators offers this legislation—none of which seeks to dismember or replace the Office of Economic Opportunity—is evidence that Republicans will support anti-poverty initiative which seeks to mobilize private as well as public resources.

I hope that this symposium will produce other such ideas for our party to offer in the battle against urban blight.

The State Tax Tangle

HON. EDWIN E. WILLIS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. WILLIS. Mr. Speaker, during our Easter recess an excellent editorial appeared in the Wall Street Journal on April 15, relating to the serious problem of State taxation of interstate commerce. As this editorial points out, our economy is becoming more and more Balkanized, so that companies cannot do business across State lines without encountering inequitable and insurmountable burdens.

The editorial also highlights the responsibility of Congress to provide satisfactory solutions to this problem. In this regard, I would direct the attention of my colleagues to my bill, H.R. 2158, the proposed Interstate Taxation Act. This measure would represent a giant step toward achieving a balanced program for the taxation of those companies which conduct business across State lines. It is my hope that this measure, which was reported out of the Rules Committee last July, will soon be considered by the entire House. The Wall Street Journal editorial, which I would like to insert for the RECORD, represents a reiteration of the need for the prompt enactment of my bill.

The editorial follows:

THE STATE TAX TANGLE

When business began spreading across state lines a century and more ago, tax disputes became inevitable. So far no one has been able to straighten out the resulting tangle.

As long ago as 1891 the Supreme Court held that each state could tax its "fair share" of a multistate enterprise. The states' estimates *totaled* well over 100% of a corporation.

If states were lax in efforts to collect from interstate firms, the upshot often was an unfair burden on other businesses and individuals within their borders. If states were aggressive, it meant an excessive burden on interstate companies—especially the smaller ones, which lacked the resources to fight their cases in court.

Just how aggressive a state can be is illustrated by Missouri's recent attempt to collect disputed taxes from the Norfolk & Western Railway. The N&W didn't operate in Missouri until 1964, when it acquired control of the Wabash Railroad, one of the largest lines in the state.

The usual method for assessing a railroad's rolling stock is to find the percentage of a line's track mileage that lies within the state and then apply that figure to the total value of its locomotives and cars. Using that procedure, Missouri before 1964 had assessed the Wabash line's stock at $9.2 million.

After the N&W takeover the state applied the same method to a much bigger system, more than doubling the assessment for the Wabash. N&W challenged the change, pointing out that it is a coal-hauling line and that almost none of its coal-carrying equipment ever enters Missouri.

The Supreme Court supported the Norfolk & Western, ruling that the increased assessment was an "unconscionable and unconstitutional" burden on interstate commerce. Whatever the convenience of any taxing formula, it should not be allowed to override equity.

That's fine, as far as it goes, but the matter should not be allowed to rest there. For nearly a decade Congress has been considering imposition of uniformity on state taxation of interstate firms and the states for even longer have been trying to reach a similar result on their own.

Though we would prefer that the states solve the problem themselves, a solution of some sort is long overdue. Interstate business should not be forced to rely only on the Supreme Court's counsel that everyone be reasonable.

European-Middle East Report

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, April 25, 1968

Mr. THURMOND. Mr. President, I have received from Mr. Ray McHugh, chief of bureau of the Copley News Service, a very penetrating report of his recent visit to the Middle East.

Mr. McHugh visited France, Greece, Israel, Lebanon, and Italy. He also spent considerable time aboard ships in the U.S. 6th Fleet.

He noted, among other things, a great effort by the Soviet Navy to move into a power vacuum left by the withdrawal of the British Navy. He describes various Soviet efforts to obtain bases around the Mediterranean basin, including the British Naval Base at Malta. In his words, the Russians are trying to "shoulder" the 6th Fleet out of the Mediterranean by embarrassing U.S. forces and by slowly drying up reservoirs of good will.

In his description of the Arab-Israeli situation he makes the point that the Arab defeat by Israel was a victory for the Soviet Union, because the Arabs are entirely dependent upon the Soviets for all military support.

He added that the war demonstrates to Russia the fact that the United States was not prepared to take a decisive role in the Middle East.

His observation of the situation in Greece portrays a government that stands by and supports the United States, and which is also not critical of the American role in Vietnam.

Mr. President, I have covered only a few highlights of this comprehensive report and I urge my colleagues to read it in its entirety.

Mr. President, I ask unanimous consent that this report be placed in the Extensions of Remarks.

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

REPORT ON EUROPEAN-MIDDLE EAST TRIP, 1968

(By Ray McHugh)

Period Covered: March 22 to April 15.

Countries Covered: France, Greece, Israel, Lebanon, Italy.

The main attention of this trip was directed at the problems of the Mediterranean and the Middle East with particular emphasis on the rapidly escalating Russian penetration, the Arab-Israeli feud and the political situation inside Greece one year after the military coup d'etat.

There can be absolutely no doubt that the hatred between Jews and Arabs has given the Soviet Union an unparalleled opoprtunity to push its national and ideological influence into the Mediterranean.

In my opinion it is absolutely essential that the U.S. seek or even impose an early Israeli-Arab compromise settlement. Both Arabs and Jews say it is impossible to reach such a settlement inside the area.

One must be reached if the Soviet tide is to be rolled back. At stake is the alignment of more than 100 million people, the world's richest oil deposits and the strategic defense of southern Europe.

If the Russian advance continues, Moscow will be in a position to impose its will on the entire northern coast of the Mediterranean, throughout the Persian Gulf and across the Turkish-Iranian-Pakistani land bridge to India. They are described as "firmly entrenched" already in Aden at the strategic entrance to the Red Sea.

These are the stakes involved.

The Russian navy is effectively challenging the U.S. Sixth Fleet for control of waters that have always been a key to world peace. The Soviets are now maintaining more than 40 ships and submarines in the Mediterranean, matching the U.S. commitment in numbers. Although the Sixth Fleet has the advantage of two attack aircraft carriers, the Soviets are putting in increasing numbers of guided missile ships, including many carrying potent surface-to-surface missiles—the kind that sank the Israeli destroyer *Elath* late in 1967.

Within a few weeks their first helicopter carrier is expected to pass through the Bosphorus. A second is undergoing trials in the Black Sea and officers of the Sixth Fleet are convinced that Moscow will soon decide to build attack carriers—if the decision hasn't already been made.

It should be noted that the Russian copter carriers also are fitted to carry 1,000 "naval infantry," thus giving Moscow the means to impose direct military force anywhere in its new areas of influence.

The Soviets are using the Syrian port of Latakia and the Egyptian ports of Port Said and Alexandria on a free-wheeling basis, although they have cleverly avoided the "foreign bases" agreements which fouled U.S. relations with nationalistic forces in so many countries. Their bombers also are paying regular "courtesy" visits to Egypt and Syria and are soon expected in Algeria.

The Soviets also have begun to explore the vast NATO-built bases at Mers el-Kebir in Algeria. It is reported that with French agreement, the Russians have actually been surveying the base for more than six months, although France only turned it back to Algeria formally in March.

The base is one of the best-protected deepwater anchorages in the Mediterranean and boasts underground workshops and storage facilities that are described as hardened even against nuclear attack. It also offers submarine facilities.

Sixth Fleet officers report that Soviet ships have already begun to call at the base and they admit they do not know what equipment the Russians may be installing or unloading under the cover of darkness. There are unconfirmed reports that intermediate-range missiles capable of nuclear warheads have been installed.

The Russian arrival at Mers el Kebir has spread the air of uncertainty all the way across the Mediterranean to Spain, where Sixth Fleet officers report deep concern in Spanish government and military circles.

The next Soviet target may well be Malta which is suffering a staggering economic collapse as a result of dwindling ship repair work. This loss can be traced to the closing of the Suez Canal and the British withdrawal from the Middle East and Asia.

Little U.S. work is available for the Maltese. Adm. William Martin, Sixth Fleet commander, is giving U.S. crews liberty at Valetta as often as possible to pump a few dollars into the economy, but it is an admittedly weak step.

Martin urges a common NATO approach to the Malta problem. An injection of about $60 million a year, he said, would save for the West one of the most strategic naval points in the world.

Should Moscow gain a foothold in Malta, he warned, the entire position of his fleet would be in jeopardy.

Despite the crude harassing tactics Russian ships employ against American warships in the Mediterranean, I found no one who seriously thinks Moscow is preparing for a naval conflict. Instead, the Russians seem to feel that by embarrassing U.S. forces and by slowly drying up reservoirs of goodwill, they can literally shoulder the Sixth Fleet out of the Mediterranean.

The fleet has already lost its welcome in many traditional ports of call—not through any action of its own, but as a result of American diplomatic failures.

I was told that the French, following De Gaulle policies, also are working to undermine the U.S. position in Lebanon which is a former French colony.

In Beirut, for example, where U.S. marines helped prevent a Communist takeover only 10 years ago, the Sixth Fleet has been advised not to seek permission for a visit. And Lebanon is the last bastion of moderate Arab thinking on the eastern rim of the Mediterranean. Its American University has trained the majority of Arab leaders. Its business and financial community is totally western-oriented.

Yet the issue of Israel has overtaken all other considerations.

"If the choice is zionism or communism, we prefer communism," say men who have enormous personal stakes in a free enterprise system.

In both Israel and Lebanon, political and business leaders pleaded for an American initiative to solve the problems of occupied territories and homeless refugees. Both sides seek American guarantees of their boundaries.

The claim of some Arabs that an American-imposed solution would immediately topple the pro-Soviet government of Syria, and bring a reversal in the policies of Egypt, Iraq and Algeria seems a bit optimistic, but a solution would certainly give the United States a fighting chance to recoup its influence in the Middle East and North Africa.

Without a solution, the situation appears certain to deteriorate rapidly.

The time for a solution is now, Arabs insist, because President Johnson's decision not to seek reelection has placed him in a unique position where he is free of organized Jewish political pressures inside the United States.

Whether or not these Jewish pressures exist is immaterial. The fact that the Arabs are convinced they do exist gives them a form and substance that cannot be ignored.

The military position of Israel remains strong and there is little likelihood that Nasser and his allies will launch another all-out war this summer, despite the complete resupply and reorganization of Arab armies and air forces.

The Israeli position, however, is not impregnable. In fact, the country is hard pressed for jets that can match the new MIG–21s supplied to the Arabs and it faces serious manpower problems.

The guerrilla raids of the El Fatah—the militant organization of the Palestinian Arab refugees—pose serious problems for Israel and may be more effective than conventional military action.

The El Fatah is now based in Jordan, according to Israeli military intelligence, and has virtually shouldered King Hussein out of power and influence. It is said to be financed by all the countries of the Arab League.

Its new guerrilla tactics, aimed at sparking support from Arab groups in Israeli-occupied areas bear strong resemblances to the "war of national liberation" strategy employed by Communists in Vietnam and other parts of the world.

The Israelis appear seriously concerned about the strain such guerrilla operations puts on their small army.

"They could wear us down," admits one Israeli general.

He insists that the strategy of guerrilla war is the result of a formal agreement between the Arab governments.

One cannot dismiss the importance of the Palestinian refugee problem. More than 1.5 million of these people are scattered through the Arab countries. Lebanon, for example, has more than 200,000.

These refugees have resisted assimilation. They insist on their right to return to Palestine and they constitute such volatile blocs in each Arab nation that no leader can oppose them without risking assassination. Nevertheless, each Arab government keeps a close eye on the refugees and restricts their movement as much as possible.

I was told over and over that any Arab leader who agreed to talks with Israel "would be dead in a week."

This belief underscores the view of Arab moderates that any solution must literally be imposed by the United States.

There is no serious talk of a U.N. solution or even a joint big power agreement because it is obviously to the best interests of Russia to keep Middle East tensions boiling.

It would be a great mistake to regard last year's June war as a defeat for Russia. It was a victory because it left the humiliated Arab forces even more dependent on Moscow. And it left the oil-rich nations of the Arabian Peninsula in a position where they could do nothing but step up their support and involvement in the anti-Israeli cause.

The war also demonstrated to Russia that the United States was not prepared to take a decisive role in the Middle East. This realization, coupled with the British withdrawal, has created a vacuum and the Russians are filling it.

The awareness of this vacuum has prompted Turkey and Iran—and now Pakistan—to seek "more normal" relations with Russia. The solid Turkish friendship for the United States has reportedly cooled a great deal. NATO planners in southern Europe are deeply disturbed about political trends in Ankara and Istanbul.

A recent visit of the Sixth Fleet flagship to Turkey was interrupted by a student demonstration that involved about 80 pickets, led by two professional Red agitators.

"In the past the Turks would never have permitted such an embarrassment," said U.S. Navy sources. "But today they are hedging. They are talking about accommodations with Russia—and those accommodations will cost us."

The splendorous visit of Kosygin to Teheran in early April and his later visit to Pakistan accentuates the changing attitude toward the U.S.S.R.

"Nobody wants to get trapped in case the Russians force us out completely," said one American diplomat.

It should be noted, too, that Kosygin made a threatening anti-Israel speech while he was in Pakistan, obviously trying to tighten Russia's ties with the whole Moslem world.

The U.S. Fleet encountered another embarrassment recently when a long-scheduled visit to Yugoslavia was cancelled on 24 hours notice.

The Yugoslavs cited anti-American demonstrations as the cause, but Yugoslav newspapers also seized on the situation to demand the withdrawal of the Sixth Fleet from the Mediterranean.

The fleet also has been the target of consistent abuse from Italian Communists and socialists, although the Italian navy continues close cooperation. Interestingly enough, the French navy also has been very cooperative despite DeGaulle's policies. U.S. and French ships and planes recently took part in a joint exercise that saw American pilots flying deep into France.

Greece is a bastion of pro-American sentiment. The military-backed government is solidly committed to NATO and close ties with Washington despite the abuse it has received from liberal circles in the United States. The Greek military forces give "more than 100 per cent cooperation" to U.S. forces, according to our attaches in Athens.

The government appears solidly in power with growing popular support. Prime Minister Papadopoulus insists that there is no plan to end the monarchy, but that King Constantine will not be brought back from Rome until the government decides the time is right. This is expected to be sometime after the Sept. 1 plebiscite on the new constitution.

Every indication in Athens points to the colonels forming their own political party and seeking to perpetuate their rule in a reorganized parliament. And no one—including the now unemployed members of the last parliament—suggests that the colonels won't win.

Underemployment and low wages are still problems in Greece, but the government seems to have made more progress in the last year than the country's farmers and wage-earners have seen in a long time. The business climate is excellent. Foreign investments are rising and the government has repeatedly stressed its commitment to the free enterprise system.

The colonels scored a master political stroke when they cancelled $250 million worth of small loans owed to the government by some 650,000 farm families. Some of the loans—ranging up to $3,500—had been in force for 20 years and impoverished farmers were struggling to keep up their interest payments.

The government also has just made an unusual gesture to the United States. It has ordered 20 percent of its dollar earnings placed in U.S. banks to help alleviate the balance of payments deficit. It has acknowledged that the sum—about $20 million—is only a token, but it has urged other nations to follow suit, particularly those who have benefited from American aid.

On the military side, the Greeks have been developing Suda Bay on Crete to the point

that it is now the major NATO defense center in the Mediterranean. They have just opened a big rocket and missile range which is a godsend to the Sixth Fleet.

Incidentally, the Russian warships maintain a constant watch on Crete and one of their biggest open water anchorages is located only 50 miles from Suda Bay.

Adm. Martin says Soviet harassment of his ships increases noticeably as soon as they stream east of Crete. The Russians are apparently trying to discourage any U.S. naval activity between Crete and the Middle East.

I have presented this report in summary fashion because it is accompanied by copies of articles prepared during the trip. These articles provide more detailed glimpses into the Russian, Mideast and Greek situations, plus a report on Franco-American relations as seen from Paris.

The cooperation afforded me by the Israeli, Greek and Lebanese governments and by the Sixth Fleet headquarters at Gaeta, Italy, was outstanding.

Top contacts included Adm. Martin; Prime Minister Papadopoulus, Foreign Minister Pipinellis and Deputy Premier Sideratos of Greece; Prime Minister Eshkol, former premier Ben Gurion; Ambassador Rabin, Golda Maier, Meyer Weisgal of the Weitzman Institute and Jerusalem Mayor Kallec in Israel; President Helou, foreign minister Hakkim and leading Arab bankers and businessmen in Lebanon.

To conclude, I cannot emphasize too strongly the progress Russia has made in the Mediterranean and the Middle East. And it is my opinion that if it is to be checked, the first step must be an American initiative to hammer out an agreement or at least a modus vivendi between Israel and her Arab neighbors.

Remarks of Hon. John T. Reid, Mayor of Scottsboro, Ala.

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. UDALL. Mr. Speaker, I was intrigued by reports of a significant speech to the Alabama League of Municipalities meeting in Montgomery, Ala., concerning a very urgent requirement in this Nation—the need to launch a vigorous attack on the ugliness and filth which infest so many of our towns and urban areas.

The speech was made by the Honorable John T. Reid, the capable and energetic mayor of Scottsboro, Ala., on his election to the first vice presidency of the Alabama municipal organization. Because of my own interest in improving the quality of life for all the citizens of this Nation, I sought a copy of his remarks.

Mayor Reid is to be commended for his thoughtful insight into the problems of ugliness, filth, and litter which seems to be growing in our towns and communities.

More important, however, is his definition of the solution. Mayor Reid urges that the communities devote the same type of effort to improvement of the environment and quality of life for its citizens that has been engaged in the quest for industrial development.

His proposal that every element of the community be brought into the endeavor is essential to the success of this work because so much of the problem concerns lack of thoughtfulness on the part of individuals.

No amount of local, State, or Federal effort can do the job without the concern and action by each citizen.

Because of the vital significance of Mayor Reid's address to communities throughout this Nation, I include his speech in my remarks at this point:

REMARKS OF HON. JOHN T. REID, MAYOR OF SCOTTSBORO, ALA., ALABAMA LEAGUE OF MUNICIPALITIES CONVENTION, MONTGOMERY, ALA., APRIL 23, 1968

The economic growth and development of Alabama and our individual communities is a subject which has received considerable attention and effort during recent years.

We are commencing to realize the results of that attention and effort with our accelerating rate of industrial investment. More and more industrial prospects are seeing the advantages of this area—adequate natural resources, plenty of clean water, industrious people, and the fresh appeal of our undefiled countryside—and they are selecting our area for new and expanded plants.

We appear to be achieving a momentum in growth and development which can be self-propelling. Nothing succeeds like success.

But at the same time, this momentum can carry the seeds for its own destruction.

We are now reaching the point we must be aware that the self-destruction of our finest assets is possible.

We must ferret out the problems which can retard this momentum and we must take positive steps to continue and increase the attractiveness of our communities to future growth.

We have reached the place where we must give attention and effort to the ugliness and slum conditions which can mar our towns and communities, the filth and litter which may line our roads and highways, the pollution which can choke off the life-giving properties of water and air, the despair and hopelessness which can overcome our citizens who lack rewarding outlets for their talents and energies.

As municipal officials, we are aware that some of these problems are appearing in our communities today.

But you will have a better idea of the potentials of these problems if you will recall the conditions in many areas of this nation which have reached a high degree of industrialization.

In a sense, today we are the beneficiaries of their wonton disregard of these problems in the past. The concentration of population and marketpower in many of these areas was insufficient to overcome the problems of ugliness, pollution and decay when industry needed to expand. Industry had to turn elsewhere. The industrialized centers closed the doors of opportunity to themselves by neglecting the environment and the quality of life in their duties.

These problems don't appear full grown overnight. By the time they are obvious to all, it is too late and correction and reversal require far more effort and resources than preventative action.

To protect and enhance the attractiveness of our towns and communities for continued industrial growth and development we must take action on a wide range of fronts. Just as no single step can be blamed for the totality of the problem, no single action is the solution.

As city officials, we bear a great degree of responsibility for the direction in which our community moves. The focus and support for the proper efforts to improve the quality of our communities must come from us.

Several areas of activity call for consideration by most communities at this time.

I think of the general ugliness which afflicts too many streets and highways. This ugliness is a result of over commercialization, lack of protection for the roadsides, the endless deposits of litter and filth, the open graveyards of castoffs from our civilization and way of life.

These depressing sights need not exist.

Our municipalities have the authority to provide for orderly commercial development. Through appropriate civic programs of training and education we can inspire better care and treatment of individual homes in the community. We can encourage clean up campaigns and provide for deposit of litter and trash. We can require screening of junk yards and other offensive eye sores.

Likewise, prevention of pollution of air and water require extensive attention. The protection of our high quality water is essential to a wider range of activities including the health of our citizens, the growth of our industry, and continuation of water recreation and fishing activities.

It has been somewhat shocking in recent days to read of water pollution being condoned under the pretext that we can't have both industry and clean water. This is totally false.

Our experience shows that we can have both clean water and industrial growth. And if we are to profit at all by the mistakes of older urban areas, we must realize that unless we do protect the quality of our water, we close the doors to future industrial growth. Industry must have clean water.

We must also foster rewarding and constructive outlets for the talents and energies of our communities citizens. Programs for adding enrichment and quality to life take many forms. For some it may be music and art; for others, hunting and fishing. In many cases, these programs are more appropriately implemented by organizations other than our municipal government. But we must be alert to the needs of the citizens and the appropriate contributions which can be made through municipal effort.

Parks, streets, garbage collection and disposal, and the whole range of municipal activities are a part of the total picture of our communities. In meeting each function we need to give attention to the improvement of quality in the life of the citizens. The most expedient solution may not always be the most desirable and economical in the long run.

In providing for the type of urban development which our communities deserve and which is essential if we are to protect our future potential for growth, the nature and scope of our task is vast.

In this type of endeavor we must bring into play the efforts and resources of all elements of the community. We must draw on the distinct powers and resources of Federal, State and County governments as well as the civic organizations and our own municipal structure. Without the full participation and cooperation of these groups our requirements may overwhelm us.

The sad condition of our industrialized urban areas should be warning enough for the direction our growth and development must go. We have the opportunity to profit from their mistakes. And the time for action is now.

Title II of S. 917: A Radical Assault on the Constitution

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Thursday, April 25, 1968

Mr. TYDINGS. Mr. President, the Senate will, in a few days, be considering a legislative proposal which threatens to undermine the basic constitutional system under which this country has lived

and prospered since its founding. I am referring to title II of S. 917, the so-called Omnibus Crime Control and Safe Streets Act. Title II contains five separate provisions. Considered separately, each of these provisions is, I believe, wholly unwise and subject to the gravest constitutional doubts. Considered together, the provisions of title II rank among the most extensive assaults on the Supreme Court, and on the independence of the Federal judiciary, in the history of our jurisprudence.

Briefly stated, the provisions of title II would—

Abolish Federal habeas corpus jurisdiction over all State criminal convictions.

Abolish Supreme Court jurisdiction to review any State criminal case in which confessions or eyewitness identifications had been admitted in evidence.

Require Federal courts to admit confessions into evidence even if such confessions were obtained in violation of the specific safeguards required under the Constitution by the Supreme Court in Miranda against Arizona, 1966.

Require Federal courts to admit eyewitness identifications into evidence even if obtained in violation of the specific safeguards required under the Constitution by the Supreme Court in United States against Wade, 1967.

Overrule the Supreme Court's decision in Mallory against United States, 1957, and permit Federal criminal suspects to be questioned indefinitely before they are presented to a committing magistrate.

The magnitude of these challenges to our constitutional system—the enormity of the damage which would be done to our system if the Congress approves this title—is literally staggering. What possible justification can there be for abolishing the writ of habeas corpus in State criminal cases—the great writ, the basic guarantee of our individual liberties? What justification can there be in forbidding Supreme Court review of State cases where confessions or eyewitness identifications are challenged under the Constitution, and thus breaching 150 years of our constitutional history from Marbury against Madison and Martin against Hunter's Lessee, which established the Supreme Court as the ultimate tribunal interpreting the "supreme law of the land?" Who can justify flouting the clear terms of article V of the Constitution, and its explicit procedures for amending the Constitution, by instead acting to change the Constitution by simple congressional statute purporting to overrule the Miranda and Wade cases?

I submit there is absolutely no justification "in law or in reason" for taking these actions by approving any of the provisions of title II.

Proponents of title II argue that it should be approved because it would assist in the battle against crime. But nothing can be further from the truth. If title II is enacted, chaos would result regarding the proper procedures which law-enforcement officials should follow. Law enforcement in this country would be thrown into years of confusion while the constitutionality of title II's provisions is tested in the courts. Ultimately, it is clear that a vast number of arrests and convictions under title II will be invalidated by the courts. At that point, retrials will in many cases be impossible; witnesses will have died, memories will have dimmed, or the procedures followed—under the apparent authority of title II—will be so flagrantly invalid under the Constitution that any retrial will be out of the question. Thus convicted, criminals will be turned out into the streets and the Congress, not the courts, will be to blame, because it was the Congress which enacted obviously invalid legislation.

Approval of title II would gravely harm—not help—law enforcement for another reason. Because the provisions of title II fly in the face of the Constitution, approval of this title by the Congress would only encourage disrespect for the law. The Congress cannot act lawlessly and expect that the result will be more effective law enforcement. I believe that—particularly in these times of widespread lawlessness—the Senate must demonstrate to the American people that we are a Nation of laws and that, if changes are needed in the Constitution—the fundamental law of the land—these changes will be made only through the clearly accepted procedures set out in the Constitution.

For these reasons, title II must be rejected.

This is not a partisan issue. It should not divide Republicans and Democrats. There is no "liberal" or "conservative" position on this issue. Some 30 years ago, in this Chamber, a similar assault was made on the independence and the power of the judiciary in our system of government. That assault was in the guise of the infamous "Court-packing plan" to gerrymander the Supreme Court in order to force changes in its constitutional decisions. My father, Millard Tydings, was among those who stood firm in this Chamber and defeated this attempt to distort our constitutional system. Many people wrongly labeled this a "conservative" victory. It was not that. It was instead a victory for the strength and continued viability of our basic institutions of governments.

Defeat of title II is necessary for the same reasons it was necessary to defeat the Court-packing plan. This will not be a "liberal" victory. It will be a victory for our Constitution and for the preservation of our fundamental scheme of government.

Let me now proceed to a more detailed consideration of the specific provisions of title II, which will demonstrate how deeply each of these provisions offends our framework of government.

I. ABOLITION OF HABEAS CORPUS IN STATE CRIMINAL CASES

Section 2256 of title II abolishes the habeas corpus jurisdiction of the Federal courts with respect to State criminal convictions. Under this section, the sole Federal review of Federal claims by State prisoners will be limited to appeal or certiorari to the Supreme Court from the highest State court having appellate jurisdiction over the case.

This provision is in direct derogation of article I, section 9 of the Constitution which specifically provides:

> The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

Since 1867, Congress has made the Federal writ of habeas corpus available to all persons, including State prisoners, restrained of their liberty in violation of the Constitution or laws of the United States. Although the constitutional provision prohibiting suspension of the writ of habeas corpus does not of itself confer jurisdiction on any court to issue the writ, decisions of the Supreme Court make clear that once Congress has granted jurisdiction to the Federal courts to issue the writ, the jurisdiction cannot be withdrawn except in cases of rebellion or invasion. Thus, in *United States* v. *Hayman* (342 U.S. 205 (1952)), in which the Court upheld the validity of the alternative method of collateral attack required under 28 U.S.C. 2255 for Federal prisoners, the Court emphasized that nothing in the legislative history of section 2255 disclosed any purpose to infringe upon a prisoner's right of collateral attack upon his conviction. The Court specifically held that the sole purpose of the section was to minimize difficulties encountered in habeas corpus hearings by providing the same rights through an alternative and more convenient procedure, and that the section did not operate to suspend the writ of habeas corpus.

Moreover, the elimination of Federal habeas corpus jurisdiction is open to grave objection on the grounds of both history and policy.

The writ of habeas corpus, the great writ, is one of the ancient pillars of Anglo-American Law. Blackstone called it "the most celebrated writ in English law." 3 Blackstone's Commentaries 129. Power to issue the writ was first granted to the Federal courts as early as the Judiciary Act of 1789, 1 Stat. 73, 81–82. At that time, however, the common law rule governing issuance of the writ held that a judgment of conviction rendered by a court of general criminal jurisdiction was conclusive proof that confinement was legal. In addition, even where the writ was available, the common law rule permitted an inquiry only into the law, not the facts, of a detention.

In 1867, Congress modified the common law rule by making the Federal writ of habeas corpus available to all persons, including State prisoners, restrained of their liberty in violation of the Constitution or laws of the United States, and by permitting inquiry into both the facts and the law of the detention. 14 Stat. 385, now incorporated in 28 U.S.C. 2241 and the following. Thus, in all cases in which a full and fair disposition of a Federal claim has not been reached in a State court, the Federal courts are available as an alternative forum through their habeas corpus jurisdiction to test the legality of the prisoner's confinement.

For a hundred years, the Federal courts have vindicated the basic constitutional rights of American citizens through habeas corpus proceedings, frequently after blatant denials of such rights have

gone uncorrected in the State courts. Let me cite a few examples which demonstrate how usurped the writ of habeas corpus is in protecting the right of all citizens.

The provisions for Federal review of State criminal convictions by appeal or certiorari to the Supreme Court are grossly inadequate. As is well known, both of these appeal procedures are largely and necessarily discretionary in the Supreme Court. The Supreme Court simply does not have the time to consider thoroughly all the appeals and petitions for certiorari that are filed. To make these procedures the sole avenue for Federal review will, at best, cause the Supreme Court to accept for review many questionable cases on poor factual records, since this would be the Court's sole opportunity to review the Federal questions in the case. At worst, section 2256 will deny many State prisoners even one full and fair review in a Federal court of their constitutional claims. In addition, section 2256, taken in conjunction with the provisions of sections 3502 and 3503 abolishing the appellate jurisdiction of the Supreme Court with respect to issues involving the voluntariness of confessions or the conduct of lineups, means that no Federal review whatsoever will be available to State defendants raising such issues, no matter how meritorious their Federal constitutional claims.

Because of their number and their ability as trial courts to hold hearings and make findings, the Federal district courts are uniquely suited to review the disposition of Federal claims in State courts. See, for example, Wright and Sofaer, "Federal Habeas Corpus Jurisdiction for State Prisoners: The Allocation of Fact-Finding Responsibility," 75 Yale Law Journal 894–985 (1966).

It is regrettable that the highly charged emotional atmosphere in which the current debate over Federal habeas corpus for State prisoners is taking place obscures the single most salient fact of the procedure applicable under present law. In *Townsend* v. *Sain* (372 U.S. 293 (1963)), the Supreme Court held unequivocally that State court findings of fact, arrived at after full and fair hearings, must be accepted by the Federal courts. A Federal habeas corpus hearing is not available merely because a State prisoner has been convicted of a serious offense. It is not available merely to reevaluate the evidence obtained at a full and fair State proceeding, or because a Federal district judge may disagree with the State court's evaluation of such evidence. Under the specific doctrine of Townsend against Sain, Federal habeas corpus is available only when the State trier of fact has not afforded the habeas applicant a full and fair hearing. The Townsend doctrine recognizes the basic importance in our federal system of allocating the primary factfinding responsibility to the State courts in cases involving State criminal proceedings. At the same time, it preserves the important role of the Federal courts in providing a meaningful Federal review of Federal claims raised in State courts.

A hundred years of experience under the Federal habeas corpus provisions forcefully demonstrate that absolute reliance on State courts to protect Federal rights does not adequately protect these rights. To abolish this jurisdiction would roll back a century of progress in American constitutional law and restore American criminal procedure to the Dark Ages.

As Thomas Jefferson, the major architect of our Bill of Rights, said in his first inaugural address:

> Equal and exact justice to all men, of whatever state or persuasion, religious or political, . . . freedom of religion, freedom of the press, freedom of the person under the protection of the habeas corpus, and trial by juries impartially selected—these principles form the bright constellation which has gone before us, and guided our steps through an age of revolution and reformation. This wisdom of our sages and the blood of our heroes have been devoted to their attainment. They should be the creed of our political faith—the text of civil instruction—the touchstone by which to try the services of those we trust; and should we wander from them in moments of error, or alarm, let us hasten to retrace our steps and to regain the road which alone leads to peace, liberty and safety.

Before we throw aside our right to "freedom of the person under the protection of the habeas corpus," before we discard the wisdom of the centuries and our great constitutional heritage, before we adopt title II of this bill, let us—as Jefferson says—"hasten to retrace our steps and to regain the road which alone leads to peace, liberty, and safety."

II. LIMITATION OF THE JURISDICTION OF THE SUPREME COURT AND OTHER FEDERAL COURTS

Section 3502 of title II abolishes the jurisdiction of the Supreme Court and other Federal courts to review a State trial court's determination that confession was voluntary, provided that the State court's determination has been upheld by the highest State court having appellate jurisdiction over the case.

Section 3503 of title II goes even further. Not only does it abolish the jurisdiction of the Supreme Court and other Federal courts to review a State trial court's determination that eyewitness testimony was admissible in evidence. It also abolishes the appellate jurisdiction of both the Supreme Court and the Federal courts of appeals to review a Federal trial court's determination that such testimony was admissible.

Under present law, the Supreme Court has appellate jurisdiction over all cases in the lower Federal courts. The Supreme Court also has appellate jurisdiction over cases in the State courts raising a Federal question (28 U.S.C. 1251 and the following).

Sections 3502 and 3503 drastically curtail the appellate jurisdiction of the Federal courts over determinations involving the voluntariness of a confession or eyewitness testimony. Any attempt by Congress to accomplish this result by statute, rather than by constitutional amendment, is open to serious constitutional challenge. The sections raise especially grave questions with respect to State court determinations in these areas, since no Federal review whatsoever would be available, even though a Federal claim has obviously been raised.

The supremacy clause, in article VI of the Constitution, states that the Constitution and laws of the United States "shall be the supreme law of the land." At least since the time of *Marbury* v. *Madison* (1 Cranch 137 (1803)), and *Martin* v. *Hunter's Lessee* (1 Wheat. 304 (1816)), the Supreme Court has been the sole tribunal under the Constitution with ultimate authority to resolve inconsistent or conflicting interpretations of Federal constitutional law by State and Federal courts and to maintain the supremacy of Federal law against conflicting State law.

Although article III, section 2, of the Constitution provides that the appellate jurisdiction of the Supreme Court is created "with such exceptions, and under such regulations as the Congress shall make," the exercise by Congress of such power must be consistent with the fundamental role of the Supreme Court in our Federal system. The exceptions and regulations clause does not give Congress the power to abolish Supreme Court review in all cases involving a particular issue, whether confessions, eyewitness testimony, or any other. To interpret the clause otherwise would deny the long-accepted power of ultimate resolution of constitutional questions by the Supreme Court. It would radically alter our established legal system by nullifying the supremacy clause and destroying the essential role of the Supreme Court as the principal instrument for implementing that clause in our constitutional system.

Although the Supreme Court itself has never been specifically called upon to determine the validity of a blanket exclusion of appellate jurisdiction over particular issues, I have little doubt as to the unconstitutionality of these provisions. In every case raising the issue, the Court has either found no limitation on its jurisdiction or upheld a limitation which did not seriously impair its jurisdiction. The leading case is *Ex parte McArdle* (7 Wall. 586 (1969)), in which the Court upheld an act of Congress removing Supreme Court jurisdiction over appeals from lower court decisions denying habeas corpus relief. The Court made clear, however, that the statute did not affect its power to review such decisions by issuing a writ of habeas corpus in its original jurisdiction. Thus, for example, in *Ex parte Yerger* (8 Wall. 85 (1869)), decided a few months after the McArdle case, the Court reviewed, on a petition for an original writ of habeas corpus, a lower court decision denying habeas corpus relief. In the Yerger case, the Court specifically indicated that Congress could not constitutionally abolish all appellate jurisdiction of the Supreme Court.

Moreover, even though Congress may have some general power under the exceptions and regulations clause to withdraw Federal appellate jurisdiction to review constitutional questions in certain areas of the law, Congress surely cannot dilute or abrogate existing constitutional guarantees in the gains of exercising such power. See *United States* v. *Klein* (13 Wall. 128 (1872)). It is obvious that sections 3502 and 3503 dealing with Federal appellate jurisdiction are intended by the committee majority as part of a single inseparable plan to ac-

complish the legislative overruling of the Miranda and Wade decisions. As such, the sections will almost certainly be declared unconstitutional.

Apart from the issue of the constitutional validity of legislation by Congress to eliminate the appellate jurisdiction of the Supreme Court over particular issues, enactment of such legislation would be extremely unwise, as a matter of policy, for several reasons.

First. Abolition of Supreme Court jurisdiction by Congress would seriously distort the delicate balance that is maintained between the three branches of Government in our Federal system. The exercise by Congress of an ultimate power such as abolition of Supreme Court jurisdiction would cause the sort of basic confrontation between court and legislature that should be avoided at all costs if possible. Sections 3502 and 3503 are attacks on the Supreme Court even more drastic and extensive than the infamous Court-packing plan of the 1930's.

Second. Experience has shown that the Federal courts, and especially the Supreme Court, perform an important and useful function in reviewing State criminal convictions in the area of confessions. A long line of confessions cases in the Supreme Court, extending back many years before the present controversy over Miranda, points up the fact that there have been numerous occasions in the past when State courts have not effectively protected the constitutional rights of accused persons.

Third. By abolishing the appellate jurisdiction of the Supreme Court, Congress will reduce the Constitution and laws of the United States to a hodgepodge of inconsistent decisions. The 50 State courts and 94 Federal district courts will become the final arbiters of the meaning of the Constitution and laws of the United States. As Hamilton eloquently stated in the Federalist, No. 80:

> The mere necessity of uniformity in the interpretation of the national laws decides the question. Thirteen independent courts of final jurisdiction over the same causes, arising upon the same laws, is a hydra in government, from which nothing but contradiction and confusion can proceed.

III. CONFESSIONS—THE REPEAL OF MIRANDA

Section 3501(a) of title II makes voluntariness the sole criterion of the admissibility of a confession in a Federal court.

According to the provisions of subsections (a) and (b) of section 3501, the procedure in Federal courts will be as follows:

A preliminary determination of the voluntariness of a confession will be made by the trial judge, outside the presence of the jury. Section 3501(a).

In making his preliminary determination, the trial judge will be required to consider all the circumstances surrounding the confession, including the following specified factors, none of which is to be conclusive on the issue of voluntariness, section 3501(b):

Delay between arrest and arraignment of the defendant.

Whether the defendant knew the nature of his offense.

Whether the defendant was aware or advised of his right to silence or that anything he said might be used against him.

Whether the defendant was advised of his right to counsel.

Whether the defendant had the assistance of counsel during his interrogation and confession.

If the trial judge makes a preliminary determination that a confession was voluntary, he must admit the confession in evidence. Section 3501(a). The jury must then hear the relevant evidence on the issue of voluntariness and determine the weight to be accorded the confession. Section 3501(a).

Sections 3501(a) and (b) are squarely in conflict with the Supreme Court's decision in *Miranda* v. *Arizona* (384 U.S. 436 (1966)), and will almost certainly be held unconstitutional. In Miranda, the Supreme Court held unequivocally that a confession obtained from a defendant during custodial police interrogation could not constitutionally be used in evidence against the defendant unless the following specific procedural safeguards were followed, based on the defendant's privilege against self-incrimination under the fifth amendment:

The defendant must be advised that he has a right to remain silent and that anything he says may be used against him.

The defendant must be advised that he has the right to consult with a lawyer and to have the lawyer with him during the interrogation.

The defendant must be advised that if he cannot afford a lawyer, a lawyer will be appointed for him.

Although the case also held that a suspect could waive these rights, the Court stated that a heavy burden of proof rests on the prosecution to demonstrate that the waiver was knowing and intelligent.

The Court emphasized in Miranda that the procedural safeguards established in the case are in addition to the traditional voluntariness test. Since section 3501 specifically dispenses with these safeguards and in lieu thereof establishes voluntariness as the sole test of the admissibility of a confession, the section is obviously contrary to the Constitution.

The Supreme Court made clear in the *Miranda* opinion that its holding was firmly grounded on a constitutional basis that no legislature could overrule. In both the briefs and oral arguments in the case, the Court was specifically requested to withhold decision until legislative bodies had a chance to act upon the issue. The Court replied:

> Congress and the States are free to develop their own safeguards for the privilege, so long as they are fully as effective as those described [in the Court's holding] in informing accused persons of their right of silence and in affording a continuous opportunity to exercise it. In any event however, the issues presented are of constitutional dimensions and must be determined by the courts. The admissibility of a statement in the face of a claim that it was obtained in violation of the defendant's constitutional rights is an issue the resolution of which has long since been undertaken by this Court. . . . Judicial solutions to problems of constitutional dimension have evolved decade by decade. As courts have been presented with the need to enforce constitutional rights, they have found means of doing so. That was our responsibility when *Escobedo* was before us and it is our responsibility today. *Where rights secured by the Constitution are involved, there can be no rulemaking or legislation which would abrogate them.* (Emphasis added.) 384 U.S., at 490–491.

The Court's invitation in Miranda for legislatures to adopt "other fully effective means" to protect suspects in the free exercise of their constitutional rights offers no solace to the proponents of section 3501. The provisions of that section can hardly be characterized as "other fully effective means," since the means chosen by the section are manifestly less effective than the safeguards announced in Miranda.

Moreover, even though Congress has broad general power under the Constitution to enact procedural rules governing the admissibility of evidence in Federal Courts, nothing in the Constitution gives Congress the power to adopt procedural rules that override specific decisions of the Supreme Court interpreting the fundamental requirements of the Constitution. Simply put, Congress has the power only to expand, not to contract or abrogate these basic guarantees.

The fault in the Miranda decision, if any, lies not with the Supreme Court, but with the fifth amendment itself. Long ago, our Founding Fathers enshrined in the Bill of Rights the ancient maxim, in the words of the fifth amendment:

> No person shall be compelled in any criminal case to be a witness against himself.

At the very heart of the privilege against self-incrimination lies one of the fundamental principles of our system of criminal justice, that the Government must produce evidence against an individual by its own independent labors, rather than by the cruel simple expedient of compelling it from his own mouth. As Sir James Fitzjames Stephen commented almost a century ago on the use of interrogation by law-enforcement officers:

> There is a great deal of lazziness in it. It is far pleasanter to sit comfortably in the shade rubbing red pepper into a poor devil's eyes than to go about in the sun hunting up evidence, 1 Stephen. *A History of the Criminal Law in England,* 442 (1883).

In Miranda, the Supreme Court breathed life into the privilege as applied to police interrogation. The basic thrust of the Court's decision was to place the poor and inexperienced suspect on an equal footing with the wealthy and most sophisticated suspect by informing all suspects of their constitutional right to silence and assuring them of a continuous opportunity to exercise it.

As Justice Walter Schaefer of the Supreme Court of Illinois, one of our most distinguished jurists, has eloquently stated, the quality of a nation's civilization can be largely measured by the methods it uses in the enforcement of its criminal law. Schaefer, "Federalism and State Criminal Procedure," 70 Harv. L. Rev. 1, 26 (1956). To allow the Government in the administration of justice to take advantage of the ignorance or indigence of an accused would

violate the most elementary principles of our constitutional jurisprudence.

Forty years ago, Justice Brandeis forcefully answered the recurrent argument that the needs of law enforcement outweigh the rights of the individual. In Olmstead against United States, he said:

> Decency, security and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperilled if it fails to observe the law scrupulously. Our Government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. If the Government become a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy. To declare that in the administration of the criminal law the end justifies the means . . . would bring terrible retribution. Against that pernicious doctrine this Court should resolutely set its face. 277 U.S. 438, 485 (1928) (dissenting opinion).

Contrary to the suggestion of the proponents of title II, it can hardly be said with authority that the Miranda decision has seriously hampered law enforcement. Essentially the same warnings required by the Supreme Court in Miranda were being used by the FBI 14 years before the decision in that case. As Chief Justice Warren stated in delivering the opinion of the Court in Miranda:

> Over the years the Federal Bureau of Investigation has compiled an exemplary record of effective law enforcement while advising any suspect or arrested person, at the outset of an interview, that he is not required to make a statement, that any statement may be used against him in court, that the individual may obtain the services of an attorney of his own choice and, more recently, that he has a right to free counsel if he is unable to pay . . . [T]he present pattern of warnings and respect for the rights of the individual followed as a practice by the FBI is consistent with the procedure which we delineate today. 384 U.S., at 483–484.

Equally important, each of the two major field studies published to date on the impact of *Miranda* on law enforcement has concluded that the impact has been small and that the decision has had little effect on police practices or the clearance of crime. What is by far the most comprehensive of these studies was conducted by the student editors of the Yale Law Journal and faculty members of the Yale Law School. See "Interrogations in New Haven: The Impact of Miranda," 76 Yale Law Journal 1519, 1967. Over a period of 3 months, the Yale investigators observed every stationhouse interrogation undertaken by the New Haven police force. One of the basic conclusions reached by the study was that interrogation of suspects by police was unnecessary in the overwheming majority—87 percent—of the cases observed, since the police had already obtained enough evidence against a suspect at the time of his arrest to assure his conviction. In the typical case, either the police already had enough evidence to convict a suspect without interrogation, or they did not even have enough evidence to arrest him in the first place.

The second major study of the impact of Miranda was a statistical survey by two law professors at the University of Pittsburgh Law School. See Seeburger and Wettick, "Miranda in Pittsburgh: A Statistical Study," 29 University of Pittsburgh Law Review 1, 1967. Using files made available by the Pittsburgh Detective Bureau, the authors found that the incidence of confessions declined by almost 20 percent in the period following the Miranda decision. But—and this is the crucial finding of the study—the decline in the incidence of confessions was accompanied by no substantial decline in the arrest rate, the conviction rate, the rate of crime clearance, or the court backlog.

The Yale and Pittsburgh studies point up the crucial defect in many of the studies relied upon by the proponents of title II to support the provisions of section 3501. It is not enough to study the impact of Miranda on law enforcement by the crude measure of the incidence of confessions. The real impact can be determined only by measuring the effect on convictions and crime clearance. By this scale, the only true scale, the much-ballyhooed deleterious impact of Miranda on law enforcement has been extremely small, if not illusory.

Indeed, Miranda itself and its three companion cases present graphic examples of the overstatement of the "need" for confessions in law enforcement. In each case, law-enforcement officers had developed substantial other evidence against the defendants before conducting the interrogations held invalid by the Supreme Court. Thus, Miranda, Vignera, and Westover had been identified by eyewitnesses. Marked bills from the robbed bank had been found in Westover's car. Articles stolen from several robbery victims had been found in Stewart's home.

The overstatement of the "need" for confessions becomes even more obvious when the subsequent history of the four Miranda defendants is considered. Miranda himself was convicted in Arizona in February 1967 on the same two counts of kidnaping and rape with which he was originally charged, and received the same sentence of concurrent prison terms of 20 to 30 years on each count. Vignera pleaded guilty in New York to an indictment charging a lesser robbery offense, and was sentenced to a prison term of 7½ to 10 years. Westover was convicted in February 1967 on the same two counts of bank robbery, and received the same sentence of consecutive 15-year prison terms on each count. Stewart has not yet been retried on the original charges of robbery and murder, for which he was convicted and sentenced to death. However, a motion to suppress evidence in the case was denied in November 1967; after several continuances, the trial has been set for May 1968.

One specter raised by the proponents of title II that is easily put to rest is the suggestion that Miranda and like decisions are daily releasing vicious, and confessed criminals upon the public streets. This suggestion stems from the brief and unfortunate period immediately following the Miranda decision. In *Johnson* v. *New Jersey* (384 U.S. 719 (1966)), decided 1 week after Miranda, the Supreme Court held that the rules approved in Miranda would apply to all defendants tried after June 13, 1966, the date of the Miranda decision. Thus, in a number of cases awaiting trial at that time, seemingly voluntary confessions obtained prior to the date of Miranda were inadmissible in evidence, and some cases involving heinous crimes were dismissed, amid great publicity. That situation was temporary, however, and is no longer a serious problem. So long as the procedures of Miranda are followed, any truly voluntary confession can still be made and will still be admissible in evidence. As the studies of the impact of Miranda suggest, most of the confessions lost in the wake of Miranda could today be saved.

Yet another specter raised by the proponents of title II must also be laid to rest. The suggestion is made that the harmful effect of Miranda will be compounded as the lower Federal courts expand its doctrine and extend its interpretation. Nearly 2 years of judicial experience under Miranda in the Federal courts of appeals have proved this suggestion false. The trend of cases to date shows a strong reluctance by the Federal courts to apply the requirements of Miranda except in obvious instances of formal custodial interrogation. If anything, the definition of custodial interrogation in Miranda as "questioning initiated by law-enforcement officers after a person has been taken into custody or otherwise deprived of his freedom in any significant way" is receiving a highly restrictive interpretation. See, for example, *O'Toole* v. *Scarfati* (386 F. 2d 168 (1st Cir. 1967)), statement to prosecutor by city official given chance to explain deficiencies held admissible; *United States* v. *Adler* (380 F. 2d 917 (2d Cir. 1967)), volunteered statements to FBI agent examining books of suspect's corporation held admissible; *United States* v. *Gibson* (4th Cir. (March 1, 1968)), discussion of stolen car by defendant after State police officer asked him to step outside held admissible; *Yates* v. *United States* (384 F. 2d 586 (5th Cir. 1968)), statements made to hotel manager holding suspect in conversation pending arrival of FBI held admissible; *United States* v. *Agy* (374 F. 2d 94 (6th Cir. 1967)), incriminating reply to question asked by alcohol tax agent held admissible; *United States* v. *Holmes* (387 F. 2d 781 (7th Cir. 1968)), statement to Selective Service clerk held admissible; *Frohmann* v. *United States* (380 F. 2d 832 (8th Cir. 1967)), statement to internal revenue agent making criminal investigation held admissible; *Williams* v. *United States* (381 F. 2d 20 (9th Cir. 1967)) false statements to border-crossing guards held admissible; *Mares* v. *United States* (383 F. 2d 811 (10th Cir. 1967)), statement to FBI by suspect free to leave held admissible; *Allen* v. *United States* (D.C. Cir. (January 25, 1968)), statement made during detention after failure to produce auto registration held admissible.

IV. EYEWITNESS TESTIMONY—THE REPEAL OF WADE

Section 3503 of title II makes eyewitness testimony that a defendant participated in a crime admissible in evidence in any Federal court.

Section 3503 is squarely in conflict

with the Supreme Court's decisions in *United States* v. *Wade* (388 U.S. 218 (1967)), *Gilbert* v. *California* (388 U.S. 263 (1967)), and *Stovall* v. *Denno* (388 U.S. 293 (1967)). In Wade and Gilbert, the Supreme Court held that a pretrial lineup at which a defendant is exhibited to identifying witnesses is a critical stage of a criminal prosecution, and that the defendant is constitutionally entitled to the assistance of counsel at the lineup. In Stovall, the Court held that, even though the Wade decision was not to be applied retroactively, lineups in pending cases must still satisfy the requirements of the due process clause.

Decisions like Stovall indicate that, contrary to the suggestions of the proponents of title II, the Supreme Court is in fact highly sensitive to the problems and needs of law enforcement. In a series of recent constitutional decisions, the Court has moved gradually to a position of almost completely prospective application of new constitutional principles. The Court has explicitly stated that it attaches "overriding significance" to such factors as the reliance by law-enforcement officers on the prior law, and the severe burden on law enforcement and administration of justice if the new principles are to be applied, retroactively to grant new trials to defendants already convicted under the prior law. See *Linkletter* v. *Walker* (381 U.S. 618 (1965)), *Tehan* v. *Shott* (382 U.S. 406 (1966)), *Johnson* v. *New Jersey* (384 U.S. 719 (1966)), and *Stovall* v. *Denno* (388 U.S. 293 (1967)).

Section 3503 will almost certainly be held unconstitutional. The section dispenses with the procedural safeguards established in Wade for police lineups and is therefore in clear conflict with the requirements of the Constitution announced by the Supreme Court. In addition, section 3503 does not even attempt to establish effective alternative safeguards for lineups in lieu of the requirements of Wade. Instead, the section is a blanket provision making eyewitness testimony admissible in all circumstances, whether or not even the most fundamental and time-honored requirements of due process have been met in the identification, let alone the requirements of the right to counsel under the sixth amendment.

In the Wade decision itself, the Supreme Court discussed at length the grave potential for prejudice and miscarriage of justice inherent in lineup procedures. Eyewitnesses to crimes are notoriously subject to mistaken identification. Frequently, their opportunity for observation at the time of the crime was insubstantial. At the lineup, they are highly susceptible to suggestion, whether intentional or not, based on the manner in which the prosecutors or police present the suspect for identification. Where the victim himself is the witness, the hazard to objective identification is even further increased, because of the turbulent and possibly vengeful emotional attitude of the witness.

One expert authority quoted by the Supreme Court has given graphic examples of cases in which grossly unfair lineups were conducted:

> In a Canadian case . . . the defendant had been picked out of a lineup of six men, of which he was the only Oriental. In other cases, a blackhaired suspect was placed in a group of lighthaired persons, tall suspects have been made to stand with short non-suspects, and in a case where the perpetrator of a crime was known to be a youth, a suspect under 20 was placed in a lineup with five other persons, all of whom were over forty." Wall, *Eyewitness Identification in Criminal Cases* 53.

Once an eyewitness has picked out a suspect from a lineup, the witness easily becomes committed to the identification and is unlikely to go back on his word at trial. The requirement of Wade that a suspect is entitled to the presence of counsel at a lineup is well calculated to eliminate the possibility that unfair procedures will lead to mistaken eyewitness identifications or the conviction of innocent persons.

At the same time, the requirement of Wade is unlikely to cause an undue burden on law enforcement. The Supreme Court suggested that a variety of procedures could conveniently be used by law enforcement officers to assure fair and impartial lineups. It also suggested appropriate alternative procedures that could be used in circumstances where the presence of a suspect's counsel at a lineup was likely to cause prejudicial delay or obstruction of the confrontation.

The Wade opinion thus offers workable guidelines for achieving a reasonable accommodation between the needs of law enforcement and the rights of persons accused of crime. So far as we are aware, no study has yet been made of the impact of Wade on law enforcement. Moreover, as is demonstrated by the recent decision of the Supreme Court in Simmons against United States—decided March 18, 1968—the Court has granted broad leeway for the needs of law enforcement in areas related to lineups. In Simmons, the Court refused to apply the requirement of Wade to circumstances in which eyewitnesses are shown photographs of suspects by the police. The Court recognized that photograph identification procedures are widely and effectively used in law enforcement and held only that such procedures must meet the elementary requirements of due process of law; that is, that the procedures are invalid only if they are "so impermissibly suggestive as to give use to a very substantial likelihood of irreparable misidentification."—Slip opinion, pages 5 and 6.

In these circumstances, therefore, we believe that precipitous legislative action overruling Wade would be not only unconstitutional, but unwise and highly premature as well.

V. CONFESSIONS: THE REPEAL OF MALLORY

Section 3501(c) of title II specifies that a confession shall not be inadmissible in evidence in a Federal court solely because of delay between the arrest and arraignment of the defendant.

Subsection (c) is obviously intended to repeal the decision of the Supreme Court in *Mallory* v. *United States* (354 U.S. 449 (1957)). In Mallory, the Court held that if an arrested person is not taken before a magistrate or other judicial officer "without unnecessary delay," as required by rule 5(a) of the Federal Rules of Criminal Procedure, any confession obtained during the period of delay is inadmissible in evidence in a Federal court.

Section 3501(c) will inevitably encourage prolonged and indefinite incarceration and interrogation of suspects, without opportunity to consult with friends, family, or counsel. Unlike the recently enacted District of Columbia Crime Act, section 3501(c) fails to provide any time limit whatsoever on the period during which interrogation may take place. The District of Columbia Crime Act provides a maximum 3-hour period for interrogation after which a person may be released without charge and without an arrest record.

Rules prohibiting unnecessary delay between arrest and arraignment are based on sound law-enforcement policy. Prompt arraignment of arrested persons is necessary in a free society which values the fair administration of criminal justice. Prolonged incarceration and interrogation of suspects, without giving them the opportunity to consult with friends, family or counsel, must be condemned. Yet, it is precisely such incarceration and interrogation that are countenanced by the committee print. In effect, section 3501(c) would leave the "without unnecessary delay" provision of rule 5(a) of the Federal Rules of Criminal Procedure as a rule without a remedy.

Communist Exploitation of the United States

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. RARICK. Mr. Speaker, Russian movies in Washington, D.C., are now promoted with society page coverage.

It is sickening that our people are exposed to this indoctrination free. But it is nauseating that some will pay to have their brains sovietized thinking it is for "society" and "culture"—this must be the ultimate of the Peter Pan circuit.

One might think that the U.S. film people who pay to advertise their movies would object. In fact, their silence is suspicious.

But the Russians are doing a good job of exploiting U.S. free enterprise. They will probably expect to pay the production costs of their "cultural" movies with U.S. sucker money. And just wait until the critics and "experts" release their rosy reviews. It may be so successful Congress will seek to nationalize our film industries, so our movies can meet U.N. cultural requirements.

We have also given Ivan the Red exclusive air rights—New York to Moscow. Does not "joint operation" mean Soviet pilots and crews flying U.S. jet liners? An interesting orientation program.

The race issue is the only adjustment the white Commies cannot make in the

United States. They can promote and exploit the problem but they cannot live with it. Could it be because they are racist that they are renting an exclusive cottage on Tilghman Island to provide a segregated haven to protect their wives and children during the long hot summer.

Comrade "Ruski"—people are noting your regard for black people is less passionate than your love of capitalists' ways—your image is fading.

I include the movie announcement from the society page and other clippings on Soviet use of free enterprise:

[From the Evening Star, Washington, D.C., Apr. 24, 1968]

MOVIE TOO LONG?—JUST CUT IN TWO

Russian Ambassador Dobrynin and a host of diplomats, members of Congress and government officials will attend the two-part premiere of the $100,000,000 Russian-made epic "War and Peace" to be shown May 6 and May 8 at the Ontario Theater.

Reported to be the costliest and lengthiest motion picture ever filmed, the production runs 6½ hours.

It was filmed throughout Russia, in its cities and on its battlefields.

Based on the novel by Leo Tolstoy, the color film is being distributed in the United States as part of the State Department's cultural exchange program with the U.S.S.R.

The gala invitational opening will feature Part I on Monday, May 6, at 8 p.m., and Part II on Wednesday, May 8.

All tickets sold to the public will be sold as a two-part unit only.

NEW YORK-TO-MOSCOW FLIGHTS DUE IN MAY

Moscow.—The Soviet deputy minister of civil aviation, N. P. Bykov, said on Friday that regular Moscow-New York commercial airline service would "probably begin in the second half of May."

The long delayed service will be operated jointly by the Soviet airline, Aeroflot, and Pan American World Airways. It had been scheduled to start last May but was held back by technical details.

[From U.S. News & World Report, Nov. 6, 1967]

A RACE PROBLEM FOR THE DIPLOMATIC CORPS

WASHINGTON.—Racial violence in Washington schools has become a problem for the State Department.

Some white foreign diplomats complain that their children attending public school are being beaten and intimidated by Negro pupils. One youngster was hospitalized after a beating.

The diplomats appealed to the State Department for help in getting their children transferred out of the predominantly Negro school.

But the Department was told that a recent federal-court ruling forbids transfer by white children to escape from heavily Negro schools. Instead, arrangements were made for increased police patrols around the school.

"By international agreement, we must protect diplomats and their families," a State Department spokesman said.

The complaining diplomats are attached to the embassies of Communist countries—Poland, Czechoslovakia, and Bulgaria. Three diplomats withdrew their children from the public schools.

Commented the State Department spokesman: "This is very bad for our image overseas."

[From the Evening Star, Washington, D.C., Apr. 17, 1968]

RUSSIANS RENT MARYLAND SITE

ST. MICHAELS, MD.—The Russian Embassy in Washington has rented Blackwalnut Point on Tilghman Island for the summer as a recreation area for children of embassy personnel.

The Russians are to occupy two houses on 35 acres from May 22 to Aug. 22. The place was rented for $4,300 from Warren Scott, of Arlington, Va.

Last summer, the embassy rented a place near Salisbury.

Personnel at the U.S. Embassy in Moscow are accorded the same rental privileges for children.

What Price Treason?—Editorial by Judge Richard S. Kaplan, Gary, Ind.

HON. BIRCH E. BAYH

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Thursday, April 25, 1968

Mr. BAYH. Mr. President, Indiana has many distinguished Hoosiers of whom it can be justly proud. One such Hoosier is Judge Richard S. Kaplan, of the Gary City Court, who has long been active in State and community affairs and has worked extensively with various civic groups and fraternal organizations. Among the organizations to which he has devoted much time and effort is the American Legion. Judge Kaplan is particularly proud of his membership and association with the Legion and is the past first district commander of its Indiana department.

Last year, Judge Kaplan wrote an editorial entitled "What Price Treason?" which was published in the Gary Memorial Post No. 17 Monthly News, setting forth his views and convictions about the duty of every U.S. citizen to support and defend his country. Recently his editorial has been selected to receive the 1967 Freedom Foundation of Valley Forge George Washington Medal of Honor Award. Because of its timeliness and importance, I ask unanimous consent that it be printed in full in the RECORD at the conclusion of my remarks.

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

WHAT PRICE TREASON?

(By Judge Richard S. Kaplan)

Treason is defined as "an offense of attempting by overt acts to overthrow the government of the state to which an offender owes allegiance; or of betraying the state into the hands of a foreign power." (Webster).

The U.S. Constitution, Art. 3, par. 3, cl. 1, defines treason as "levying war against the United States or in adhering to their enemies, giving them aid and comfort".

What is the status of the United States with reference to its activities in Viet Nam? No matter what you may call the situation, the fact remains that we are at war with the communists . . . with the Viet Cong and North Viet Nam. Our men are being killed and wounded in battle. In return we are bombing the enemy's oil dumps and supply routes and killing the enemy's forces.

You may call it a police action, as we did in the Korean conflict, or an action to prevent a take-over by the North Vietnamese, but actually we are fighting a desperate war testing whether we shall drive the communists out of Viet Nam or be conquered instead.

Under the circumstances it becomes the absolute duty of every U.S. citizen to support and defend this country's effort in every way. We may not agree with the manner in which this war is being fought; we may disagree with the principles under which this war is being carried on; we may believe that our government should do more, should not be afraid to bomb Hanoi out of existence and use all our power to destroy the war effort of North Viet Nam regardless of what China may do. BUT . . . we must and should support this nation and do nothing to aid the North Viet Nam government.

However, what is the situation with certain individuals in this country? Groups of college students are being taught how to avoid the draft. Certain college students are urging that we give blood to the Viet Cong; and just a few months ago, Stokely Carmichael, young leader of the Student Nonviolent Coordinating Committee, better known as "Snick", who created the term "Black Power", publicly stated that "When you talk of Black Power, you talk of bringing this country to its knees. When you talk of Black Power, you talk of building a movement that will smash everything Western civilization has created."

In the face of the Universal Military Training Act, which provides that any person who "aids, abets or counsels" others to refuse to comply with the draft law may be punished by a fine of up to $10,000 and/or five years in prison", the same Mr. Carmichael gave this advice to Negroes: "When Johnson calls, say 'Hell, no, I'm not going.' Any black man who fights in this country's Army is a black mercenary."

Here are Americans who are giving aid and comfort to the enemy, giving the enemy encouragement while our men are fighting and dying overseas. If this isn't treason what in Heaven's name is it? The draft card burners, the flag burners, the demonstrators, who lie down in front of troop trains to prevent troops from travelling to their training camps, the looters, burners, destroyers are tearing the unity of this nation apart.

Some will say, "the Negroes are fighting for a better life. They are entitled to a good education, to live where they want and choose to live. My reply is simple. The Negroes are entitled to every right and privilege granted to all citizens . . . the right to employment and housing without discrimination. They are entitled to a good education, or to live where they want to live, with dignity and respect. They have a right to parade and demonstrate as any other citizen might do. But . . . they have no right to tear this nation apart by violence, created under the guise of fighting for their civil rights . . . to burn down, to break into stores and businesses, to loot and plunder at a cost of many millions to innocent business owners . . . to fight and shoot at innocent citizens and police.

And under the guise of fighting for their civil rights they have no right to give aid and comfort to the enemy.

The NAACP, largest and oldest Negro organization, and the Urban League, have utterly condemned these activities, but their protests and voices have gone unheeded by the violent and revolutionary young leaders who only recently have sprung into prominence.

The United States of America can no longer afford to permit such activities to continue. We cannot and must not allow Mr. Carmichael, the Muslims, the leaders of the Progressive Labor Party, a vicious anti-American organization whose members were kicked out of the Communist Party because of their violent theories, to continue their activities. We must not allow license to subvert to be carried on under the guise of free speech.

We must demand of this country that the traitors and violators of the Universal Military Training and Service Act be charged according to law and punished as the law demands they should be. We have no room for traitors and those who follow their lead. We cannot afford to allow them their freedom while our boys are fighting, being wounded, dying and being captured in Viet Nam.

Let us not play around with semantics. We are at war. We need unity in this nation and not divisive tactics in the guise of freedom of speech or civil rights. The granting of

rights to any citizen also demands responsibility on the part of the citizen who receives those rights; and any citizen who surrenders his responsibilities as a citizen has no right to claim constitutional immunity for his wrongs.

Let us hope our Attorney General will start the ball rolling to put local enemies where they belong—in prison.

Typhoon Jean

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. ASPINALL. Mr. Speaker, I take this opportunity to inform my colleagues of the devastating effects of Typhoon Jean which struck the Hall Islands group and the Marianas district of the Trust Territory of the Pacific Islands on April 11, 1968.

Typhoon Jean struck with the force reminiscent of the destructive military operations in World War II. Carrying wind peaks of 190 miles per hour over a period in excess of 12 hours, Typhoon Jean left over 11,000 people in this area with the following: 98 percent of the population is in a refugee status, over 90 percent of housing completely destroyed, over 75 percent of public facilities destroyed or currently unusable, and damages surveyed to be in excess of $16,000,000.

Recovery operations were begun as soon as possible following the destructive forces of Typhoon Jean, and I am pleased to submit the complete chronology of events and recovery operations as released by the office of the High Commissioner:

ISLANDS BEGIN RECOVERY

The sun has been shining in the Marianas since Saturday morning, April 13—36 hours after Typhoon Jean struck Tinian, Saipan and the other Northern Marianas with winds gusting as high as 190 miles per hour, causing an estimated 16 million dollars damage.

The devastation is reminiscent of World War II. Bombardment by Jean's angry blasts was more damaging than the wartime conflict which made Tinian and Saipan an historic battleground.

Winds stripped foliage from shrubs and trees exposing many wartime pill boxes, caves, storage tanks, and defense structures which tangan-tangan had shrouded from view.

With the sunshine, the area's 10,000 residents—the majority of them homeless—have also brightened, and every community buzzes with activity as people rebuild their homes, dry out their salvaged belongings, and assist in repairing damaged government facilities.

Within hours after the storm had passed, the resources of the Trust Territory government, the federal government, and some men and equipment from the neighboring government of Guam had been mobilized to begin recovery operations. Assistance was also immediately received from the American Red Cross.

The United States military has played a key role in relief operations. By Tuesday, 25 Navy, Air Force and Coast Guard cargo planes had arrived at Saipan's Kobler Field bringing supplies and men from Okinawa, Korea, Japan, Hawaii and Guam. Three military ships were waiting to unload food and building supplies at the port, supplementing the goods brought in by Trust Territory logistics ships the M/V Ran Annim and the M/V Gunner's Knot. Many of the supplies have been relayed to Tinian.

The list of supplies flown in to the stricken islands is long and varied: 60 tents, five large generators, several field kitchens, kerosene stoves, 4000 bedsheets, 1500 pillows, 1800 blankets, 44,000 paper plates, saws, hammers, machetes, water containers for people to carry water home from the central water distribution points, 13 reefers, 100 wrecking bars, nails, 150 power poles, 5000 cases of C-rations, a dozen water tanks, 65 cartons of assorted clothing.

Military manpower has been donated to help with unloading planes and running the field kitchens. A medical team from Hawaii is administering innoculations and a Navy commander is helping Trust Territory officials coordinate the unloading and distribution of the supplies.

A survey group from the Navy's Guam Officer in Charge of Construction arrived in Saipan the day after the typhoon to help with damage estimates.

The Air Force has made food drops at the isolated northern Mariana Islands of Pagan and Agrihan which were also hit by Typhoon Jean. Air reconnaissance flights by Air Force and Coast Guard planes also discovered damage in Alamagan, Sarigan and Anatahan. Further relief flights will be made to the islands.

The Navy salvage and rescue ship USS Grasp arrived in Tanapag Harbor Tuesday and pulled the M/V Pacific Islander off the reef.

While military efforts have been concentrated on immediate relief of typhoon conditions, the Trust Territory government has been busy with long range rehabilitation plans.

Assigning responsibility for immediate housing and feeding of residents to the Mariana Islands District administration, Trust Territory headquarters personnel took on the job of planning the future of the devastated island. High Commissioner William R. Norwood named a six-member coordinating committee, chaired by Administrative Officer Larry Anderson, to coordinate all government efforts toward the immediate and eventual recovery from the storm.

A doctor and nurse from Guam Memorial Hospital arrived Monday to assist in running local clinics. On Tuesday they traveled with Marianas District Administrator Peter T. Coleman and Red Cross representatives to Tinian, to assist in recovery there. The 700 residents of Tinian suffered damages comparable to those in Saipan from Typhoon Jean.

Water pumps, generators, and food supplies were sent to Tinian as soon as they arrived at Saipan, after a personal investigation of the situation had been made by Deputy High Commissioner Martin P. Mangan and Marianas District Administrator Peter T. Coleman. A doctor from Public Health was on the Coast Guard plane on Sunday. Food was taken in then, and a Coast Guard cutter was dispatched with the generator and pump the following morning.

In addition to medical personnel, the Goverment of Guam dispatched three power line crews to Saipan, who with two crews from the Navy Public Works Center in Guam assisted Marianas public works crews in restoring Saipan's power system.

Although the Trust Territory will devote all financial resources it can to typhoon relief, complete recovery will be impossible without aid from Washington.

Mrs. Ruth G. Van Cleve, director of the Office of Territories, Department of the Interior, arrived in Saipan the day after Typhoon Jean struck. Ralph Burns, regional director for the Office of Emergency Planning in Santa Rosa, California, arrived Sunday to survey the damage. His report to Washington will help the President decide whether to grant High Commissioner Norwood's request that the Marianas and Hall islands be declared a national disaster area, making them eligible for federal disaster funds. Burns plans to visit the islands of Tinian and Rota before returning to California.

Saipan last received OEP assistance after Typhoon Olive which struck in April of 1963. Among the few buildings which survived the storm without serious damage are several constructed with OEP funds at that time.

Chief immediate problems after a disaster of the magnitude of Typhoon Jean are food and housing. As many as seven thousand residents were believed to be in temporary shelters or doubled up with other families immediately after the typhoon, and although some families have been able to move back into their homes after replacing roofs, many others have nothing but a pile of debris to return to.

The Red Cross is providing tools to all persons who need them to rebuild their homes. Nails, plywood, and sheet metal are being procured by the Trust Territory for distribution to the needy.

Health officials emphasize the importance of getting people back into individual homes. The present crowding together in typhoon shelters and homes constitutes a very real danger if any sort of respiratory ailment should break out.

Food needs of the people were being met through the field kitchens being run by Army personnel. It is planned to continue feeding the people in this way for the first two weeks to insure sanitary food preparation. Once people have rebuilt their own kitchen facilities, food will be distributed to those who need it for preparation at home. The Trust Territory has requested rice, canned meat and staples to feed 5000 people for six months from the United States Department of Agriculture. The Red Cross will finance a part of the emergency feeding program.

The Trust Territory has also shipped enough food to last 1000 people a month to the Halls and other northern islands in Truk District. The Halls were the first victim of Jean's fury, before she reached the Marianas.

The M/V Emeraech, a fishing boat built by Palau Boatyards two years ago, was scheduled to make a damage survey of the Northern Truk Islands. The team aboard included a doctor and representatives from Truk District agriculture, community development, public works and sanitation departments. Medical supplies and tents for a temporary dispensary were also aboard.

There have been no deaths directly attributed to the storm. A young man hurt while riding his motorcycle during the storm was evacuated to Guam and is recovering, and the military evacuated a baby Monday from Tinian. The miracle of so few personal injuries is attributed to the effectiveness of the Fleet Weather Center's typhoon warning system, which enabled residents to seek shelter.

Sturdily built Catholic churches at Chalan Kanoa, Tanapag and San Jose, San Antonio and on Tinian provided havens of safety for thousands.

Health is a prime concern in any disaster. Saipan's Dr. Torres Hospital lost most of its roof and suffered severe water damage to its contents, but was back in operation with an emergency generator the day after the storm. Some medicines and supplies were salvageable, and many more are being received daily.

First order of business for health personnel was immunization to prevent epidemics. The government received 12,000 tetanus and 12,000 typhoid serums, and a military medical

team from Hawaii is moving from village to village administering the inoculations.

Public health officials are now emphasizing the need for the picking up immediately of typhoon debris to avoid giving rodents and insects a place to breed. Public works crews have begun picking up and disposing of garbage in the villages.

Sanitation crews are spraying for mosquitoes and flys throughout the island.

Students of the Trust Territory's Nursing School, which was totally demolished by the storm contributed much of the manpower in public health efforts after the storm. The students are being used in the hospital wards and in the villages. The Nursing School will reopen on an academic basis as soon as possible according to Dr. William Peck, Assistant Commissioner for Public Health.

All educational activities were halted abruptly by Typhoon Jean. At least one million dollars worth of damage was caused to Saipan's seven public elementary schools and one high school. The Tinian elementary school received damages of at least $60,000. Although almost all classrooms are without roofs, education officials hope to have at least some schools operating shortly. Elementary schools will be given priority.

School teachers and administrators, high school students, and volunteers are working this week to clean debris from classrooms and to dry out books and equipment. Once canvas, tin or plywood roofs have been put on classrooms which still have walls, classes will resume.

Contract teachers were among the American employees most hard hit by the storm—the Navy Hill housing area where many of them lived was totally demolished. Many American families have doubled up until other arrangements can be made.

The Catholic Mt. Carmel School also suffered heavy damage, losing all its roof. The Mercedarian Sister's Convent across the canyon from the Navy Hill housing area was also totally demolished.

Total Typhoon Jean damage has been estimated at $16 million, and veteran observers have said the percentage of destruction to Tinian and Saipan was greater than that of Typhoon Karen which devastated Guam in November 1962 with winds above 200 miles per hour.

Half the damage from Jean is estimated to be in the private and commerical sector, with public facilities absorbing the other 8.5 million dollars damage.

In addition to providing emergency building materials so the people can repair their homes, the government has provided generators to key businesses in hopes of saving frozen food products. The recently opened Royal Taga Hotel is also receiving some emergency power to keep its refrigeration plant in operation.

At least four million dollars worth of damage was suffered by government buildings other than schools. This includes the district public works center which was totally wiped out, the property and supply section which lost warehouses housing over one million dollars worth of supplies for the entire Trust Territory, the district administration complex, and government housing. The 115 houses and 30 quonsets housing government employees received at least half a million dollars damage. Another $800,000 damage was done to furnishings and equipment.

At least $250,000 damage was done to the dock in Saipan's Tanapag Harbor by the large vessel the Pacific Islander which pounded against the dock for some time before breaking loose from its moorings and running aground on a reef. Another $250,000 will be needed to clear the Rota Harbor. For almost two years efforts have been underway to improve Rota Harbor. It was damaged by Typhoon Gilda last November, and now Jean has filled it in again.

The problem of utilities—power, water and telephones—looked almost insurmountable Friday morning. Half the power lines and poles were down, the power plant roof was missing and the generators were wet. Estimates of damage to the island power system alone have ranged as high as a million dollars.

Although it will be many weeks before power can be restored to homes throughout the island, public works officials were optimistically revising their original estimates that it would take months to get back to normal, and crediting the linemen from Guam for helping solve this problem.

Water is still being boiled or purified by users for cooking and drinking, but with the opening of several water distribution points around the island, it is accessible to all.

Public works officials do not expect to have the island telephone system back in full operation soon, but lines between key government offices have been repaired.

Saipan's 83 Peace Corps Volunteers have been busy in the recovery program. For many the first order of business Friday morning was recovering their own belongings from shattered houses, washing of clothes which were buried in the mud, and rebuilding or repairing of their houses. By Saturday, many of them were busy helping at water and food distribution points. A number of volunteers were assigned to make a house to house survey of structural damage. With the exception of public health volunteers, business advisors, and volunteers assigned to headquarters projects, the PCV's were turned over by the Peace Corps Marianas director to the District Administrator, to use on projects as needed. Many of these volunteers are working with the commissioners in the villages, helping to coordinate relief work on the local level. Others are helping out in the field kitchens.

The business advisors are working on a survey of damages to private businesses on the island, in preparation for the arrangement of some sort of relief to hard pressed local entrepreneurs. Public health volunteers have been busy in their field since the storm.

Admiral Carlton B. Jones, Commander Naval Forces, Marianas, toured the stricken villages April 17 with members of his staff to inspect recovery programs and to confer with High Commissioner Norwood and District Administrator Coleman.

The typhoon recovery effort to date has been an example of remarkable cooperation between various branches of government and other organizations. There is no question in anyone's mind that these islands will be back on its feet very soon.

Mr. Speaker, I was pleased to learn of the response and action of the Office of Emergency Planning in declaring these islands a disaster area. And, I am sure, Mr. Speaker, the cooperative efforts already displayed and the resourcefulness of these people will continue and be a most important factor in returning these islands to a status equal or greater than existed prior to Typhoon Jean.

The Late Robert Vedder Fleming

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Thursday, April 25, 1968

Mr. TYDINGS. Mr. President, the April 1968 issue of National Geographic contains an eloquent tribute to the late Robert V. Fleming, a longtime resident of the city of Washington, who had served the National Geographic Society for many years as a member of the board of trustees, as treasurer and, from 1958 until his death in November 1967, as vice president. The article was written by Dr. Fleming's associate and close friend, Melville Bell Grosvenor, editor in chief and chairman of the board of the National Geographic Society.

In addition to his years of devoted service to the National Geographic, Robert Fleming had a brilliant personal career as president of the Riggs Bank. In addition, he somehow found the time and energy for service to numerous other organizations. He was often called upon for advice by the Government, he served as head of the American Banking Association, he was chairman of the board of George Washington University for many years, and he was also a member of the Board of Regents of the Smithsonian Institution.

Robert Vedder Fleming greatly loved the city and the country to which he contributed so much. He is sorely missed by all who knew the strength of his mind and character and the special grace with which he lived and served.

I ask unanimous consent that Mr. Grosvenor's article and the testimonial resolution which was passed by the Board of Trustees of the National Geographic Society be printed in the RECORD.

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

ROBERT V. FLEMING, 1890–1967

(By Melville Bell Grosvenor, LL.D., Sc.D.)

The National Geographic Society, in its 80-year history, has had many great Americans on its Board of Trustees, and to their wise counsel and devoted service your Society owes, in large part, its success in increasing and diffusing geographic knowledge throughout the world. None served with greater dedication, distinction, and dynamic ability than Robert Vedder Fleming, Trustee since 1929, Treasurer since 1935, and Vice President since 1958, who died last November 28 at the age of 77.

For half his lifetime Robert V. Fleming played a vital role in the affairs of our Society. No major expansion or new educational project was undertaken without his always-ready advice.

The senior officers and editors of the National Geographic Society receive much credit for its growth. But without Bob Fleming to protect and nurture our resources we could never have accomplished all that we have. In the words of a resolution adopted by the Board of Trustees last January 25:

"As Treasurer of the Society and Chairman of its Finance Committee, Dr. Fleming devoted his ability and efforts to assuring that the Society's resources and facilities always kept pace with its phenomenal growth and expanding goals. When Robert Fleming became Treasurer in 1935, the Society's membership numbered slightly more than one million; at his death its rolls listed more than six million members. His sound management of its finances helped make funds available for greatly increased research, exploration, and public service grants, for new publications and the Society's entry into television, for tenfold expansion of the School Bulletin service, for inauguration of educational filmstrips, for huge presses, and for worthy new buildings to house the Society's expanding activities."

I vividly recall my first meeting with Bob Fleming: I drew him as a golf partner. He was only in his mid-thirties, but as President of the Riggs National Bank in Washington, he was already on his way toward nationwide fame in banking circles. As a golfer, he

played formidably in the mid-70's. I trailed him badly in age, confidence, and skill, but that day I played over my head and we won. Always competitive, Bob was delighted. Our friendship grew. Soon he seemed like an uncle to me.

STRONG PERSONALITY INSPIRED CONFIDENCE

Bob had the stocky strength of a Winston Churchill, and he inspired the same kind of confidence. To me he always seemed permanent and invincible.

During the dark financial depression of the early 1930's. Bob Fleming was in the vanguard of Washington banking officials who organized to weather the crisis of financial failures. When panicky depositors began a wild run on one loan association, Bob and a group of fellow bankers appeared on the scene.

"All your deposits are safe," they told the knots of fearful people in the lobby.

Meanwhile, guards had begun to unload sacks of currency from an armored car.

The bankers' show of confidence—and the money's timely arrival—immediately stopped the run. The crowd melted away, and that loan association still flourishes in Washington.

All his life Bob Fleming helped others. As a youngster, he wanted to be a surgeon. His father's death made that dream impossible, "but Mr. Fleming always had a surgical mind," one of his associates recently observed.

That keen intellect served him and his country well. He started as a 17-year-old messenger boy with the Riggs Bank and rose swiftly to the top. From his office, across Pennsylvania Avenue from the Treasury Department and the White House, he became an unofficial but continuing counselor to every administration, regardless of party. He headed the American Bankers Association in the 1930's and chose as his nationwide theme "taking the mystery out of banking."

Friends marvel at his vast store of energy. For a generation he was Chairman of the Board of George Washington University, and he served the Smithsonian Institution as a member of its Board of Regents and Chairman of its Executive Committee. Indeed, he aided so many local causes that he came to be called "the Capital's No. 1 citizen" and "Mister Washington."

"He gave his full attention to each problem. He always took time for people," recalls his son Robert W. Fleming. "That's the reason he sometimes ran behind schedule."

Presidents and other great men of our time enjoyed his delightful company.

When he served as chairman of President Eisenhower's Inaugural Committee in 1957, he won the friendship and gratitude not only of statemen but also of a big police officer who continued to drop into Bob Fleming's office for regular personal visits over the next 10 years. In the same spirit, one young man told me, "When I was first thinking about marriage, I needed advice and my own father was dead. So I went to Mr. Fleming—he was like a father to many of us."

"STEADY COUNCIL—INSTANTLY AVAILABLE"

With the same fatherly vision, he guided the Society's Finance Committee during our greatest period of growth. Through prudent handling of funds, we were able to buy new high-speed color presses, build new office buildings, and increase our public service and research grants.

At an earlier stage of the Society's history, my father Gilbert H. Grosvenor thanked Robert V. Fleming in these words: "Through many difficult problems and situations—the Great Depression of 1930 to 1937, World War II, the Korean War, and the continuous Communist threats—your steady counsel and wise, generous advice, always instantly available, have immensely benefited the National Geographic Society."

Bob Fleming trained us all in his methods, and so he bequeathed a practical legacy as well as a rare human example when he quietly passed away last November.

At the funeral I spoke with President Truman's Secretary of the Treasury, John W. Snyder. "We used to have lunch together every week," Mr. Snyder said. "Bob Fleming's penetrating knowledge of finance was of great value to the federal administrations of every President since President Hoover in complicated financial and fiscal problems of the Government. During my six and a half years as Secretary of the Treasury, he rendered immeasurable service to the Treasury Department as counselor, adviser, and friend."

Later the same day, I encountered the present Secretary of the Treasury, Henry H. Fowler—and he used almost the same words as his predecessor from another generation.

I was still thinking about his example of our friend's constancy and reliability over the years when I returned to my desk. On it lay a letter from Bob Fleming, written just before his death. He was fretting over his "clearance from the doctors . . . to be present at the Board of Trustees meeting." He was still the Society's dedicated Treasurer, still looking ahead. He never ceased to be young in heart.

TESTIMONIAL RESOLUTION HONORING ROBERT V. FLEMING

At a meeting of the board of trustees of the National Geographic Society, held on January 25, 1968, the following resolution was unanimously adopted:

Resolved, With a deep sense of personal loss the Board of Trustees of the National Geographic Society mourns the passing of a cherished friend and gifted colleague, Robert Vedder Fleming, on November 28, 1967, at Washington, D.C. We record his death with profound sorrow; yet we recall with gratitude and admiration the achievements of his incredibly productive life as banker, citizen, and public servant.

Financial architect of the Society's growth, this sturdy, dynamic, warm-hearted man gave 38 years of distinguished service to the National Geographic Society, first as a member of its Board of Trustees, then as Treasurer, and later as Vice President as well. Endowed with extraordinary energy, leadership ability, and judgment, he sought out important and challenging tasks, and in getting them done cemented relations of enduring friendship and respect. He took pride in promptly honoring every commitment, every promise, no matter how informally undertaken. Always ready to shoulder responsibility, he cheerfully imposed crushing demands on himself and by example exacted a maximum, but willing, performance from others.

As treasurer of the Society, and chairman of its finance committee, Dr. Fleming devoted his ability and efforts to assuring that the Society's resources and facilities always kept pace with its phenomenal growth and expanding goals. When Robert Fleming became Treasurer in 1935, the Society's membership numbered slightly more than one million; at his death its rolls listed more than six million members. His sound management of its finances helped make funds available for greatly increased research, exploration, and public service grants, for new publications and the Society's entry into television, for ten-fold expansion of the School Bulletin service, for inauguration of educational filmstrips, for huge presses, and for worthy new buildings to house the Society's expanding activities.

Dr. Fleming was an unsung hero of the Society, said Board Chairman and Editor-in-Chief Dr. Melville Bell Grosvenor in giving his staff the sad news of Robert Fleming's death. "The senior officers and editors of the National Geographic receive much credit for its growth. But without Bob Fleming to protect and nurture our resources, we could never have accomplished all that we have."

The late Dr. Gilbert H. Grosvenor once expressed the Society's thanks to Robert V. Fleming in these words: "Through many difficult problems and situations—the Great Depression of 1930 to 1937, World War II, the Korean War, and the continuous Communist threats—your steady counsel and wise, generous advice, always instantly available, have immensely benefited the National Geographic Society."

Commensurate with Robert Fleming's contributions to the society, but out of all proportion to what one might expect from the genius of one man, were his efforts in behalf of his profession—banking—and of his native Washington, D.C. Starting at age 17 as a messenger for the Riggs National Bank, by age 35 we was its president. In his early 20's the young banker studied night after night to become expert in the new laws establishing the income tax and the Federal Reserve System. As an authority, he was sought out for advice on these timely subjects. He remained at the helm at Riggs for 42 years, an era of vastly increasing resources and prestige for the bank.

As a private citizen he sought always the betterment of his beloved home town. As chairman or member of innumerable committees, he worked to enlarge higher education, advance the arts, improve hospitals and museums, promote aviation, sponsor training schools for the underprivileged. Upon his death, the *Washington Post* declared, "For three decades, the appearance or absence of the name of Robert Fleming on a committee roster or sponsors' list could mean the difference between success or failure of a civic enterprise." The *Washington Evening Star* referred to him as "No. 1 Washington Citizen for more than a quarter of a century."

The personal influence of Robert Fleming reached far beyond Washington to the financial health of the Nation itself. Virtually an ambassador-at-large of the banking world, he knew and counseled every Secretary of the Treasury from President Herbert Hoover's time to that of President Lyndon B. Johnson. During the bank crisis of 1933, Dr. Fleming conferred directly with Franklin D. Roosevelt and helped to restore public confidence in the entire banking system.

Many-sided in his public image, in his private world Robert Fleming was by nature a man of simple tastes and affectionate sociability. He was a keen sportsman, both as spectator and participant. He was an ardent golfer and carried onto green and fairway the indomitable will-to-win which distinguished all of his endeavors.

The enumeration of Robert Fleming's achievements and affiliations, and of the citations and honors he received, would fill many close-typed pages. For a generation he was Chairman of the Board of George Washington University, and he served the Smithsonian Institution as a member of its Board of Regents and chairman of its executive committee. He served on the Federal Advisory Council of the Federal Reserve System and was a former president of the American Bankers Association. He was the first chairman of the Citizens' Advisory Council of the District Government, a past president of the Metropolitan Washington Board of Trade, and an honored member of the board of many corporations. Numerous clubs valued Dr. Fleming's presence and participation as an active member. He served in the Navy in both World Wars, and was at his death a retired commander in the U.S. Naval Reserve. In 1939 he received the honorary degree of Doctor of Laws from George Washington University.

Civic leader, humanitarian, steadfast counselor and friend, Robert Fleming gave of himself to others without stint. Those whose lives he touched might echo what the poet Santayana wrote of a lost friend:

"Living you made it goodlier to live. . . ."

Be it further resolved that this resolution be entered upon the annals of the Society, and that copies be presented to Dr. Fleming's devoted son and daughter in testimony of his colleagues' affection and profound regard.

MELVILLE BELL GROSVENER,
Chairman of the Board and Editor-in-Chief.
MELVILLE BELL GROSVENOR,
President.

Views on Drug Industry Regulation

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. NELSEN. Mr. Speaker, I read with a great deal of interest, recently, a proposal that a new system of Federal licensing be established for all U.S. drug manufacturing plants, to give a greater assurance of the quality of the Nation's drug supply.

There is nothing startling about this concept. It has been around for quite a few years. But Congress rejected licensing in enacting the 1962 Kefauver-Harris amendments to the Food, Drug, and Cosmetic Act. Instead, a simple, census-type of plant registration was adopted.

Now the idea of licensing is brought up again. Not, as one might expect by the Secretary of Health, Education, and Welfare, the Honorable Wilbur Cohen, or by the Commissioner of Food and Drugs, Dr. James L. Goddard.

The significant fact is that Congress is being urged by the chairman of the board of Smith Kline & French Laboratories to require all drug plants to obtain Government licenses.

S.K. & F. Laboratories, of Philadelphia, Pa., is one of the country's leading pharmaceutical houses. Its board chairman is one of this industry's most respected leaders, Mr. Walter A. Munns.

This forthright recommendation from an industry leader that his own industry be more closely controlled by the Federal Government was voiced April 1, by Mr. Munns, 1967–68 chairman of the board of the Pharmaceutical Manufacturers Association, at that association's annual meeting.

He pointed out that under the present law anyone can legally start a drug manufacturing business and operate for 2 years before the Food and Drug Administration is legally required to inspect the plant and its operating procedures.

Obviously, in a period of two years a vast quantity of substandard, even dangerous drugs can be marketed. This is a real threat to the public health—

Said Mr. Munns.

We in the Congress should consider this potential for harm very seriously.

Mr. Munns also proposed that the law should also be changed to make it mandatory for FDA to inspect every drug manufacturer at least once every year instead of the once every 2 years now required.

This forward-looking industrial statesman then called on every drug manufacturer to develop scientific support for every one of its products. It was a bit of a jolt to be reminded that this is not already required by Federal law.

Let me quote a few paragraphs of this thought-provoking address, which I hope will find a broad affirmative response in Congress and throughout the pharmaceutical industry. Mr. Munns declared:

Henceforth a manufacturer should not be permitted to market a drug—new or old—sold either under a generic or brandname until he has established the therapeutic effectiveness of his particular product by substantial clinical evidence or, when appropriate, by assays in man that demonstrate the biological availability of the active ingredients.

It does seem ironic that the government's emphasis on "generics" has overlooked the fact that countless drug products are on the market which have never been cleared by the FDA for safety and effectiveness, and even today under the law manufacturers are under no compulsion to do proper testing before marketing many drug products.

The S.K. & F. Laboratories board chairman coupled his constructive proposal for industry licensing with the caution that the Food and Drug Administration would have to be supplied with far greater scientific and technical manpower and resources than it now has to efficiently administer a rigid new program of drug plant licensing and inspection.

Government programs continue to expand in the health and welfare fields, and as the Health, Education, and Welfare Department and other Federal agencies become ever more involved in the delivery of health care and services, Congress has a heavy responsibility to make sure that present and new Federal programs are soundly established and wisely administered.

In his address to the PMA, Mr. Munns discussed a number of the other serious and yet unresolved issues with which Congress will be dealing in the months and years ahead. And, on Sunday of this week, the Washington Star carried an editorial endorsing Mr. Munn's legislative proposals for insuring the safety and effectiveness of all drugs now being marketed. I concur in the Sunday Star's complaint that the "remarkable and disturbing thing is that the Government, to this day, does not have in effect the—Munns—proposals that are so obviously needed" to safeguard the public health.

Mr. Speaker, I place Mr. Munn's entire speech as well as the Sunday Star editorial in the RECORD at the conclusion of my remarks for the consideration of the House:

[From the Sunday Star]

A MATTER OF SENSE

Walter A. Munns, outgoing chairman of the Pharmaceutical Manufacturers Association, has said a sensible mouthful in calling for stricter legislation in the field of drugs.

Here are some of his suggestions: Amend the law to require every drugmaker to get a license before beginning operations; make it mandatory for the Federal Food and Drug Administration to be tougher than it is now in its inspections; "henceforth a manufacturer should not be permitted to market a drug—new or old—sold either under a generic or brand-name until he has established the therapeutic effectiveness of his particular product. . . ."

There is no reason to doubt that Munns is right. The remarkable and disturbing thing is that the government, to this day, does not have in effect the measures that are so obviously needed.

THE CHALLENGE OF CHANGE

(Address by Walter A. Munns)

Good morning ladies and gentlemen.

It is traditional for the outgoing chairman of the Pharmaceutical Manufacturers Association to make a speech at the Annual Meeting. I do not know how this custom got started, and it may very well be that after I finish here today it will come to an abrupt end.

Actually, I am glad to share my thoughts with you, but before doing so, I would like to thank the Association for giving me the opportunity to serve as chairman this past year. It has been a real privilege—one that I shall always cherish.

I also want to congratulate President Joe Stetler and the fine staff of the PMA for doing an excellent job under the most trying circumstances. We have outstanding people representing our Association in Washington, and I take pride and pleasure in saying so in your presence and theirs.

The PMA has had a busy year and accomplished many things about which you will hear later. Most prominent in all of our minds in the past year, certainly, have been the Congressional investigations of our industry.

The Association has expended more time, money and energy on these inquiries than ever before. We have had more involvement of member firms, in terms of providing data and Congressional witnesses than in the past. The result has been that PMA was able to assemble an extensive and cogent defense of the industry.

Without question, our effort was handicapped by the nature of the hearings—*we were there to defend.* It wasn't possible, under such circumstances, to come away with a feeling of having "won." The best we could strive to do was to correct the record and provide the facts that would lead reasonable minds to just conclusions.

We hope that reasonable minds were there to listen, to learn, and to reach those just conclusions.

When I began collecting my thoughts for this talk, I ran over in my mind the changes that have taken place over the many years I've been in the pharmaceutical industry. There have been many and momentous changes, but I doubt that anyone in this room will deny that our industry is destined for even more change in the years ahead. Changes bring challenges, and we are faced with challenges of great magnitude. How we meet these challenges will affect, for good or bad, the lives and health of every American.

The processes of change were accelerated beginning about 10 years ago. They are still going strong. We can help to shape this change if we work with lawmakers and government officials, but we must be willing to supply them, and the public, with facts. We must be willing to speak up, to voice our concern about the future, and say what we think needs to be done to advance the public interest. This meeting will have been a success if each of you leaves determined to do his full share.

The great majority of firms represented by the Association are dedicated to research and, if you will forgive the cliché, research is truly the lifeblood of the business. Industry research expenditures stand at an all-time high. They have increased 172% in the past 10 years to an estimated $462.4 million in 1967. We spend proportionately more on research—of our own money, that is—than any other industry in this or any other country. This research has produced

new pharmaceuticals that have brought untold benefits to people all over the world.

I am convinced that the best way we can serve the public interest is through consistent and imaginative support of this research effort—expanding it each year as we have in the past. But the really important question is: Will we be able to expand our research in the future? Our long-range planners say that by 1970 one-third of the industry's business will be either with the government or with "third-party" drug payment programs. Thus, the already great pressures for cost controls will mount in the days ahead.

It is only right that every purchaser wants the best drug product at the best price. But as these economic pressures rise, let us consider a parallel but downward movement that has received far less public attention than it deserves.

There has been a sharp decline in the productivity of the industry's research and development. In 1959, there were 370 new prescription drug products introduced to the national market. In 1967, this figure was only 82, a decline of almost 80%.

Another measure of R&D productivity is the introduction of products that owe their therapeutic effect to new single chemical entities. These are generally conceded to be totally new therapeutic agents. Some of them could rightfully be described as breakthroughs. In 1959, there were 63 marketed. This had dropped to 25 by 1967, a decline of 60%. It is now estimated that it takes 7 years, on the average, to get a new chemical entity to the market from the time of first synthesis, with an after-tax cost of $7 million.

Moreover, research costs and all our other costs are going up, while at the same time, as official government statistics show, prescription drug prices are going down. Is it any wonder that we worry how long we will be able to maintain our R&D effort, let alone expand it?

In the recent hearings before Senator Gaylard Nelson's Small Business Subcommittee on Monopoly, there was much debate about the degree of risk in our industry. Some of the critics reject the idea that ours is a high-risk industry. Anything short of an array of bankrupt drug firms, I fear, will leave them unmoved.

Professor Jesse W. Markham, the distinguished economist from Princeton University, during the Senate hearings told of five different types of risks characteristic of this industry and gave examples. The risks are as follows:

Rapid product obsolescence.

Unanticipated side effects.

(For example, SK&F marketed a highly successful antidepressant in 1961. Unfortunately, two years after introduction, unpredictable side effects appeared. The drug was removed from the market for a time and then restored under highly restrictive labeling. Sales of the product in the first year after this episode declined more than 80%.)

The discovery that a drug can be misused in ways that create a social problem leading to market restrictions or possible removal from the market.

(This risk was emphasized by the enactment of the 1965 Drug Abuse Control Amendments to the Food, Drug & Cosmetic Act, which established special restrictions applicable to many companies' products where an abuse or abuse potential exists.)

Withdrawal or restriction of a drug by the FDA until additional evidence of safety or efficacy is produced.

The development of a quality control problem resulting in the withdrawal of a product until the difficulty can be corrected.

I am certain that every pharmaceutical company represented in this room has had its own experiences, involving one or more products, with the risks described by Professor Markham. Even so, some economists and other parry facts of this kind with the observation that these risks cannot be very severe because drug manufacturing has one of industry's highest rates of return on investment. They fail to realize that our very substantial R&D spending is really a capital investment—it is money invested over the long term to bring a future benefit. If all industry's investment base were calculated in this way, our industry's return on investment would be less than two percentage points higher than all U.S. manufacturing. I believe this small differential in return is readily justified by the drug industry's much higher risk.

Based on the President's Health message, it appears that the pharmaceutical industry and the American people are about to be confronted with an Administration proposal that would fix the "reasonable cost range" of drug products supplied in the Federal and Federal-State health and welfare programs administered by the Department of Health, Education, and Welfare. These cost ranges would be geared to the price of the so-called generic equivalent, despite admitted uncertainty, in and out of government, that an equivalent generic name also means equivalent therapeutic effectiveness of a drug product. Let us hope that the administration's bill when it finally emerges is more realistic.

This legislative proposal was developed by the Administration on the basis of a recommendation contained in a recently released Interim Report of the HEW Task Force on Prescription Drugs. The Task Force has been at work since last spring, when former Secretary Gardner directed it to study the possibilities of including out-of-hospital prescription drugs as a Medicare benefit. One of the major assignments of the Task Force, when it was created last year, was to study (and I quote) the "impact of proposed methods of purchasing prescription drugs on costs and quality of patient care, on the medical profession, on pharmacy, on the drug industry, on government."

Is it unreasonable of me to have private doubts that the Task Force has fully studied this and the other tasks assigned to it, when it is still months away from completing its studies and setting down its conclusions?

Unless the Administration is not concerned with preserving the research capabilities of one of the nation's most vital industries, would it not have made better sense to finish the study of the economic consequences before such legislation was proposed? Obviously, if this kind of legislative proposal is enacted, it will seriously impair our industry's ability to continue to make the very substantial expenditures needed for research and development.

Moreover, my company has taken a close look at the claim by some that an approach of this kind will save the taxpayers $100 million a year. The figures I have seen lead me to believe that the opposite is true. By the time the Federal and State bureaus are enlarged and other administrative costs are totaled up, the taxpayer will probably be paying more, not less.

The *New York Times*, on March 11, editorialized: "The President seeks to establish an acceptable price range for drugs and to limit governmental reimbursement for drug costs to this range. In addition to reducing the cost of government medical service, this change would bring price competition more effectively to the drug industry."

I fail to see how the setting of prices, plus use of a fixed professional fee for pharmacists, will further price competition. Fixing fees and prices seems anticompetitive to me. The Justice Department looks at it the same way when it happens in the private sector.

If the government is serious about controlling the price of drugs in health and welfare programs, it must keep at least three facts in mind:

Society will suffer if the quality and efficacy of all drugs are not better assured.

Society will suffer if unwise Federal controls interfere with the physician's exercise of his free and best professional judgment in prescribing drugs.

Society will suffer if unwise Federal economic controls further seriously impede the research productivity of a vital industry on whose continued productivity the public health depends in important measure.

The Administration proposal and its precursors carry the seeds for all three of these effects.

The HEW Task Force, in the same interim report last month, also commented on drug quality. It said in part: "It [the Task Force] has studied, approved, and urges further support for the FDA plan to pursue aggressively its currently stepped-up programs of drug manufacturing plant inspections and of field tests of marketed drugs. It has also noted with approval of the FDA actions upgrading Good Manufacturing Practices regulations, requiring clinical evidence of efficacy in instances where existing drug standards have proven inadequate, and reviewing the efficacy of the 2,900 drugs marketed between 1938 and 1962."

I applaud the Task Force for suggesting that the FDA be given more support. But if in fact our citizens are to receive the safest and most effective drugs possible, much more needs to be done. If the government insists on setting prices for government drug programs on the basis of existing prices of the so-called generic equivalents, then it seems to me that actual therapeutic equivalency of such products should be established. In order to approach this goal, two steps at the very least have to be taken which I shall now discuss briefly.

In a recent speech, the Deputy Commissioner of FDA made this disturbing statement:

"During 1966 and 1967, for example, in one of our field offices which has a heavy complement of drug manufacturers, five manufacturers went out of business; two discontinued some of their manufacturing operations; and eight instituted significant improvements in manufacturing practices. A total of 15 firms, out of an inventory of 87 manufacturing establishments in the territory, corrected their operations in one way or another. This is one firm out of six."

When one considers that these statistics are from just *one* field office of the FDA, and that plant inspections by FDA declined from 3,992 in 1964 to 3,651 in 1966, one can only conclude that this industry and FDA have some pretty big problems. It is also interesting to note that the Defense Department, in conducting 714 pre-award surveys of manufacturers over the past four years, rejected 44% (most of them drug manufacturers) for quality control and housekeeping deficiencies.

This inability of the FDA to keep up with the inspection job given to it by Congress draws attention to a gaping loophole in the law. Anyone can *legally* start a drug manufacturing business and operate for two years before the FDA is *legally required* to inspect the plant and its operating procedures. Obviously, in a period of two years a vast quantity of substandard, even dangerous drugs can be marketed. This is a real threat to the public health.

I personally believe it is time that the law be amended to require first, that every drug manufacturing establishment obtain a Federal license before beginning operations. I also believe that such a law should make it mandatory for the FDA to inspect every manufacturer *at least once every year* instead of the once-every-two-years required by the 1962 Kefauver-Harris Act. And second, I believe that henceforth a manufacturer should not be permitted to market a drug product—new or old—sold either under a

generic or brandname until he has established the therapeutic effectiveness of his particular product by substantial clinical evidence or, when appropriate, by assays in man that demonstrate the biological availability of the active ingredients.

It does seem ironic that the government's emphasis on "generics" has overlooked the fact that countless drug products are on the market which have never been cleared by the FDA for safety and effectiveness, and even today under the law manufacturers are under no compulsion to do proper testing before marketing many drug products.

Ladies and gentlemen, if these two important concepts of drug plant licensing and product-by-product proof of safety and efficacy can be adopted and made a reality as a result of industry initiative, we shall have made a great advance toward assuring the quality and efficacy of our nation's drug supply.

Address by John M. McGurn, President, Virginia Electric & Power Co.

HON. WILLIAM B. SPONG, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, April 25, 1968

Mr. SPONG. Mr. President, earlier this week at the 44th annual convention of the Virginia State Chamber of Commerce at Roanoke, Mr. John M. McGurn, president of Virginia Electric & Power Co., called for active involvement on the part of the business sector of our economy to help solve the social problems of communities in Virginia. I have long advocated this and was pleased to hear an eloquent call sounded from one so well respected throughout the Virginia business community.

Mr. McGurn spoke of the imaginative project planned by the Richmond Chamber of Commerce for summer employment for approximately 2,000 teenagers from underprivileged homes. This project has required close cooperation by the Richmond chamber, the Richmond school system, the Richmond Department of Recreation and the Office of Economic Opportunity. It is extremely significant, I believe, that plans for the project were initiated by the Richmond business community. I commend Mr. McGurn's timely remarks to the Senate and ask unanimous consent that his address to the Virginia State Chamber of Commerce be printed in the RECORD.

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

REMARKS BY JOHN M. MCGURN, PRESIDENT OF VIRGINIA ELECTRIC & POWER CO., VIRGINIA CHAMBER OF COMMERCE "ROUNDTABLE," ROANOKE, VA., APRIL 22, 1968

It is a pleasure to be here, and I welcome the opportunity to discuss briefly what I believe should be the chambers' role in the development of Virginia.

Today, more than ever, business and industry and even the local citizenry find themselves turning to their chambers of commerce for the kind of sound, sensible leadership and planning we must have if we are to continue to meet the rising demands placed upon us by a rapidly changing society.

In Virginia, I am happy to say that the chambers of commerce, both local and state, enjoy an excellent reputation among the the citizens, as well as good relations with business, industry and government. This, in itself, is an accomplishment and a fact not true throughout the nation. It is my understanding that there are some states where representatives of the state chamber of commerce are not welcome in the Governor's office and where the relationship between the legislative branches of the government and the chambers is extremely tense.

It is really quite difficult to see how any chamber could perform very effectively under these conditions. So, when I commend you for having the ability, the foresight, as well as the judgement and tact to establish relatively good relationships with these groups, I am paying you no simple compliment. Through your own efforts, you have for the most part carefully avoided any hostile attitudes and have established your chamber groups as respected organizations in the community. However, for the chambers of commerce to be completely effective in their work, I would like to mention some changes that I feel are not only desirable but essential.

I have always been concerned that so many of our local chambers are interested only in the problems in our own particular backyard, and we cannot see or choose not to see the problems facing our neighbors, either individually or collectively. The actual outcome of such disinterest may, in the long run, affect all of us adversely.

It is unfortunate that there are still people in the same areas of Virginia who think people in other areas do not even know they exist and could care less . . . or that there are individual chambers who have no time for any of the many problems facing the State as a whole.

I do not have any pat answer for the situation. The best I can do is to point out to each of you that while you should be vitally concerned with your own area, its economic growth and progress, you must be aware that it is very unlikely that 10 percent of a ship will continue to float if the other 90 percent is full of holes. Each chamber should be just as concerned with tourist travel, the promotion of industrial growth, good legislation and social and civic programs—just to name a few—on the State level, as they are with the promotion of their own community.

True, you may not have as much time to put into the actual details of solving these problems as you have for community endeavors, but you should have the initiative and interest to speak up for what you believe to be in the best interest of the entire State.

You should work as a single constructive unit to promote every facet of good government, to encourage those economic and social patterns of existence you feel are necessary to our continued progress. Perhaps in this particular area, it might also be advisable for the State Chamber to assume a more aggressive role. I don't mean "aggressive" in the sense that the State will be placed in the position of making decisions for local chapters, or even act for them, but aggressive in the sense that the State Chamber serve as more of an advisor and counselor and be the focal point for State needs as they relate to the services of local chambers. I am thoroughly convinced that once the local chambers overcome their regional thinking, they will prove to be of even greater importance to the State and to their own areas.

Cooperation is, of course, not too terrifying a reality. In fact, in many fields of endeavor the local chambers are shining examples of the best kind of inter-community play. As I mentioned, a good cooperative attitude already exists between most businesses and their local chamber and between business, in general, and the State Chamber. The State Chamber, in particular, fosters an attitude of cooperation and is helpful, objective and resourceful in its efforts.

However, at this point, I would like to suggest that the State Chamber expand and strengthen its research activities so that the information relating to statistics, surveys and reports that business so often needs could be more readily available.

Another area where both our State and our local chambers might wish to effect a change concerns their involvement in government. Chambers of commerce should encourage their members to become more interested in and play a more active part in both our State and local governments. I am not advocating you dominate and attempt to run these, but I am advocating you participate more!

You, more than any one other organization, need to keep abreast of what is going on, to participate in governmental organization. You should encourage your business members to attend legislative sessions, sit in on local council meetings, and get right down to the cold, hard inner working of our local and State governments.

Many people in this nation and this State are in need of more education, better housing greater employment opportunities and some type of livelihood security. There are no reasons why any of these things should be handed to anyone on a silver platter with no effort on the part of the individual, but there are many reasons why some workable arrangement should be reached where each of these objectives would be planned realistically to the best interest of each of us and the State as a whole. I believe that the chambers of commerce can play an important role in solving these problems.

As chamber officers and directors, you and your members have the knowledge, the experience and are in a position to effect changes and to persuade people to reach reasonable conclusions.

We, and I include myself in this, can all sit back and watch the rioters at work if we choose. After all, rioting is one way to achieve an end. It is the wrong way, but in the face of a better idea, many people, misinformed and misled, consider it the only way. Unless each of us as responsible citizens becomes involved, the proponents of violence will go on promoting their wares with the only method they have at hand . . . and someday we may find their little bundle sitting on our own doorstep.

Obviously, we cannot afford to sit back and see this happen. No one else is sitting still. Our young people in particular, at all levels, are restless and disturbed. They want to change the world overnight and because they frequently live surrounded by an aura of idealism and a total lack of realistic experience, they often feel such change can be had overnight. Their restlessness, their displeasure with many ageless concepts and many of our acceptable philosophies are commendable to a point. It shows they care, they are thinking, they are planning and they are changing the face of our land.

Others, not students or teenagers, but adults, lined up on all sides of the fence, perhaps more or less concerned, some radical in belief, some erratic in action, some blinded by hate or "love," are working either with or against the youth to achieve their ends, whether they be chaotic or not. Their purposes, their motivations are not always clear, and when on occasion they are, they leave a great deal to be desired. So few of these people have the kind of experience it takes to effect a change and then make it work.

Experience is one of the world's most notable attributes. Very little, if anything, is even a reasonable substitute for it. Experience in handling problems, in planning, in looking ahead, in moving with change should be the backbone of the chambers of commerce. It stands to reason then, that you

should be far out in front in the leadership role, as many of you, of course, are and as others of you need to be.

In Virginia, except for some minor disturbances, we have been fortunate that we have not been faced with the kind of riots and turmoil that have plagued other areas throughout the country. It hasn't been all luck, though, that has seen us through. We have avoided serious disturbances through the foresight and effort of our leaders, of all races and creeds.

Hopefully, our riot situation will not become serious. But, like everything else today, we can't be too sure of that fact. We cannot allow ourselves to be lulled into a false sense of complacency, confident that somewhere someone will continue to take good care of everything.

It is important that each of you remember that while much progress has been made in this State, relative to our social revolution, there are still many people who are unhappy with conditions. There are still many forces at work attempting to achieve their ends in a totally undesirable way. Never before in our history have we needed good, strong leadership in this area as we do now.

It would seem to me that if much of our current crisis revolves around job opportunities and education, no one should be better qualified to face these problems objectively and intelligently than the chambers of commerce and their affiliated members. After all, your memberships are composed of dedicated business and professional men, with years and years of experience in many, many fields of endeavor. Who should know more about implementing a program to help solve our current unemployment problem than the chambers and their business and industry members? And who should be in a better position to combine and present this knowledge as a solidifying unit than the chamber of commerce?

The Richmond Chamber of Commerce has recently undertaken an extremely imaginative project, a project that will hopefully help solve part of Richmond's unemployment problems and will at the same time keep many teenagers well occupied during the coming long, hot summer. They are promoting a project which will provide jobs, education, recreation and community service this summer for approximately 2,000 teenagers between the ages of 16 and 18 from underprivileged homes. They are working in close cooperation with other groups in the City, notably business and industry, the Federal Office of Economic Opportunity, the Richmond School System and the City's Department of Recreation and Parks.

Praises for this program have come from everywhere, from our State officials, our City Council, the Federal government, churches and most gratifying, from the little man on the street. Yet, the Richmond Chamber isn't offering these teenagers something for nothing. With careful planning, imagination and use of all the experience they had at their command, they have created what seems to be a realistic, workable plan, a plan that fits in with our changing mood, but at the same time retains the dignity of individual initiative. They have helped to make the City of Richmond aware of the many ways in which we can help people to help themselves.

Certainly, by no stretch of the imagination does this one step begin to solve Richmond's problems. It is merely a small beginning in the right direction for a healthier, happier community. The important thing about this entire project is that the step was taken by the Chamber of Commerce, in conjunction with its business members.

There are other ways the chamber can be involved in our changing society, and I will mention just one, which has to do with education. While we can be justly proud of the steps being taken in Virginia to improve the educational system at all levels, these programs must be accelerated and expanded, and their success depends on your support and mine.

I am well aware that many chambers are already working to improve the educational facilities in Virginia. Training programs to provide better business leaders, economic educational programs, management relations seminars . . . these are all steps in the right direction . . . but they still don't go far enough. I suggest that each chamber examine its activities to determine what it can do to effectively improve the education of our citizenry.

Finally, while I know all of the chambers of commerce in Virginia are great believers and promoters of free enterprise, it is indeed distressing to learn that many of our high school and college students appear to lack any understanding or appreciation of our free enterprise system. Many surveys reveal that they think "business is for the birds" and the profit incentive, if not illegal, is at least immoral. I am sure we all believe that man should be free to live and work in the hope of reward in a free, competitive system, and I profoundly hope that the leaders in government, as well as those in the academic world, will work to preserve and protect these vital freedoms.

We, and I mean each of us here, have an essential role in convincing our young people that the competitive enterprise system is the most effective agent of economic progress ever known to man.

Through the years, you have done an extraordinarily good job. Now, you are being called to do even better than that. We face the challenge of change and how we meet the challenge may ultimately mean the difference between reasonable, rational change in the best interest of all Virginians and a confused and violent change that can bring chaos and destruction.

The key in the lock has been turned. It is now up to the chamber of commerce, business and industry, and other responsible citizens and groups to open the door and face up to our challenge.

Hunger in America

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. SISK. Mr. Speaker, much has been made of late of hunger and malnutrition in this country. The lead editorial in the Washington Post of April 24 discusses in a realistic fashion the points raised in the report of the Citizens' Board of Inquiry into hunger and malnutrition in the United States.

Under unanimous consent I would like to insert the Post editorial at this point in the RECORD, followed by a statement issued by Secretary of Agriculture Orville L. Freeman:

[From the Washington Post, Apr. 24, 1968]

HUNGER IN AMERICA

The Citizens' Board of Inquiry into Hunger and Malnutrition in the United States has performed a public service by its appraisal of the problem of malnutrition in this country. Its eloquent and dismaying picture of the effects of dietary deficiencies in this country ought to produce at least some indicated improvements in state, local and federal administration of existing programs. Better yet, it should stimulate a re-examination of our whole approach to this problem.

It is unfortunate, however, that the committee went so far afield into agricultural policies never intended, except incidentally, to deal with this problem. Were the committee to succeed in bringing about the abolition of the major and basic farm programs, which it criticizes, farm income would drop 60 to 70 per cent, there would be more rural poverty than ever and there would be no Government food programs at all.

The committee criticizes the farm programs for not achieving welfare purposes they were not designed to achieve and blames an acreage retirement program for giving large payments to those who have large acreages—a logically inevitable result. It complains that farmers earning more than $20,000 a year get 54 per cent of total farm payments; but farmers in this category produce 54 per cent of all sales of farm produce and so are sharing proportionately.

This is a kind of criticism of the acreage adjustment programs that has been made since they started. It is based on a confusion about the object and purpose of these programs which the committee's own distorted history further beclouds.

None of this detracts from the social importance of the committee's findings about nutrition. Hunger on the scale they have disclosed should not be tolerated in this country. It is an aspect of the larger problem of poverty as a whole. As Willard Cochrane, economic adviser to the Secretary of Agriculture, pointed out in 1965:

"Rural poverty has become a hard-core phenomenon. Poverty begets poverty in a vicious circle. To date, policies and programs designed to cope with this social cancer have been too little, too late. They assist a family here and there, provide a few new jobs here and there, but they have not come to grips with the hard-core poverty problem—with the millions of men and women who grow up, marry, raise more children, and die in poverty. These millions live out an existence contributing little or nothing to the daily operation of society and the economy, and exert a positive drag on the development of society and the expansion of the economy."

Cochrane put a $20 billion price tag on a program to deal with poverty. The country, so far, has found it too expensive. Senator George McGovern of South Dakota has proposed a Senate inquiry by members of the Agriculture, Labor and Public Welfare Committees with an added five other members, to re-examine the whole spectrum of poverty programs. It is a good idea. The Senate ought to approve it.

[Release from the U.S. Department of Agriculture, Apr. 23, 1968]

STATEMENT BY SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN ON RECOMMENDATION OF THE BOARD OF INQUIRY INTO HUNGER AND MALNUTRITION IN THE UNITED STATES

Many of the findings of the Board of Inquiry into Hunger and Malnutrition in the United States parallel findings of Department of Agriculture studies and my own personal observations on field trips to hunger areas. The feelings of Board members at the disgraceful paradox of hunger amidst plenty are my feelings also.

So I welcome this group to what has often been a lonely battle to eradicate hunger in this Nation. Public awareness and public support of our efforts to feed the hungry are two commodities that have been in short supply over the past seven years. But despite this, more progress has been made in this period than in the preceding 25 years.

Because the Board of Inquiry's report overlooked this progress, and because the sharpness of its attack reflects upon the literally hundreds of thousands of persons—federal, state and local officials, volunteers who work in it—I believe it is important that we outline in some detail the very real successes we have had in meeting this problem.

When I became Secretary of Agriculture in

1961, only 1,200 counties (out of 3,091 in the Nation) had a food program. It consisted of the distribution of five surplus commodities worth about $2.20 per person per month. Only 3½ million people were reached. President Kennedy's first executive order doubled the amount and increased the variety of these foods.

Surplus distribution provided only nonperishable foods and could not provide foods adequate to a balanced diet. By executive order I established a pilot food stamp program that allowed the poor to purchase a variety of foods in grocery stores. The Congress later made the program permanent and vastly enlarged it.

Today 2,200 counties have food programs, two-thirds of the counties in the U.S. Today, 5.8 million people are being fed, nearly double the number 7 years ago.

Those still on direct distribution now receive 16 different foods worth four times the amount they received in 1961. Food stamp recipients multiply their food dollars by $15 million a month, $180 million a year, in additional food purchasing power. They have a much more nutritious diet than is possible with direct distribution.

Compared to the peak year of direct distribution, 1962, when $253 million was being spent to feed the poor, this fiscal year $360 million is being expended in direct distribution and food stamps, a 70 percent increase in funds.

Although this progress is substantial, we realized it was not enough. So over the past nine months this Department has:

1. Gained commitments from local government to begin food programs in about 200 of the 330 poorest U.S. counties.

2. Extended food assistance to another one million people.

3. Reduced the amount needed for food stamps to 50 cents per person per month for the poorest of the poor.

4. Cut the payment in half for first month participants.

Reaching the remainder of the Nation's poorest counties has our top priority. In some of these areas local authorities refuse to cooperate. Ten days ago we initiated direct federal distribution of food in one of these counties, Elmore in Alabama, when we were unable to get a commitment from local government to administer the program. Similar action will be taken next month in a number of other counties. In addition, we are now paying all or part of food program administrative costs in many poorer counties that are cooperating.

We would do even more if we had more money to do it with. We have reached our budget limit during this fiscal year on extending food stamps to more persons. Extension of the program to more people would mean reducing the amount of bonus stamps to persons already in the program.

The Department is now working to eradicate hunger to the limits of its budget; its available manpower and the legal framework in which it must operate. It is seeking new authority to allow it to better do its job of feeding the hungry, and welcomes the active support and participation of the Board in this endeavor.

This social ill is a great deal more complex than a simple lack of food. It is compounded of unemployment, lack of education, discrimination and a centuries-old culture of poverty that the Nation has only recognized in the past few years, to say nothing of attempting to solve.

Some of the Board's 14 recommendations are being accomplished now. For instance, USDA already is training 900 non-professional aides, recruited from the poor, to work in nutrition and in informing the poor of their rights under the stamp program. Eligibility for—and the amount of—food stamps are now keyed to income and number of dependents, as the Board suggests. We now have special feeding programs, including a breakfast program, for schools in low-income areas; for Head Start and other non-school feeding.

We do not, however, have all the authority that this Administration has asked for.

Accomplishing most of the Board's 14 recommendations will take new legislation and several billions of dollars from the Congress. Many of their ideas are workable and would help the Nation meet its commitment to the poor.

When and if they are presented to the Congress I will look forward to giving in full the Department's views on them.

Urban Renewal in Wyandotte, Mich.

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Thursday, April 25, 1968

Mr. GRIFFIN. Mr. President, in these days of increasing criticism of the effectiveness of Federal urban programs it is heartening to read how a local community can take the initiative and, by extra effort, make urban renewal a success.

The people of Wyandotte, Mich., have done this—and their story is related in a document which I ask unanimous consent to have printed in the RECORD.

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

WYANDOTTE RENEWAL

A Corporation, legally, has perpetual existence. The Municipal Corporation or City, however, is more likely to have a life cycle resembling that of a human individual. After optimistic birth it suffers the growing pains of youth, the vigor and confidence of the young man, the affluence of maturity and too often ends up on federal assistance. Industry prepares for age by depreciation allowances and replacement of worn-out parts but the City historically neglects to protect itself until, like Oliver Wendell Holmes' wonderful One-Hoss-Shay, everything starts to fall apart at the same time.

In the late 1940's Wyandotte enjoyed its heyday. Property values soared, people in cars circled blocks endlessly in search of a parking place; the landlord was king of the commercial establishment. Wyandotte had reached its boundaries with development. While the National and State economy was generally good in the 1950's the picture for Wyandotte changed. The advent of the shopping center spelled trouble for the downtown area which had not competed with newer stores and with newer merchandising ideas. The area's center of population moved west as contractors with new subdivisions pushed farther away in search of unencumbered property. Unlimited automobile sales and better highway construction spelled an end to the importance of bus lines dictating shopping habits. This new competition shook the established community downtown with inflated property values and captive shoppers.

Reaction to this competition aggravated rather than helped the situation. Tax revenues had become established on inflated values and the City was reluctant to reduce assessed valuations. Property prices reflected inflated values and landlords were reluctant to recognize any lesser value but at the same time, refused to re-invest.

The Community, looking for an answer, seized upon lack of parking as an obvious reason or scapegoat for the downtown decline and pressured the City to obtain parking lots to be financed by revenues from parking meters. New money or new business, seeing high assessments on over-valued property in an area where re-investment was not evident and meters fronted every parking place, chose to go elsewhere.

The circumstances were not without some positive aspects. Some local merchants began purchasing their own store buildings and reinvesting to protect established businesses. This made early progress and rehabilitation possible. In other areas of the city construction dwindled with the disappearance of unencumbered property. A resulting housing shortage compelled persons who would normally consider building or buying in Wyandotte to look toward adjacent communities. This put a premium on *all housing* and, unfortunately, included much housing which was sub-standard and owned as income property. The existence of this type of property, like the proverbial rotten apple, began to affect other homes and, in some cases, whole neighborhoods. It became obvious that requests to act for the good of the community were, in fact, requests for poor business judgment unless a massive turnabout were to take place. The decision by the City to act on a massive scale was not reached all at one time nor was the potential by any means immediately seen. Following is an attempt to record the coming to grips with a basic question: "Can an old City be rejuvenated?" An answer is unfolding with a physical renovation exploding in Wyandotte.

The first big step was a decision to apply for Urban Renewal. Whatever the faults of Urban Renewal programs, one cardinal quality is that they force a City to take an in-depth look at itself. The drawing of a Master Plan, re-writing of City codes and bringing them up to date, co-ordination of City Departments to enforce codes, all clearly demonstrated what should have been obvious. Older housing was getting worse in an accelerated progression. The business district was similarly deteriorating and the trend was growing for both new homes and businesses to go elsewhere. While the decline of revenue through taxation had been postponed, aesthetic deterioration, physical obsolescence, increases in transient population and decline in home ownership were increasingly evident. It was clear that the City's source of revenue would soon be seriously eroded.

A cure is not easy. It requires strong leadership. To protect its future a City may have to invest where individuals and businesses won't; this is not politically popular. Discipline must be enforced regarding Code compliance; this is not politically popular. Unanimity is required on programs which cannot be accomplished with divided leadership. Funds to do the job must be found; this is not politically popular.

Above all, Wyandotte had to find a way to make its citizens and business believe in their ability to do the job. It can not be accomplished without optimism in private investment.

When Wyandotte's Urban Renewal began, relocation of healthy businesses tightened up rentals in the downtown area. Another part of the city (13th Street south), developed as an industrial park, more than replaced tax revenue temporarily lost with the leveling of downtown renewal areas. Effective Code Enforcement began producing results on housing violations, using misdemeanor citations in the local court, pleas for cooperation, threats of condemnation, help from city and private groups to solve individual problems and, in some cases, city purchase. No single answer proved to be an overall solution but with a pragmatic approach City personnel began to see a more definable job. Wyandotte General Hospital joined the effort by removing older housing for parking and construction of expanded facilities. The city-owned electric and water department added nearly an acre to Bishop Park with a new dock and then gave a po-

tential boost to the fight against air pollution by considering the use of gas rather than coal in future construction plans.

Generally the foregoing preceded visible evidence of renewal. A major department store had moved and adjacent stores were becoming vacant. The City negotiated for the purchase of the old Federal Store for a new City Hall and purchased nearby buildings for parking sites. These properties were once highly valued properties, situated in the middle of the downtown area. They were bought at a realistic price in view of the prevailing conditions and will fill the central block of the downtown district with a building concentrating traffic, business and morale. Over $200,000.00 was contracted to remodel it into an object of efficiency, confidence and pride.

Some results from the concerted efforts can now be measured. On sites where buildings were demolished, new construction meant modern and safe housing plus increased tax revenue. In many cases where the City had purchased obsolete buildings for demolition, the recovery of costs by re-sale and the increased tax revenue generated by new construction as well as the improved use of the site, proved to be good economics. It was found that City costs were reduced—police—refuse disposal—school problems—all begin to decline when renewal takes place.

With the City investing substantial sums downtown, private individuals, catching the spirit of optimism and purpose, began rebuilding or remodeling buildings on many good locations in the downtown district and empty stores should soon disappear.

A City Building Authority was created in 1967 which purchased most of the parking lots owned by the City and issued bonds under a lease-back arrangement with the City. Actually, it was a re-structuring of the City debt as the money enabled the City to pay off outstanding parking bonds and the sale of new bonds was accomplished at favorable current interest rates. In addition to freeing one lot for future private development, reserves set aside on the old parking bonds were freed. The City immediately acted to acquire the middle of another blighting block (First Street) with the purchase of four old stores to provide a new and better-located parking lot. These purchases and Urban Renewal land made it obvious that the City was investing heavily in buildings for the primary purpose of demolition and reconstruction or changed land use.

While private ownership is preferable to public ownership, it can run contrary to public interest in an urban situation where age, deterioration, lack of interest by owners, or in some cases, multiple ownership, results in the property use being stalemated. In some cases there are no alternatives within the framework of the law except continued blight or acquisition by the City. Experience shows most private owners faced with these problems are either unwilling or unable to provide the re-investment capital. Because buildings mean revenue, all units of government have an interest in property use; however, only the City is in a practical position to do anything about it. Purchase of this property by the City becomes like Winston Churchill's definition of democracy—"the worst system except for any alternative."

Only an outline of the future is now visible. A second Urban Renewal program will surely have a great impact on the City. Construction in the first Urban Renewal area has not yet started but other proposals announced, including an ice-skating arena and a second apartment for senior citizens, will dwarf the present accomplishments.

Let it be recorded now that the rejuvenation of a City is not an evolutionary thing. It takes extra-ordinary effort, luck and management. It is certain that in many of our cities the search for renewal will be as futile as Ponce de Leon's search for the Fountain of Youth. The difficulty of renewal teaches sound lessons not only for cities facing the ugly task of renovating encumbered property, but also for those communities hoping to avoid old age. Wyandotte is learning those lessons and has begun to show the fruits of its labor—a plan to be and remain the kind of "home town" its citizens want it to be.

IMPORTANT PROJECTS NOT SPECIFICALLY MENTIONED ABOVE

1. Downtown rest and park area (Maple and Biddle).
2. Filling between railroad tracks (Northline-Vinewood).
3. Parking change-over (Biddle Avenue and downtown).
4. New Post Office freeing old site for private downtown parking lot.
5. New Municipal Service Building (located downtown).
6. Parking meter removal.
7. Tree planting beautification project.
8. No-burning rules established and enforced.
9. Junk-car removal program.
10. Teen-age Center established (City hall).

RELEVANT STATISTICS

1. Since 1960, 446 buildings representing 605 substandard or obsolescent dwelling units have been torn down in conjunction with the code enforcement program.
2. Fire calls have been reduced as the program continued in the following progression: 1964—590; 1965—476; 1966—455; 1967—387.
3. Urban renewal has removed 148 structures representing 178 dwelling units in addition to the removals listed in item 1 above.
4. Since 1960, 792 new dwelling units have been constructed in Wyandotte.
5. Total assessed valuation of all structures combinned in the Urban Renewal area at the beginning of the program in 1964 was $961,000.00.
6. 1153 structures were inspected during the last 12 months with 663 in non-compliance with the Housing Code in addition to 62 in non-compliance from previous inspections. 43 structures were razed and 663 brought into compliance.
7. Traffic accidents in 1967 are down to 1739 from 2035 in 1966.
8. Urban Renewal area was 17.7 acres in use and 14.4 acres in public use (streets, alleys, etc.). Redevelopment will mean approximately 24 acres in private use and only 8 in public use.

The Proposed Constitution for Maryland

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. MORTON. Mr. Speaker, on May 14, the people of Maryland will go to the polls to adopt or reject a new State constitution. The proposed constitution is the product of a constitutional convention which consisted of 142 delegates elected by the people. I am sure that every one of the 142 delegates in some varying degree is confident or is in doubt as to the quality of their final draft which, incidentally, was accepted by the convention nearly unanimously.

Constitutions play a significant role in the business of self-government. As they are amended or even as they are replaced from time to time, they reflect important stepping stones along the path of progress for our civilization. To say that a State or even a country needs a new constitution is nearly always a statement of judgment. To say that a new constitution designed to replace one which has been in existence for many years is, in all aspects, an improvement and, in all aspects, necessary, is a statement not only of judgment—but of speculation.

I am convinced, however, that the exercise of creating a convention and through the efforts of its delegates, drafting a new proposal is worthwhile. It is a recognition of the forces which evolve the patterns of ever-changing societal life on this planet. In their choice on the 14th of May, the people of Maryland can make the best contribution to themselves by informing themselves not only as to the thrust of the new proposal, but also as to its comparison to the constitution under which we have been working for nearly two centuries.

All is not wrong with the constitution which we have, and all is not right with the constitution we are asked to adopt. The question is, is the new document a proper milestone in the perfection of self-government? Is it a reach for new opportunity for the citizens of our State? Does it subordinate the private sector to domination by the public body, or does it widen the horizon for the individual, that he may expect more from his government without accepting a greater burden? Maryland is a State unsurpassed in opportunity. Our mission must be to govern ourselves in such a way that every citizen has maximum exposure to the potential for his own development and a minimum of impediment by reason of the fact that we are a "nation of laws and not men."

Undoubtedly, there are men of good will and high intelligence on both sides of the issue. The choice will not be an easy one for the voter. It is my fervent hope that the individual decisions that must be made will be made from persuasion within the conscience of the citizen based on a knowledge and understanding of the facts as opposed to the gimmickry of the persuaders.

Thomas Jefferson and the Republican Party

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. McCLOSKEY. Mr. Speaker, Thomas Jefferson was one of the greatest of Americans. Perhaps more than any other single individual, he gave flesh and blood to the American spirit of liberty. His doctrines through the years have been rallying points for those who have sought and loved freedom, honor, democracy, and faith in the common man.

Traditionally, at least in the last 20 or 30 years, the Democratic Party has claimed its descent from Thomas Jefferson. To many, however, it seems as if the Democratic Party of today has in fact abandoned the doctrines of Jefferson; and that today's Republican Party

is—or at least has a splendid chance of becoming—the true descendant of the Jeffersonian Republican Party.

This provocative thought formed the theme of a most unusual event which I had the pleasure of attending on April 6. It was a Jefferson Day celebration, sponsored by the Young Republicans of Caledonia County, Vt., and of Lyndon State College, located in that county. Held in honor of Jefferson's birthday—on April 13—this Republican celebration featured brief addresses by four local speakers, tracing the influence of Jefferson on today's Republican Party.

The concluding address of the evening was that of John McClaughry, formerly a staff member for a number of Republican Congressmen and Senators, who is now a fellow of the Institute of Politics at Harvard University. He is also a lecturer in government at Lyndon State College in Lyndonville, Vt., and a resident of the town of Kirby, Vt.

Mr. McClaughry phrased the central question thus:

Can this cultured Virginia aristocrat, this preacher of agrarian virtue, this opponent of bigness and centralized power, this man who, like Washington, eschewed foreign entanglements—can this man teach us, both as Republicans and as Americans—how to chart our course through the troubled waters of the urban crisis, a world in flames, a nation which has grown in magnitude and complexity beyond the musings of his most melancholy moments?

His conclusion was that Thomas Jefferson's thought, reinterpreted to fit modern circumstances, can indeed guide the Republican Party as it reaches for the opportunity to recapture the leadership of the Nation in this critical election year.

Mr. Speaker, under unanimous consent I place Mr. McClaughry's address in the RECORD at this point:

JEFFERSON AND THE REPUBLICAN PARTY OF TODAY

(Remarks by John McClaughry of Kirby, Vt., at the Caledonia County Young Republican Jefferson Day dinner, April 6, 1968, St. Johnsbury, Vt.)

Throughout nearly two centuries of our national life, political leaders and parties of all persuasions have come forth to hail the name of Jefferson.

They have proffered new applications of his purported principles. They have sought to seal their bond with wisdom and with rectitude and with Americanism by invoking the magic name of the Sage of Monticello.

Jefferson stood firmly against the extension of slavery into the territories, declared Lincoln at Galesburg. Jefferson deeply believed in the right of the people of the territories to make their own laws in such matters, replied Stephen A. Douglas.

Jefferson, cried the Republicans of the 1850s, would have resisted the Supreme Court and its fateful Dred Scott decision. Jefferson, cried the Republicans of the 1930s, would have risen to defend the Nine Old Men in their application of his dictum that man should be bound down from mischief by the chains of the Constitution, of which the Court had become the final arbiter.

Jefferson, cried the Democrats of 1900, would have none of imperialistic conquest. Jefferson, replied the Republicans of that year, acquired a vast inland empire from France, though he had grave doubts over his constitutional authority to do so.

Thomas Jefferson was a complex and many sided man. He left behind no coherent, consistent compendium of his political thought. As circumstances changed, over half a century of public life, he seemed to be first on one, then on the other side of countless vital issues of the day. He became the authority to whom all might turn for support of their cause. Since Jefferson himself appeared so inconsistent, his borrowers felt little need to practice that discipline either. He came close to being all things to all men.

"All honor to Jefferson", wrote Lincoln. "His principles are the definitions and axioms of a free society." It is our task today, as it is that of every generation, to seek a true understanding of Jefferson and his thought. From the torrent of words that flowed from his gifted pen, we must try to crystallize his thought in a way that transcends the fugitive circumstances of the times.

Can this cultured Virginia aristocrat, this preacher of agrarian virtue, this opponent of bigness and centralized power, this man who, like Washington, eschewed foreign entanglements—can this man teach us—both as Republicans and as Americans—how to chart our course through the troubled waters of the urban crisis, a world in flames, a nation which has grown in magnitude and complexity beyond the musings of his most melancholy moments?

I am convinced that he can.

I am convinced that our Republican Party must again grasp the luminous standard of its Jeffersonian forebear, ignored and neglected this past quarter of a century. Our Republican Party must raise it high as we again seek a mandate to govern from the people of America. For never, in this past quarter century has our national leadership so turned away from the ideals Jefferson believed in, and for which he battled so gallantly.

First: Republicans must pledge, in the spirit of Jefferson, to restore the central government to its proper role. "A wise and frugal government," said Jefferson at his first inaugural, "shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. . . . The way to have good and sage government," he wrote, "is not to trust it all to one, but to divide it among the many distributing to every one exactly the functions he is competent to."

Each age must find its proper balance. Changing times make changing demands. We must not fail to recognize them. Yet having made these allowances, can it not be said, that our party's task today must be *not* to further the accretion of power to Washington, but to redistribute it among the levels of government closer to the people?

Decentralization of governmental activity is a platform upon which every Republican of 1968 can be proud to stand. We would not relegate the Federal government to the impotence of the Continental Congress. But in the interest of self government, in the interest of liberty, yes, even in the interest of efficiency, the pernicious trend toward the ultimate centralization must be reversed.

Second: Republicans must pledge to restore decency, integrity and honor to the conduct of national affairs. Long before his elevation to the Presidency, Jefferson stated his unshakable conviction that no circumstance, however desperate, could justify the abandonment of morality, public or private.

"Nothing is so mistaken as is the supposition," he wrote, "that a person is to extricate himself from a difficulty by intrigue, by chicanery, by dissimulation, by trimming, by an untruth, by an injustice. This increases the difficulties tenfold; and those who pursue these methods, get themselves so involved at length, that they can turn no way but their infamy becomes more exposed . . . He that permits himself to tell a lie once, finds it much easier to do it a second and third time, till at length it becomes habitual; he tells lies without attending to it, and truths without the world's believing him."

Each of us is but mortal. Each of us is sometimes tempted to follow the easy road, even at the price of integrity. No party has a monopoly on virtue. But, I suggest, we as Republicans, seeking as we are to elect a President of the United States, have a special duty to restore respect and honor to that office. We must put forth as our candidate a man who will once again inspire the fathers and mothers of America to say to their children, "I pray that you will grow up to be like the President of the United States." That is a prayer seldom heard in this land today. Let us pray, and labor, that it may be heard once again.

Third: We Republicans must not fear to restore to the Nation Jefferson's abiding faith in the common man.

"Men by their constitutions are naturally divided into two parties," Jefferson wrote just two years before his death. "First those who fear and distrust the people, and wish to draw all powers from them into the hands of the higher classes. Secondly, those who identify themselves with the people, have confidence in them, cherish and consider them as the most honest and safe, although not the most wise depository of the public interests."

Our Republican Party, like his, was founded on faith in the people. The platform adopted under the oaks of Jackson, Michigan, in that momentous summer of 1854, echoed this belief. The newly-born Republicans of Michigan "Resolved, that in view of the necessity of battling for the first principles of Republican government, and against the schemes of an aristocracy, the most revolting and oppressive with which the earth was ever cursed or man debased, we will cooperate and be known as Republicans until the contest be terminated."

Jefferson's dream was a nation of freeholders, owning a tangible stake in America, their self-government accompanied by the general diffusion of knowledge to every child and citizen. The Republican Party of Lincoln carried forth that dream when it opened the prairies with the Homestead Act, opened the great land grant colleges with the Morrill Act, and opened the gates of freedom to the black man with the Emancipation Proclamation and the 13th Amendment.

But, one might well ask, can that Jeffersonian dream have relevance to the America of 1968?

I say it can. To be sure, the circumstances have drastically changed since Jefferson's day and Lincoln's. But we Republicans have no less an opportunity today. We must lead the way toward improved education for all our children. We must lead the way toward expanding the ownership of America's property and wealth, so that all may share in her bounty. We must lead the way toward protecting and advancing the rights of all Americans to equal treatment before the law, and to a truly equal opportunity to pursue happiness free from shackles of racial and religious discrimination.

We need not cast about for some new system to replace that which has made America the proudest and most affluent nation on earth. We need only grasp the importance of the eternal truths which have made it so, and to reinterpret and apply them to the problems facing us today. We Republicans must reclaim the dream, and bring its promise to pass.

Fourth: We Republicans must recapture the Jeffersonian faith that free government will take root throughout the world: "Trusted with the destinies of this solitary republic of the world, the only monument of human rights, and the sole repository of the sacred fire of freedom and self-government, from hence it is to be lighted up in other regions of the earth, if other regions of the earth ever become susceptible to its genial influence."

Jefferson's view of the American Mission

was couched not in terms of intervention, but of example. He had faith in the power of the American idea. He sought a world governed by law, a world of justice, a world of whose every people might find their own way to happiness and independence.

That kind of world will not arrive automatically. The passage of a century and a half have proven that beyond question. America has faced, and continues to face, adversaries malevolent beyond the capacity of even Jefferson's mind to foresee.

But though it may pose great obstacles, the idea of the American mission is still ours to implement. It would be tragic indeed if our national purpose, once so lofty and inspiring, came to mean no more than the crude manipulation of power for its own sake. Foreign policy, like domestic policy, cannot be divorced from principle. Nor can the invention of principle to disguise the manipulation of power substitute for a steadfast adherence to the creation of a world order based on law, in which every nation and every people may have the opportunity to flourish along the lines they see fit.

Whatever course the next Republican President may follow in dealing with our unhappy adventure in Asia, and with the responsibilities forced upon us in a lawless world, he must not lose sight of the American Mission. It is not Republican property or Democratic property. It is the common property of all Americans. But events have placed upon the Republican Party, at this point in history, the responsibility for giving it new vitality. It is a responsibility we must embrace with courage and resolve.

Fifth: Republicans must respond to the nation's yearning for liberty. It is, of course, an imposition on liberty when the government confiscates the fruits of a man's labor, to spend it for the welfare of others. Whether such an imposition is legitimate, or whether it is unwarranted, is a question for the democratic process to resolve.

But more important is the preservation of the individual liberties embodied in the Declaration, authored by the man we honor this evening, and in the Bill of Rights, much of which flowed from his thought and influence.

"I have sworn eternal hostility to every form of tyranny over the mind of man," said Jefferson. Those words are immortalized in Vermont marble at his great monument on the Potomac. What would he say today to those who wish to spy on any private conversation in the land? Who condone questionnaires to school children, containing the most intimate and personal interrogatories? Who ask citizens not to affirm their loyalty, but to deny their disloyalty? Who permit a government official to open a man's mail and read its contents? Who weigh the purported needs of a faceless bureaucracy above the right to liberty and privacy of the individual citizen? Who affix the label of traitor upon those who have the temerity to disagree with the President of the United States?

Here again, the tendency to forget the principle of liberty is not confined to one or another political party. We Republicans have ourselves lost sight of it from time to time. But today, we Republicans have a special duty to protect liberty of all kinds—not just economic liberty, but also the liberty of thought, of speech, of the press, of assembly, and of dissent. Let these be eroded away, and every other sort of liberty will soon follow. Let them be held in reverent respect, let them be the bright constellation that guides us on our national course, and America need never fear for the strength of its institutions.

These, then, are the five areas where we Republicans must, in my judgment, recapture the Jeffersonian spirit: decentralized government, integrity in leadership, faith in the common man, a foreign policy based on principle, and a conservation of our priceless individual liberties.

"We are all Republicans, we are all Federalists," said Jefferson in his first inaugural address. So, perhaps, are we all Republicans and all Democrats today. But as the great wheel of history makes its solemn revolution, first one party, then the other, is entrusted with fostering the rebirth of the Jeffersonian vision of America. So it has always been. Now, again, it will come to pass.

Let there be a reawakening in our ranks. Let there be a new dawn of purpose and of resolve, that our party may not fail in the task before it. To fail could mean the gradual destruction of those noble goals for which Jefferson and our Founding Fathers, and seven generations of Americans since, have pledged their lives, their fortunes and their sacred honor to preserve. But to succeed, is to lay out before our posterity the prospect of an America secure in liberty, in equality, in the pursuit of happiness for all. Let us get on with the task.

Mr. Speaker, three other interesting and informative talks were given on other aspects of Jefferson and his heritage at the same event. Prof. Alfred Toborg, of the department of history at Lyndon State College, spoke on "Jefferson's Philosophy of Government." Prof. Graham Newell, chairman of the social sciences department at Lyndon State College and a Republican member of the Vermont Legislature, spoke on "Jefferson and the Founders of the Republican Party." And James Sanderson, a young schoolteacher from East Burke, Vt., spoke on "Jefferson and Lincoln." I place these three sets of remarks in the RECORD at this point:

JEFFERSON'S PHILOSOPHY OF GOVERNMENT

(By Dr. Alfred Toborg)

In 1792 a loosely organized group which called itself republican was formed in opposition to the political and economic policies of Alexander Hamilton. Hamilton's policies were based on the concept of power. The republican party, led by a number of statesmen from Virginia, opposed these policies with the philosophy of freedom. In 1800 the party captured the presidency. Its leader was Thomas Jefferson.

Jefferson's philosophy of government was based on freedom—freedom for the individual from all unjust restraints. His libertarian philosophy was deeply rooted in the great eighteenth century intellectual movement known as the Enlightenment. After Benjamin Franklin, Jefferson was America's most renowned *philosophe*. The political philosophy of the Enlightenment was based on the belief that all men were endowed with reason, which could be used to attain perfection in society. Like the scientists of the seventeenth century who used reason to discover the natural laws of the physical universe, the eighteenth century political philosophers, like Jefferson, believed that the proper application of reason to government and society would lead to the discovery of natural laws and natural rights in these areas. Man's capacity for rational thought, of course, could be expanded through education. Jefferson took a great interest in furthering education for the common man in his native Virginia and after his retirement from the presidency, he was instrumental in founding the University of Virginia. An educated people, he felt, were the best guarantee of liberty.

The political philosophy of the Enlightenment stemmed from the thought and writings of John Locke the English philosopher, whose *Two Treatises on Government* sought to justify the overthrow of one English monarch in 1688 and his replacement with another. Government, wrote Locke, stems from a compact entered into by the people in order to secure their life, liberty, and property. If the government violates the compact, it can be overthrown. We see here the basis of our own Declaration of Independence from a British government which, we felt, was no longer abiding by the compact.

Jefferson, an avid reader of Locke, however, went far beyond Locke's view of the Social Contract. The Glorious Revolution of 1688 in England had placed the reins of power firmly in the hands of the aristocracy. Locke was trying to justify rule by the wealthy in England and consequently placed his great emphasis on the rights of property. Jefferson, in the Declaration of Independence, adopted a much more libertarian attitude. He wrote that "all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness." Note the change from Locke's concept! Although a member of the landed gentry himself, Jefferson placed a greater emphasis on basic human freedom, on the dignity of the individual, and the individual's pursuit of happiness, than on property rights. He was advocating a democratic revolution and not a class revolution, as Locke had done. The opponent, of course, was George III. The Declaration of Independence stated that the compact between King and colonists had been broken. It listed the "repeated injuries and usurpations" which the King had visited upon the American people, called him "a Tyrant . . . unfit to be the ruler of a free people," and declared the colonies to be free and independent.

The Declaration of Independence, Thomas Jefferson's finest piece of writing, presented the case for human freedom from the rule of an external and foreign authority. At other times in his long career—he died in 1826 at the age of eighty-three—Jefferson supported human freedom against encroachments made upon it by other elements of power—federal, state, and private. As a legislator and governor in Virginia he successfully led the fight to abolish entail and primogeniture—laws of inheritance which tended to perpetuate control of land and wealth in the hands of a few families at the expense of the common man. Jefferson preferred a nation of small landowners, a situation in which he believed democracy could best flourish. This view must certainly be dear to us in Vermont.

Perhaps Jefferson's outstanding contribution to the philosophy of freedom in Virginia was the Virginia Statute of Religious Liberty, which was passed by the Virginia legislature in 1786. Jefferson, a great advocate of religious toleration, believed that freedom of religion was one of the natural rights of man. The Statute of Religious Liberty affirmed this freedom by providing for the complete separation of church and state in Virginia. It granted the individual the right to profess any religious beliefs he chose without the danger of losing his civil rights. In this instance Jefferson furthered the freedom of the individual at the expense of the power of the state.

Private power also came under the attack of Jefferson's libertarian philosophy. When the United States was born, many of the seaboard states had land claims extending beyond the Appalachian Mountains. Land speculators in these areas had dreams and schemes of getting rich. They would sign treaties with the Indians, acquiring control of large areas with the intention of selling the lands at huge profits to settlers. Virginia, however, struck a blow for the common man. In 1781 she ceded her lands north of the Ohio River to the federal government to be administered, not for the benefit of private speculators, but for the common good of the United States. In 1784 Jefferson forwarded the deed of cession and the principle that the union was indefinitely expansive was born.

The territories, however, had to be administered, and Jefferson drafted the Ordinance of 1784. It provided that new states would be formed in the northwest territories on a basis of equality with the old. The area would be divided into ten self-governing districts, a move opposed by the speculators because it would weaken their control. The Ordinance also provided for eventual statehood for the

territories. In this document we see revealed Jefferson's concept of local self-government. The area west of the Appalachians was to be ruled not by the speculative companies, nor by the seaboard states, but by the settlers themselves. Although never implemented, this Ordinance was to be the basis for the great Northwest Ordinance of 1787.

When the United States Constitution was drawn up, Jefferson, serving as ambassador to France, feared that it could serve as an instrument of tyranny. The passage of the Bill of Rights served to assuage his fears. However, he consistently favored a strict construction of the Constitution, fearing that a loose interpretation could lead to an abuse of federal power over the individual. Consequently he opposed Hamilton's economic policies and the Alien and Sedition Acts of 1798. These four acts placed limitations on aliens and, most significantly, on the press. They were pieces of repressive legislation passed in the name of the national interest for partisan political purposes. The Sedition Act was designed to stifle opposition to the federalist government in the republican press. All of its victims were republicans, the most prominent being Congressman Matthew Lyon of Fair Haven, Vermont. Today appeals to uphold civil liberties are made to the Supreme Court, but in 1798 this principle had not yet been established. The Supreme Court was under federalist control. Who, then, was left to appeal to? The States!

Thomas Jefferson drew up the Kentucky Resolutions of November 16, 1798. They represent his most extreme position of states' rights. However, they were more an appeal for human rights and freedom than they were for states' rights. This time the object of Jefferson's attack was the abuse of federal power. The resolutions urged Congress to repeal the Alien and Sedition Acts as unconstitutional because they were based on constitutional powers reserved to the states and restricted freedoms guaranteed by the Bill of Rights. Jefferson used the concept of states' rights to uphold liberty. I wonder what his attitude would be today when states' rights are often used as an argument, especially in the south, to oppose civil liberties and human rights. I believe Jefferon would be on the side of those favoring human liberty and equality. Did he not oppose the abuse of power over the individual by Great Britain, the federal government, the states, and private interests? Jefferson's philosophy of government—with its emphasis on human freedom—perhaps was best summed up in a letter which he wrote to his good friend, Dr. Benjamin Rush, in 1800: "I have sworn upon the Altar of God eternal hostility against every form of tyranny over the mind of man."

Jefferson and the Founders of the Republican Party

(By Prof. Graham S. Newell)

"There never was a more propitious moment than the present to revive the recollection of the principles and Administration of Jefferson." With these words Sen. Francis P. Blair opened a program in celebration of Jefferson's birthday at our nation's capital 109 years ago. Ironically this occasion was not sponsored by those of that political inclination who claimed, then and now, to be lineal political heirs of Thomas Jefferson. Rather it was a demonstration on the part of the national leaders of the recently formed party calling itself Republican, the party whose first national platform in 1856 had declared its intent to restore the Federal Government to the principles of Washington and Jefferson.

The audience at that 1859 commemoration heard a lengthy list of basic Jeffersonian principles contrasted with the performance of the party then in the White House. Any Vermonters present could take special note of the reference to President Buchanan's recent veto of Vermont Congressman Justin S. Morrill's Land Grant College Act. Jefferson's belief in the need for a wide diffusion of knowledge was contrasted to the hostility of the Democratic party in this regard as was evidenced "by the late veto of the President, at the behest of that party, put on the bill making a large grant of land to each of the States of the Union to establish schools to diffuse knowledge among the people." The nation would have to wait a Republican president willing to sign the Morrill Act into law before higher education would be placed within the reach of the sons of the farmer and the mechanic.

The theme of this Washington celebration was reflected in an oration by Mr. Daniel R. Goodloe of North Carolina whose avowed purpose was "to show the identity of modern Republicanism with the principles of Mr. Jefferson," at the same time showing that no other party in this country had an affinity with Jefferson, Said he, "Any man of common intelligence who will read twenty or thirty pages of Jefferson's writings and contrast them with the political history of the last two or ten years, can do the same thing."

While enthusiastic supporters of the new Republican party were meeting in Washington, others of like mind were enjoying a Jefferson Festival dinner at Boston's Parker House. Former Governor of Massachusetts George Boutwell, who the next year would be a delegate to Chicago at the history making presidential nominating convention, presided. He extolled Jefferson's world-wide impact: Jefferson is not then a star merely in our own firmament, but a central sun, whose light and heat, in the revolutions of the world's political systems, are for every zone and every people."

J. S. C. Knowlton, sheriff of Worcester county, said he had always been a Jeffersonian Democrat, and had stayed in the Democratic party as long as he could, but had left it when every honest sailor would leave a ship, and that was when the crew went on a piratical expedition.

Congressman-elect J. B. Alley of Lynn responded to a toast and gave a sentiment declaring the Republican party the only true exponent of the political principles of Jefferson.

Sen. Carl Schurz of Missouri, destined to become one of the Republican party's outstanding leaders, spoke on Jeffersonian principles and emphasized the right to self-government without regard to race or birth.

A letter was read from the Senator from New York, William Seward, whose conversion to the new party had done much to elevate its national position. Seward wrote, "The country is rapidly and surely returning to the only true national political platform, laid down by Jefferson and his immortal associates in the Declaration of Independence namely, the rights of human nature."

Other letters commending this Jeffersonian Festival were read from A. Lincoln of Illinois, William Cullen Bryant of New York, and Salmon P. Chase of Ohio.

In its next edition, the *Boston Advertiser*, whose pages covered the event, was moved to editorialize on the Democrats who "stand at this day as the advocates of a system of political organization, of partisan management and official control, such as conflicts with the cardinal and most cherished views of that great statesman upon the relation of the Federal government to the people; they are urging forward a process for strengthening the hands of the central power, such as endanger the balance of State and national influence, which he guarded with such jealous vigilance; and this change of doctrine and conduct is nonetheless complete and is more dangerous because as yet it is a change in substance and not a change in name."

To which, 109 years later, we add no more than a proverbial observation from that culture so dear to Jefferson, that of France: The more things change, the more they remain the same.

Lincoln and Jefferson

(By James Sanderson)

Any comparison of two men is, by nature, artificial. The obvious differences between Thomas Jefferson and Abraham Lincoln come to mind immediately. One was the small, well-dressed patrician, the other the gangling, tall, backwoodsman; one is the retiring statesman, the other the speech-making politician; one is the pamphleteer, the other the orator. One man had all the educational advantages of his society, the other had none. One was a man of the eighteenth century, the other a man of the nineteenth.

Though their lives overlapped slightly, they never knew or met each other. The times in which they moved and worked were vastly different. Colonial Virginia cannot be compared with Springfield, Illinois, or Washington, D.C. during the Civil War.

If we continue the list of comparisons, it becomes a list of similarities rather than differences. One man wrote a document which provided the spark that ignited a war that set neighbor against neighbor, friend against friend; the other man won an election that was the spark for a second war in this country to pit brother against brother. One man struggled to build our nation, the other man fought to preserve it.

Both men attained the highest political office the United States has to offer. Each became the patron saint of his political party.

The only meaningful comparison must be in the last sense. The two men must be compared as political ideologists.

Thomas Jefferson is generally accepted as being the founding father and guiding light of the Democratic party; Abraham Lincoln is the patron saint of the Republicans.

Jefferson holds his position today because the Democratic organization can trace its lineage, albeit by a somewhat erratic route, back to Jefferson and his colleagues. There can be no question that Lincoln's party is the organizational foundation of the present day Republican party, but he has more important claims to his position as exalted leader.

Lincoln was the Republican's first successful candidate for the Presidency; he led the country through the war that threatened to destroy our nation; and most importantly, his political principles were those which guided the Republican party then and, we like to think, guide it now.

It is in this sense that we should consider these men, for then we will see that it is practically impossible that they are ideological progenitors of different political philosophies.

Lincoln's first acquaintance with Jefferson, the political theorist, came when he was a young man just beginning the study of law. The first law book he ever read, which was loaned to him by David Turnham, a Justice of the Peace, contained, among other things, the Declaration of Independence, the Virginia Act of Cession of the Northeast Territory, and the Ordinance of 1787.

Lincoln later read widely of Jefferson's works, but all later reading was superfluous. It is from these three documents that his basic political philosophy flows. Lincoln himself went so far as to say, "I have never had a feeling politically that did not spring from the sentiments embodied in the Declaration of Independence."

Lincoln made wide use of Jefferson's thoughts. In 1843 he used a quotation of Jefferson's in a circular discussing the tariff. In the Lincoln-Douglas debates, according to one historian, he quoted Jefferson no less than forty times. Also in the debates against Douglas he quoted Jefferson's famous line, "I tremble for my country when I reflect that God is just."

In 1858 he referred to Jefferson as the man "who was, is, and perhaps will continue to be the most distinguished politician in our history."

On April 13, 1859, the Republican party held a Jefferson Festival in Boston. Unable to attend, Lincoln sent a latter which read, in part, "All honor to Jefferson—to the man who, in the concrete pressure of a struggle for national independence by a single people, had the coolness, forecast, and capacity to introduce into a mere revolutionary document, an abstract truth, applicable to all men at all times, and so to embalm it there that today, and in all coming days, it shall be a rebuke and a stumbling-block to the very harbingers of reappearing tyranny and oppression."

Lincoln is well know as the great Emancipator while Jefferson is given little or no note in regards to the slavery question, yet the two men held nearly identical views on the subject. Both men believed that slavery could best be abolished gradually, with no freeing of slaves but with no new slaves, either by birth, purchase, or capture being added to the ranks.

Both men expressed the hope that the slaves could be transported to a colony outside the United States.

Lincoln is famous for his fight against the spread of slavery, while Jefferson gets no credit, yet Jefferson wished to include in the Ordinance of 1784 a phrase that would have prohibited the slavery in all the new land gained by the United States. He wanted a second phrase that required the new areas to be, "part of the United States forever." Had he had his way, the question of secession for most of the Southern states could never have been raised.

Had Jefferson been heeded, Lincoln would have served an uneventful term, or never been elected at all.

How is it possible that the ideological founder of the Democratic party was also the ideological father of Abraham Lincoln pillar of the Republican party?

Lincoln explained it this way in one of his many anecdotes: "I remember being much amused at seeing two partially intoxicated men engage in a fight with their overcoats on, which fight, after a long and rather harmless contest, ended in each having fought himself out of his own coat and into that of the other. The two leading parties have performed the same feat as the two drunken men."

Lincoln's greatest tribute to Jefferson came in a speech delivered extemporaneously at Independence Hall as he was on his way to be inaugurated for the first time. He said: "I have often inquired of myself what great principle or idea it was that kept the Confederacy so long together. It was not the mere fact of the separation of the colonies from the motherland; but that sentiment in the Declaration of Independence which gave liberty, not alone to the people of this country, but, I hope, to the world, for all future time. . . . I will consider myself one of the happiest men in the world, if I can help to save it. . . . But, if this country cannot be saved without giving up that principle, I was about to say I would rather be assassinated than surrender it."

Caledonia County Young Republicans

HON. ROBERT T. STAFFORD

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. STAFFORD. Mr. Speaker, as the lone Member of this body from the State of Vermont, I want to express my appreciation to my colleague from California for accepting the invitation of the Caledonia County Young Republicans to attend their unique Jefferson Day dinner. I am only sorry I was unable to attend myself.

The dinner attracted an unusual amount of attention from some of the leaders of the Republican Party nationally, as well as from our own congressional delegation. Under unanimous consent, I place the thoughtful letters sent to the dinner by Senator PROUTY, Governor Rockefeller, Governor Romney, Governor Chaffee, Senator PERCY, Mayor Lindsay, and former Senator Goldwater at this point in the RECORD:

APRIL 5, 1968.

Mr. and Mrs. DAVID HILL,
Lyndonville, Vt.:

Mrs. Prouty and I very much regret that we are unable to be with you tonight as you honor that great American Thomas Jefferson. Even though he lived before the Republican Party as we know it today was formed, his eloquently expressed ideals of individual freedom and equality, participatory democracy, education for all, fiscal responsibility, and the development of a system of creative federalism are similar to those long espoused by Republicans. Thomas Jefferson should be a constant source of inspiration to Republicans to continue to formulate constructive and viable alternatives to current policies because he devoted much of his life to just that purpose.

WINSTON PROUTY,
U.S. Senator.

STATE OF NEW YORK,
Albany, April 3, 1968.

DEAR MR. MCCLAUGHRY: James A. Garfield once said of Lincoln that "One paper, above all others, led him captive, and filled his spirit with the majesty of its truth and the sublimity of its eloquence. It was the Declaration of American Independence. The author and the signers of that instrument became, in his early youth, the heroes of his political worship."

Jefferson's great handiwork has lost no lustre through the ages. The words that so thrilled Lincoln have never lost the power to move the hearts of the sons of liberty everywhere. Our Republican Party today, as in Lincoln's day, should continually rededicate itself to Jefferson's love of liberty; for it is our party which has best understood, over the years, the true meaning of the individual liberty for which Jefferson never ceased from advancing.

With best wishes to all who are attending the Jefferson Day dinner,

Sincerely,

NELSON A. ROCKEFELLER.

SPECIAL MESSAGE

STATE OF MICHIGAN,
Lansing.

Caledonia County, Vt., Young Republicans,
Republican Jefferson Day Dinner:

Thomas Jefferson gave Americans the powerful and eloquent words of the Declaration of Independence, guided by the hand of Divine Providence. "I have never had a feeling politically that did not spring from the sentiments embodied in the Declaration of Independence," said the first great leader of the modern Republican Party, Abraham Lincoln.

America today needs to recapture the vision that inspired Jefferson and Lincoln. Politically only the Republican Party can take the lead in this essential quest. For it is the Republican Party which, like Jefferson and Lincoln, believes in the worth of the individual man, in the preeminence of human liberty among our constellation of earthly values, in the importance of true self-government.

Best wishes for the success of your Jefferson Dinner. With God's help, the principles of Jefferson will continue to shine forth as an inspiration to Americans, and to a yearning world.

Sincerely,

GEORGE ROMNEY.

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS,
Providence, April 2, 1968.

DEAR JOHN: I am delighted to learn that the Caledonia County YRs are sponsoring a dinner honoring that earlier Republican Governor and great American, Thomas Jefferson.

Senator Henry B. Anthony of Rhode Island, a Republican leader of his day, wrote the organizers of the great 1859 Republican-sponsored Jefferson Festival in Boston:

"At a time when those who profess to be the peculiar disciples of Jefferson, and the inheritors of his political faith, repudiate his well-known sentiments upon one of the greatest questions of his day and our day, it is well that those who agree with him upon that point, however they may differ from him upon others, should celebrate his birth, and render to his memory the honor that is denied it by those who worship his name and ignore his principles."

Today, as in 1859, it seems to me that the present Democratic Administration in Washington has lost sight of the basic Jeffersonian belief in the capacity of people to govern themselves, and of the states to be truly responsive to the will of the people. I am hopeful that your dinner will add new emphasis to Jefferson's thinking and inspire our Republican Party to renew its efforts to preserve and expand Jefferson's doctrines of individual liberty and local self-government.

Please accept my very best wishes for an enjoyable and memorable evening.

Sincerely,

JOHN H. CHAFEE,
Governor.

U.S. SENATE,
Washington, D.C., March 28, 1968.

DEAR JOHN: Please convey my greetings to the Caledonia County Young Republicans at their Jefferson Day celebration on April 6.

Abraham Lincoln, in his 1859 debates with Stephen A. Douglas, said he would "offer the highest premium in my power to Judge Douglas if he will show that he, in all his life, ever uttered a sentiment of all akin to that of Jefferson." Certainly Lincoln and the other great Founders of the Republican Party of the 1850's drew their inspiration from the Declaration of Independence and the other writings of Thomas Jefferson. And in this troubled age, we Republicans must rededicate ourselves to the sound Jeffersonian principles of liberty that so guided our party in its early years.

Best wishes for a most successful event.

Most sincerely,

CHARLES H. PERCY,
U.S. Senator.

THE CITY OF NEW YORK,
New York, N.Y., March 22, 1968.

DEAR JOHN: Please accept my best wishes for a successful and enlightening Caledonia County Jefferson Day dinner.

Thomas Jefferson is indeed one of America's Apostles of Liberty. His special concern was the preservation and expansion of the individual liberties guaranteed by the Bill of Rights, which he did so much to author.

Just as the Republican platform of 1856 pledge opposition to any laws impairing "the liberty of conscience and the equality of

rights among citizens", I believe it is a special duty for Republicans today to defend the Bill of Rights against its enemies. That, I am confident, would be Jefferson's message to the Republican Party of 1968.

Sincerely,

JOHN V. LINDSAY,
Mayor.

PHOENIX, ARIZ.,
April 2, 1968.

DEAR MR. MCCLAUGHRY: I wish you the most successful Jefferson Day Dinner. It's a good day to celebrate. The essential right of man to be free of government control is just as important today as it was in the day of Jefferson.

If anything, our current danger is worse because the infractions on our freedom are nearly invisible, and they come to us in the guise of a gift. Republicans believe in the divine right of man to govern himself through democratic process. It is this freedom and this right that we must protect, for this is the area being eroded by today's political action.

Sincerely,

BARRY GOLDWATER.

FDA's Effrontery: End It, People Say

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. HOSMER. Mr. Speaker, very many of our citizens support my bill H.R. 11837, and 63 other identical bills, aimed at curbing the power of the Food and Drug Administration to regulate food supplements, including vitamins. They are anxious to put a stop to FDA's effrontery. In order to pass this feeling on to my colleagues, I will, from time to time, place in the RECORD extracts of letters received from various parts of the country approving this legislation. Following are extracts from a few of those supporting this course of action:

We do not need a dictator like Dr. Goddard, FDA. I've been taking vitamins and minerals for some years and am in better health for this. Dr. Goddard wants to play God and tell us that we fit in his mold. I, for one, do not want to fit in his mold. So let me have the freedom of buying the vitamins and minerals that I want and *not* that which Dr. Goddard wants me to have.

My wife and I owe our lives at this time to the fact that we can purchase our vitamins and minerals and food supplements direct when we see the need for them. According to the FDA's proposal it would make the cost prohibitive to most older retired people.

I hope this bill is passed so that we can once and for all stop the FDA's unfortunate dictatorial jurisdiction in the field of food supplements and vitamins.

You have taken a giant step to preserve freedom of choice in matters pertaining to health and welfare of the public. Your action is meaningful and I shall always remember you for such humanity to mankind. Thank you for H.R. 11837.

I can state from experience how vital to the health of myself and to anyone who will investigate, the need to be able to buy and use, by one's own freedom of choice, natural food supplements and natural foods, as well as natural vitamins and minerals. We must retain our right of choice of treatment and food, without the added expense of prescription.

For many years I have been interested in nutrition as a hobby and I know from experience that the taking of vitamin supplements has made my family a healthier one. I hope and pray that I will always be able to buy vitamins as I am prone to bad colds and learned only three years ago that increased massive dosages of Vitamin C would prevent colds. Now I have good health and thank God I can take Vitamin C.

As a consumer of food supplements, I wish to protect my right to fortify my diet by buying safe food supplements and combinations I want without a prescription. For anyone to say otherwise is to deny me my personal freedom and it certainly is not the American way.

You certainly deserve the highest praise for your understanding of our citizenry's need for freedom of choice in the field of vitamins and minerals. Our heart-felt thanks for your bill, H.R. 11837.

As a biochemist I am strongly opposed to the regulation now being proposed by the FDA for the following reasons: (1) It is contrary to the principles of Dr. Harvey Wiley, who was the father of the Pure Food Law; (2) It is being opposed as against public interest by many of the better authorities in biochemistry and nutrition; (3) It is being sponsored primarily by the American Medical Association in support of their attempt to gain a complete monopoly of all phases of health care. Their attempt to control nutrition is not legitimate because medical doctors are not specialists in nutrition—in fact there has been much discussion in the medical journals recently deploring the lack of instruction on nutrition in the medical schools; and (4) My wife and I have used for many years a vitamin-mineral supplement that would be outlawed by the proposed FDA regulation. We both can testify that the supplement has been of immense help in improving our health and resistance to colds.

National Secretaries Week

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. BLACKBURN. Mr. Speaker, in what has become a widely observed annual event in our country, National Secretaries Week will be celebrated for the 17th consecutive year from April 21 through April 27, 1968, with Secretaries Day falling on Wednesday, April 24.

Certainly it is most appropriate that we pause during this week to pay tribute to those dedicated women throughout our land who have such a vital role in every phase of the business community.

It is my special privilege to honor the De Kalb chapter of the National Secretaries Association, International, a chapter chartered 5 years ago, and counting among its members many outstanding women who play a significant part in the tremendous industrial and economic development in De Kalb County. The Fourth Congressional District is fortunate to be able to claim more than its share of those human assets whom we honor this week.

I thought it was interesting to note that the National Secretaries Association, with its more than 26,000 members in hundreds of chapters in the United States, Canada, Puerto Rico, and affiliates in Mexico, Panama, Argentina, the Bahamas, Curacao, Finland, and Hong Kong, is the world's largest association of businesswomen in one profession.

The De Kalb chapter provides the following definition of a secretary:

A Secretary shall be defined as an executive assistant who possesses a mastery of office skills, who demonstrates the ability to assume responsibility without direct supervision, who exercises initiative and judgment, and who makes decisions within the scope of assigned authority.

While this is an excellent analysis, I believe that so much more could be added.

Small wonder that the secretary is honored as the "First Lady of American Business," and that her immeasurable contribution to business, industry, government, and education is being ever more recognized. She continues to maintain the highest professional and personal ethics, and her resolve is directed to increased learning, efficiency, and loyalty in making her increasingly valuable to the office in which she is employed.

It is with deep appreciation that I salute the secretaries throughout our Nation who keep the wheels of progress turning so smoothly, with my special thanks to those outstanding women in the Fourth District of Georgia.

Restraint or Neglect?

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. BROCK. Mr. Speaker, the recent outbreak of violence and looting in Washington, and the half-hearted way in which Federal officials met the tidal wave of lawlessness have given rise to a great deal of comment. One of the clearest, most succinct discussions of this national disgrace appeared on the editorial page of the Memphis Press-Scimitar, April 10, 1968.

Because of its value, I insert it in the RECORD:

UNANSWERED RIOT QUESTION

There has been a variety of excuses for failure to preserve order in American cities. Those of Attorney General Ramsey Clark, as to the riots in Washington, D.C. are about as lame as they come.

"Look at the deaths," advised Clark. "Very few deaths compared to what could have been expected under the circumstances."

How many deaths could be accepted as permissible, "under the circumstances?" The troops when finally they were called got the disorder under control without firing a shot.

"I think the police acted firmly here; I think they acted fairly here; I think they did a good job," Clark said.

We agree with that, heartily. But in Wash-

ington the police were hopelessly outnumbered until, finally, after too many hours of indecision, the troops were brought in.

Clark was asked whether the nation is willing to accept unlimited property damage because "we don't want to inflict any deaths upon the looters and rioters." Clark replied:

"That is not the issue. I don't think we suffered unlimited property damage here. The property damage here (in Washington) would be a very small fraction of the property damage at Watts or the property damage at Detroit."

He seems to argue that law enforcement officials shouldn't try to stop a mob from burning down your house for fear of injuring the arsonists. But skip that. The record is that people get killed in the heat of riot. The killing stops, or doesn't even start, when authorities move in firmly to enforce the law.

"Restraint" merely has encouraged the riots to spread, making big ones out of little ones. This restraint apparently is prompted in recognition of injustice and out of concern for public sentiment in the Negro community.

Think that one over. The slum dwellers are the first and principal victims of these disorders. Thousands of them are being fed and clothed today at Washington's relief centers.

Does it make any sense to assume these poor people wanted their homes and small possessions burned, their sources of food destroyed, their jobs sent up in smoke? What little they had was lost because the authorities failed to protect them, thus piling neglect on top of injustice.

Attorney General Clark replies to all the questions save the main one:

Why was the looting and burning in Washington permitted to spread, practically without hindrance, for nearly 24 hours before troops were called in from across the river?

What have we got here? A government? or an alibi factory?

Caledonia County Young Republicans

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. GERALD R. FORD. Mr. Speaker, I wish to join in commending the Young Republicans of Caledonia County, Vt., in redirecting the attention of Republicans and of Americans to the importance of recapturing the first principles of Jeffersonian Republicanism that so motivated the men who founded the Republican Party of today.

Three years ago—January 1965—I wrote an article for Fortune magazine entitled "What Can Save the GOP?" In it, toward its close, I said:

In the years ahead, we as Republicans must do a better job of selling the voters on the concept of individual liberty and responsibility as opposed to government control and care. We will, quite truthfully, be advocating the hard way as opposed to the easy way. The path ahead will be difficult, but I maintain a Jeffersonian faith in the commonsense of the people. When they are adequately informed, the American people will make the correct decisions.

I am proud to reiterate those sentiments again today. I still believe, with Jefferson, in the commonsense of the people, and in their capacity to govern themselves at the local level. I hope and trust that, in our time, the Republican Party will succeed fully in restoring the Nation to those principles.

Citizens Foreign Aid Committee Chairman, Lammot Copeland, Jr., Calls for End to Foreign Aid

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. DERWINSKI. Mr. Speaker, on last Monday, April 22, the House Committee on Foreign Affairs, of which I am a member, was presented with a statement by Lammot Copeland, Jr., national chairman of the Citizens Foreign Aid Committee. In essence, Mr. Copeland expressed a thought with which many Americans fully agree; after 20 years and $152 billion, it is time to end the foreign aid program.

Mr. Copeland has only recently assumed the chairmanship of the Citizens Foreign Aid Committee upon the retirement of Gen. Bonner Fellers, who held that post for 10 years. The committee has distinguished itself by its excellent work in keeping the public informed of the effect of foreign aid on our economy and national security. I am happy to see that, as the new chairman, Mr. Copeland is carrying on the tradition of sensible foreign policy which has marked the work of the Citizens Foreign Aid Committee since its founding in 1958.

I would like to include at this point in my remarks the full text of Mr. Copeland's statement before the Committee on Foreign Affairs, as follows:

STATEMENT OF LAMMOT COPELAND, JR., NATIONAL CHAIRMAN, CITIZENS FOREIGN AID COMMITTEE, BEFORE THE HOUSE FOREIGN AFFAIRS COMMITTEE, APRIL 22, 1968

Mr. Chairman and members of the committee, my name is Lammot Copeland, Jr. I am appearing before the Committee today as National Chairman of the Citizens Foreign Aid Committee. I want to thank you for this opportunity to be heard. The Citizens Foreign Aid Committee, since its founding ten years ago, has devoted its efforts toward advancing a sane, realistic approach to foreign policy, particularly the U.S. foreign aid program.

During the ten year history of the Committee, our representatives have appeared 167 times before various Congressional Committees to give testimony on the issue of foreign aid. Each year the Citizens Foreign Aid Committee receives thousands of requests for information and literature from Americans concerned about the effects of foreign aid on our economy and national security.

The Citizens Foreign Aid Committee has recently been reorganized with the addition of myself and other persons to the Board of Trustees. General Bonner Fellers, who served for ten years as National Chairman, has retired from that post. It was General Feller's suggestion that young leaders from across the nation be added to the Committee so that those most concerned with America's future, its young people, could express their views on foreign aid and related matters.

My appearance here today is my first opportunity to present the views of our trustees and committee members, and I sincerely believe that these views are representative of the thoughts of many Americans, both young and old, on the issue of foreign aid.

FRESH THINKING NEEDED

Senator Hugh Scott of Pennsylvania, in a speech last January, said: "In no area of national policy are we more in need of fresh thinking than in the field of foreign aid." With that I wholeheartedly concur. While our recommendations as to what should be done about foreign aid differ substantially from those of the Senator from Pennsylvania, I agree with his statement and regard it as evidence of mounting concern, in and out of Congress, with our foreign aid program and its conduct after 20 years of existence.

Each year the "foreign aid performance" is acted out with all the precision but none of the grace of a minuet. Each year the President asks the Congress to authorize an amount of money for economic and military aid which is always called "rock bottom," but which exceeds the amount he expects the Congress to grant. Each year the Congress cuts the amount requested. The final appropriation bill for foreign aid is usually saved until last and often becomes a bargaining point as adjournment nears. At last it is passed and the foreign aid program is "saved" again. As the new year dawns, the dance begins anew.

I am sure that much the same ritual dance is followed by witnesses before your Committee. Departmental witnesses troop in to give their undying support for what is termed the great hope for the future of America and the world. Occasionally public opinion demands a fresh slogan or two to cover what remains essentially the same program, as this year we hear much about the "private sector" and "private enterprise" and its supposed role in our foreign aid program. Then, just as predictably, various citizens groups appear to endorse the program, as they endorse many other international efforts financed by taxpayers' dollars. At last, the opposition also appears, usually in the person of a representative of our Committee, to voice its concern about the program and to demand its abolition.

THE NEED FOR A POLICY

I suggest to you, Gentlemen, that we pause a moment at this point in our national history and consider just where we are going. A logical assessment of our present problems at home and abroad is badly needed. Just as surely, we need to know what our government and our people can do about these problems, immediately and over the course of many years. No such assessment is being made, nor do I see that it is even contemplated by the present Administration or the Congress.

Let me define what I consider to be one of the gravest problems in the field of foreign aid. It is the total lack of rational debate on the foreign aid issue by men of good will. The kind of debate to which I refer would be in the best tradition of America and would seek a solution to the foreign aid problem. Instead we are treated each year to the spectacle of opposing views presented in confident tones, spiced with appeals to morality or the need to preserve the dollar, or America's moral commitment to the under-developed nations. The terms of the foreign aid discussion are usually set by the publicists and enlightened public debate is held to a minimum if it appears at all. Both sides make bold assertions which are neither verified nor verifiable.

I believe that the reason our national debate on foreign aid as conducted at its present level is the lack of a well-reasoned foreign policy on a global basis. Since the beginning of the Marshall Plan, no Administration, either Republican or Democrat, has adopted a worldwide view of America's policy needs or sought to implement that policy in all areas of international activity. Thus, foreign aid has become at times a substitute for foreign policy. At other times, the foreign aid program has worked at cross purposes with our foreign policy.

When foreign aid began, it was conceived as relief for occupied countries and a means of rebuilding our European allies. This was

perhaps its most successful phase. It then became a massive program of building up "underdeveloped" countries, a phrase so broad and ambitious as to give rise to many of the difficulties that the aid program has experienced. With the intensification of the Cold War, and its periodic warming to a "hot war," foreign aid was couched in terms of "defense support" aimed at arming our allies to defend themselves against aggression. More often than not, such military aid allowed previously unequipped nations to field armies against their neighbors, who many times were also American allies armed with American military aid. Most recently, foreign aid has been channeled to meet both the possible requirements of our long-range missile warfare, and our altruistic motives of saving the world. It has been said that "since ideas, as well as the institutions which embody them, often long outlast the circumstances which gave rise to them, it is not surprising that present day foreign aid doctrine consists largely of leftovers and hand-me-downs."

THE WORLD ECONOMIC CRISIS

If ever there was need for a general revision of our thinking on the issue of foreign aid, it is now. America and the world are facing perhaps the gravest economic situation since the Depression 40 years ago.

The purchasing power of the dollar is falling rapidly.

Long term interest rates are at all time highs.

The Federal budget has grown to enormous size and we are faced with one of the largest peacetime deficits in our history for Fiscal 1968, possibly over $25 billion.

The dollar itself is under attack from abroad, and the world monetary system is threatened. Temporary nostrums such as "paper gold" are mere expedients fending off the day of reckoning.

Our cities are seething with unrest and revolution and our rural areas are caught in the constant and worsening cost-price squeeze.

Our so-called "full employment" can be ascribed to the increased manpower commitments of the Viet Nam war and the swollen Federal payroll.

The flight of gold and the continuing balance of payments problems show little or no signs of abating and not much has been suggested to curtail what has already become an emergency situation.

Added to this, the American taxpayer is being asked to pay higher taxes while the Federal government shows no signs of genuine willingness to control its own spending.

It is precisely at this juncture that we should ask the question as a Nation: "Can we afford the annual expenditure of almost $3 billion for foreign economic and military assistance, as well as related international programs totalling over $8 billion?"

I think not.

To those who ask the question, "Can we afford not to authorize more foreign aid?" I would answer emphatically, "Yes." In fact, Representative Otto Passman of Louisiana, the Chairman of the Foreign Operations Subcommittee of the House Committee on Appropriations, has estimated that unliquidated foreign aid funds remaining on hand last June 30, 1967, totaled well over $16 billion. This amount is more than enough to conclude all the programs now in progess without hardship to anyone.

Further, lost in the noise and confusion of the foreign aid programs, has been the significant help given to other nations by private American citizens. A 1960 study disclosed that up to that time 73 million persons received help from almost 11,000 private U.S. foreign aid programs. The value of this aid was estimated in 1960 to total $718 million.

ACTUAL FOREIGN AID TOTALS

Last year Representative Passman succeeded in getting the Agency for International Development to agree with his definition of foreign aid. I quote the AID definition verbatim:

"Broadly speaking, foreign assistance is any aid—military or economic—which is extended by one country to another as loans or grants. This definition includes assistance rendered through the various international agencies—such as the United Nations—as well as that which is on a strictly bilateral basis. Used in this context, 'foreign aid' includes not only those programs carried out by the Agency for International Development, but also a number of other programs authorized by Congress."

Using the AID definition of "foreign assistance" as listed in categories by Representative Passman, the Citizens Committee on Foreign Aid has compiled an updated list of all foreign aid requests and actual authorizations made by the Congress during the First Session of the 90th Congress. I would ask the Committee's permission to insert that chart at this point in the Hearing record. (This chart is attached at the end of this testimony.)

This chart shows that Congressional authorizations for Fiscal '68 totaled over $8 billion. This figure includes what is generally known to the public as "foreign aid"—the authorization which you are considering in your Committee, but it also includes the numerous loan and grant programs conducted by the Federal government.

I think it should be noted that during the 20 year history of foreign aid, Representative Passman has estimated that over $152 billion of taxpayers' money has been spent, including the interest to service the debt created by such expenditures.

Given the economic problems facing the United States, I believe that it would be prudent and desirable to authorize no foreign aid for Fiscal 1969.

We must consider first of all, the internal welfare of our country and its people. The American people are taxed at ever increasing rates by local, state and Federal governments. If no further aid is authorized for Fiscal 1969, at least three billion dollars would be eventually pared from the Federal budget. Admittedly, this is a small amount compared to the possible deficit we face in Fiscal 1968, but it is a start on a drastically needed reduction of Federal expenditures.

So far, I have devoted much of my testimony to criticism of the present request for foreign aid funds. I have not even mentioned, nor will I attempt to detail, the numerous scandals and evidence of mismanagement that have come to light in the Agency for International Development during the past year. This kind of bureaucratic mismanagement is endemic to any organization which has grown far beyond the bounds of reason and employs thousands of people, many of whom are far from the direct supervision of Washington. I note, however, that these AID scandals have served to make the average American far less receptive to the continuation of foreign aid.

WHY FOREIGN AID?

Let me devote myself now to a brief review of the reasons given for American foreign aid.

We are told that foreign aid promoted the national security of the United States. More often, those who support foreign aid cloak their appeal for support in moralistic phrases which do not hold up under reasonable analysis.

We are told that it is the obligation of the American people to support foreign aid as a means of assisting the unfortunate people around the world. I suggest that the primary obligation of the Members of Congress, who must authorize foreign aid, is to do everything in their power to promote the welfare of the American people first. The events of the last few weeks in more than 120 cities indicate that three billion dollars of taxpayers' money could be employed with far greater effect right here at home. It is commendable to aid farmers in Peru or save the lives of children in Asia, but distance alone makes this seem less important, when 280 families in Washington, D.C., have had their homes reduced to rubble. We must cut the Federal budget somewhere, and foreign aid is the place to begin.

Most of those who criticize foreign aid in principle and in operation offer no alternatives. I spoke earlier in my testimony of a need for an over-all foreign policy as the prerequisite of any subordinate policies. I think the basic facts to be recognized are, that while there may be many brands of Communism, and while the political situation may vary from country to country, the essential issue of our time is the survival of freedom. To me, this means victory over Communism. Once our government makes this determination we can proceed to a reasonable program of international activity fully integrated in all phases to achieve this victory. I am not prepared to say that foreign aid may not have a place in such a program. I do say that foreign aid as we have known it for twenty years, has no place in achieving this victory. Those who think that America has the responsibility to raise the level of living of mankind ought, if they are to be consistent, to think that it also has a responsibility to save the world from Communist tyranny, for that is an even worse thing.

AN ALTERNATIVE

What do I propose as an alternative to the foreign aid program?

I think that in his testimony before this Committee, the Director of AID, Mr. Gaud, has hinted at my view. I believe we must employ the "private" initiative needed to make foreign aid effective. Mr. Gaud's view, however, of "private" initiative is the channelling of millions of taxpayers' dollars to foreign countries through various private institutions and corporations within the United States. These institutions and corporations then become in fact, an extension of the Federal government and administer its programs of foreign aid. This is not private initiative. This is subsidization of private entities to carry out foreign aid policies.

My suggestion as a businessman and as one who has travelled abroad, is that the American government adopt a vigorous policy of promoting trade with, and foreign investment in, countries now receiving foreign aid. I agree with the United States Chamber of Commerce and their February 27, 1968, statement which urged the federal government to end mandatory controls on foreign investments and called the President's proposed restrictions on travel overseas ill-advised. The Chamber pointed out that export earnings and foreign investment and royalties are "on the positive side of the ledger" and help to make possible a large share of U.S. exports. The Chamber estimates that the annual earnings on foreign investments far exceeded the outflow of new capital in 1966. For example, the new capital outflow was $3.5 billion while income from foreign investment was $5.6 billion and earnings amount to $4 billion.

The noted economist, Professor Milton Friedman, has pointed out that there are crucial advantages in letting private businesses do as much as possible in the areas of foreign aid. Private businesses, who risk their own funds, have a much stronger incentive to invest wisely. They are far more likely than are state bureaucracies to abandon unsuccessful ventures. Professor Friedman, in fact, contends that countries would develop faster without foreign aid than with it, since they would be unable to invest in projects which add little or nothing to the productivity of their economy.

With suitable incentives and protections, a large amount of private American capital could be directed into those underdeveloped countries now receiving or seeking U.S. economic help. This type of capital investment

is most effective in achieving the two most widely accepted goals of foreign aid; raising the standard of living of the people of the underdeveloped countries and increasing the economic and political ties between these countries and the United States.

In summation, let me re-state the views I have expressed as Chairman of the Citizens Foreign Aid Committee.

First, the dire economic emergency which faces the United States demands that we put our financial house in order. Because of its history, and its past conduct, no program is more vulnerable to elimination than is the foreign aid program.

Second, there is a great need for a rational foreign policy for Americans who take into account as a central theme, victory over rather than coexistence with Communism.

Third, the best means to achieve the professed goals of those who support foreign aid, the promotion of the welfare of people everywhere and the building of strong foreign governments and economics, is to unleash the private sector in America. This means more than lip service to a comprehensive government program and willingess to promote trade and investment and favorable conditions in foreign countries required by both.

NEW FOREIGN AID FUNDS FOR FISCAL 1968

Program	President's request	Congressional authorization
CATEGORY I		
1. Foreign assistance (mutual security)	$3,226,420,000	$2,296,000,000
2. Receipts and recoveries from previous credits	226,356,000	226,356,000
3. Military assistance advisory groups (MAAG)	42,000,000	42,000,000
4. Export-Import Bank (long-term credits)	2,295,000,000	2,295,000,000
5. Public Law 480 (agricultural commodities)	1,772,500,000	1,772,500,000
6. Inter-American Development Bank (Latin America)	300,000,000	300,000,000
7. International Development Association (IDA)	104,000,000	104,000,000
8. Peace Corps	118,700,000	107,500,000
Total, new foreign aid request for 1967, category I	8,124,976,000	7,143,356,000
OTHER FOREIGN AID REQUESTS—CATEGORY II		
9. Export-Import Bank (regular operations)	555,000,000	377,000,000
10. Permanent construction overseas (military)	331,900,000	331,900,000
11. Contributions to international organizations	109,362,000	109,362,000
12. Educational (foreign and other students)	54,800,000	51,800,000
13. Ryukyu Islands	14,956,000	14,956,000
14. Migrants and refugees	5,660,000	5,500,000
15. Atomic Energy Commission (Euratom)	2,500,000	2,500,000
16. Inter-American Highway	7,000,000	7,000,000
Total, new foreign aid request for 1967, category II	1,081,178,000	900,018,000
Total, new foreign aid request for 1st 7½ months of 1967	9,206,154,000	8,043,374,000

Opportunities for Women in the World-wide Wars on Hunger and Poverty

HON. DAVID PRYOR

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. PRYOR. Mr. Speaker, I commend to the attention of my colleagues a thoughful address delivered by Mrs. Francis Humphrey Howard, chief of Special Projects and Organization Liaison Branch of the Office of the War on Hunger, before the Sixth Annual Women's Day Convocation at Arkansas Agricultural, Mechanical, and Normal College in Pine Bluff, Ark., on March 22, 1968.

Mrs. Howard has given to the students and faculty of this fine educational institution the benefit of her views on some of the important issues facing the Nation and the world. She has also discussed with them the vast opportunities for service for women in the war on hunger and poverty.

Under leave granted to extend my remarks, I submit this address for insertion in the RECORD:

OPPORTUNITIES FOR WOMEN IN THE WORLD-WIDE WARS ON HUNGER AND POVERTY

(Address by Mrs. Frances Humphrey Howard, Chief, Special Projects and Organization Liaison Branch, Office of the War on Hunger, Agency for International Development)

I am delighted to be here and participate in your Sixth Annual Women's Day Convocation. I am honored to share this platform with this distinguished group of educators laboring in the vineyard of learning. Indeed, to be a teacher today is to shape the history of tomorrow.

In the bright eyes of the students here I can see expressions of faith, enthusiasm, optimism, impatience and eagerness to get going with your studies and training in this wonderful College, and then tackle with vigor the problems of private and public life and help create a better world—a world of freedom, prosperity, brotherhood, peace and justice.

We are grateful for such excellent educational institutions as the Agricultural, Mechanical and Normal College where the minds and characters and personalities of young people are being molded for an even better America.

I am happy to see so many women here today. Their presence shows their great interest in education.

In our democracy, we are all participants in the process of education—as citizens responsible for our schools and colleges, and as pupils, ever learning, ever searching, until the day that we die.

If there is anything we have learned, President Johnson once said, we have learned that "the first work of these times and the first work of our society is education."

In the largest sense, education *is* freedom and dignity. And it is indeed the "first work" of any society that is striving to be great.

I understand, your theme for this Convocation is: "Women in Action."

The problems facing the world today are so complex that the labor and ingenuity of both sexes must be engaged in their solution.

I am no feminist. I believe men and women should work together as equal and mutually dependent workers. Above all, there must be no senseless competition between them.

However, I believe that it is the humanizing instinct of women together with the teachings of the Judeo-Christian faith that combine to mean new opportunity for service in our days.

If there is a new kind of human community emerging, it will be a community that requires the participation of women as full partners.

Within the last 7 years there has been a significant change of climate in this country with respect to women's rights, including rights of employment. The change began in 1961 with the appointment of the Commission on the Status of Women.

People's thinking and attitudes began to change. Outmoded customs, practices and prejudices, based on assumptions about women as employees, have been abandoned.

There is now a recognition of the value of women as a critical and vital resource in the economic life of the Nation. There is now a realization that equal employment opportunity for women is not a favor to women but an economic necessity. Women are over one-third of the labor force of the United States.

The fact is that the high levels of economic activity we now enjoy cannot be maintained without the extensive employment of women, both in the Government and in industry.

In addition, we have undertaken a tremendous new program designed to improve the whole quality of American life—the Great Society—and our rising expectations require a rate of economic development that can be achieved only with the full and effective use of womanpower.

The world is indeed growing smaller. So small that it can be considered as one family. Our world family, however, must be revitalized. Like the familiar mother-father-children families, our larger human communities must take more seriously the role of *teaching* and caring.

I believe that women will fill these roles for the larger society in a professional way, just as women have filled these roles traditionally in a maternal way.

The women of our U.S. voluntary agencies are daily exerting humanitarian efforts at home and abroad. As you know, these are the associations formed by dedicated people who seek to help people help themselves.

Their programs, which in many cases started as relief projects, have evolved into efforts to prepare people through self-help activities to raise their standards of living.

I have been working intensively with the voluntary agencies of the United States for the past several years and I know what these men and women have been doing in serving humanity overseas.

It is encouraging that the technological revolution in the more advanced countries is freeing more of us from drudge work so that we can devote our energies and more of our time to helping each other.

In the near future, housewives in general should have more time for study, more money for educational expenses due to the expected rise in family incomes, and more opportunities for continuing their education due to the increased availability of local colleges and universities.

In any event, as James Stephens, the Irish poet, asserted, women can make an important contribution to the development of social and humanitarian policy because, "Women," he said, "are wiser than men; they know less but they understand more."

Negro women now play an increasingly significant role in the nation's economy and continue to make enormous strides.

The last 20 years have been most decisive in the economic and social history of the Negro woman. Over these years, there has been a noticeable shift from low-paid, unskilled, domestic, farm jobs, to employment in clerical, professional, technical, sales and service jobs as opportunities opened up.

Negro women doctors, social workers, lawyers, bookkeepers, judges, librarians, accountants and secretaries have more than doubled in the last 10 years. Nurses, stenographers, telephone operators and hospital attendants have increased more than two-

fold, while Negro women medical and dental technicians have increased more than four-fold.

With the passage of two acts of the U.S. Congress designed to eliminate further discrimination in employment on the basis of sex or race, the economic and social outlook for the Negro women is brighter today than at any time in history.

Negro women are making progress even in politics. They are turning up with increasing frequency in the nation's city councils and state assemblies, and they are even finding their way into big-time, behind-the-scene politics.

Women now hold many elective and appointive posts in the Government. My friend, Charlotte Hubbard, is a Deputy Assistant Secretary of State for Public Affairs.

Dr. Regina Goff, also a dear friend, is Assistant Commissioner in the Cabinet Office of Health, Education and Welfare.

My friend, Dr. Bennetta Washington, the wife of our distinguished Mayor of the Nation's Capital, is an Administrator of Women's Job Corps.

Several Negro women are currently serving as local judges, and Mrs. Constance Baker Motley recently became the first Negro woman to be appointed to a Federal court.

Mrs. Patricia Roberts Harris, Ambassador to Luxembourg, is one of the five women ambassadors appointed by President Johnson.

To the bright young women assembled here today, I want to say this:

Some of you will complete your training within just a few weeks and leave your sheltered college world to launch careers into an uncharted and turbulent world.

We have great faith in you. We not only hope, but believe that you will carry on in the finest American tradition.

We believe that you will not only grapple intelligently and humanely with the problems of the new day, but will also make significant gains in some of the age-old problems that we are bequeathing to you.

And one cannot read our morning paper or view our television without appreciating how great some of those problems are.

Innumerable tasks will be awaiting for your willing hands and eager minds to carry on as soon as you are ready to enter the stream of active and productive lives a few years or months from now. Don't think even for a moment that there will not be much left for you to undertake.

Certainly, if any age can lay claim to being a golden age of adventure and discovery, ours can. Yet we have barely begun.

Here are some of the developments we can all look forward to within the next 20 years.

In agriculture, the large-scale use of desalinated sea water.

In education, the use of more sophisticated teaching machines.

In medicine, we are already seeing the transplantation of natural organs and the use of artificial ones.

In psychiatry, the widespread application of drugs that control or modify the personality.

In industry, the extensive use of automation, up to and including some kinds of decisionmaking at management level.

Progress is indeed being achieved at an incredible tempo in recent years. Two interesting exhibits in the Smithsonian Institution in Washington, vividly illustrate the dramatic acceleration in the tempo of progress. One is the first commercial computer, only 17 years old. The other is Astronaut John Glenn's capsule, only five years old, but already a museum piece.

It is said that it takes ten to twenty years for a new idea to make its way from its inception in a scientist's mind to its general application in everyday life. Therefore, the world of twenty years from now already exists, in embryonic form, in today's advanced research institutions.

We can safely predict that the dawn of the 21st Century will see some remarkable developments:

The vast increase of our food supply through large-scale ocean-farming and the fabrication of synthetic proteins.

The eradication of bacterial and viral diseases.

Control of the weather, at least on a regional scale.

The creation, in the laboratory, of primitive forms of artificial life.

This can indeed be an age of miracles. It will be *your age*. Your generation will be responsible for the welfare of the nation, and for my medicare.

You will seek to promote social justice, making education and health and opportunity the common birthright of every citizen.

You will seek to rebuild our cities and to reclaim the beauty of our countryside. And you will seek to build peace based on man's hopes for a better life in freedom.

These goals will be the work of many men and women and of many years. Thousands of new scientists and engineers, and specialists in health, technology, and education will be needed over the next few years.

Each year over the next decade, our nation will need 200,000 new public school teachers to keep up with the growing population and the needs of our country in the field of education.

Through the past decade, there has been an increasing awareness that the full potential of the United States could never be reached until we fully accept the idea of investing in people as well as in products.

Recently the opinion has spread throughout the country that national investment in education is in fact the soundest of all investments in economic and social growth.

The United States Congress in its last two sessions made greater commitments to education than ever before.

In new and expanded programs, the 88th and 89th Congresses passed legislation for vocational and technical training; for manpower development and retraining; for libraries and higher education; for medical education and graduate schools; for science, mathematics and foreign language instruction; for social sciences and humanities; for teaching the handicapped and teaching the poor; and for research into better ways of improving the learning process.

Congress has now before it measures to accomplish this purpose—to make education, as President Johnson put it, truly "the first work of our times and the first work of our society."

Building a Great Society, however, is not the sole responsibility of a Congress or the job of a President alone. It cannot be done only in Washington. It has to be the special goal of every citizen. Every American has to pitch in and improve the corner of the country where he lives.

This is a new working partnership among *all* elements of our society—Government, business, labor, the university, the voluntary organization, and the individual citizen—without regard for old jurisdictions and animosities, a partnership of free men and women, working through free institutions, for a common goal.

At home, we will continue to attack poverty through such weapons as community action and Headstart; rent supplements and child nutrition; aid to elementary and secondary education in poverty areas; the Job Corps; the Neighborhood Youth Corps; medicare and neighborhood health centers, and so forth.

I should like to tell you about some of the opportunities for service for young college women today and in the coming years.

The Peace Corps offers young people the opportunity to serve both their own country and the rest of the world by working with people and government in underdeveloped areas.

The volunteers educate the young, care for the sick and poor, develop sanitary systems, and carry out the multitude of tasks needed to draw the newer nations into the 20th Century.

In the War on Poverty, the VISTA volunteers, the domestic counterpart of the Peace Corps, helps to bridge the widening gap between the haves and the have-nots in America by helping the poor in their neighborhoods and homes.

There are already over 2000 volunteers in training or in service side by side with the poor in crowded slums, in decaying mills and mine towns, in unpainted shacks on worn-out farms, in migrant work camps, and on Indian reservations.

A third, and the newest of the service organizations which will attract young women, particularly those who wish to enter teaching, is the National Teacher Corps.

In its second year, the immediate goal is to enroll 4,000 young people in a bold new effort to improve education at its weakest points, the poorer school districts of the nation.

In a combination with and under the tutelage of experienced teachers, they will serve two years in the poor rural and urban school districts where they are needed most.

While they are teaching, these young people, called teacher-interns, will be paid and will have the opportunity to study for master's degrees at nearby cooperating universities.

Another service organization is the Job Corps. Eligible in the Women's Job Corps are young women between the ages of 16 and 22 who are out of school, unable to find an adequate job, and in need of a change of environment in order to become useful and productive citizens.

Training courses provided in Women's Job Corps Centers include secretarial, business and clerical, data processing, retail sales, food preparation and service, health services, dress designing, graphic arts skills, cleaning and laundry trades, cosmetology and child care, and so forth.

The girls can leave after four months. Most are encouraged to stay for at least nine months.

Two years of training in Job Corps is said to be equivalent to a year of college training. Then the corpswoman can be placed in a job in almost any area of the United States.

Placement of Job Corps graduates in jobs averages 70%, with some of the better urban job centers averaging as much as 86%.

Graduates from your College could well qualify as resident advisors providing counseling and guidance.

These are only four of the areas of possible service. There are of course many more.

There is, for instance, the remarkable "Upward Bound" program, and I should like to say a few words about it.

My heart goes out to the young men and women who have serious problems, who are capable of going to college, but cannot do so because of psychological, social and physical conditions of poverty.

Fortunately, the problem is now being met by the "Upward Bound" program of the Office of Economic Opportunity. The program seeks to find and redirect secondary school students who have been handicapped by economic, cultural and educational deprivations.

The program seeks to rescue the youngster whose brains and ability may be lost to society, or worst yet, be directed against society, unless he or she can be motivated to apply his or her talents and energies constructively.

The project has three objectives:

*To show the students they are capable.

*To show the students that education can be interesting.

*To show the students that they can do

practically anything they want to if they are sufficiently motivated.

One Upward Bound student commented: "Nobody ever thought I had an idea worth listening to—so I never told anybody anything before."

Isn't this a heart-rending statement? Feelings such as these expressed by underprivileged youngsters simply break my heart.

I am happy to know that teachers, counselors and undergraduate tutors working with Upward Bound students attempt to understand their language and to deal with them on their own terms.

Through this program, educational institutions in many parts of the country are planning measures that involve students for a year or longer before college entrance.

Upward Bound faculty work closely with secondary school teachers and Community Action Agencies in providing continuing motivation for the Upward Bound student during the regular school year.

Special classes are held on weekends or after school, undergraduate tutors conduct field trips, and Upward Bound teachers consult with the secondary school teachers and counselors on the progress of Upward Bound students.

The program is snowballing throughout the country, and we are now in a position to report on the results of the first experimental Upward Bound programs, in the summer of 1965. Out of a total 2,060 students enrolled in that year, 1,994 have been helped out of their difficulties.

The turnabout of these students from an attitude of apathy, or even hostility, to an eagerness for learning and a new sense of responsibility in their own destiny has been remarkable.

In the field of health, our goal for the next decade is modern medical care for every person of every age, whatever his means.

Our goals for the next decade is that the child born in America will have a normal life expectancy of 75 years; that the child born in America—no matter what color his skin—will have the same or better chance for life as the child born in Sweden, which has the lowest infant mortality rate in the world.

We set as our goal that the child born in America need no longer fear smallpox, measles, diphtheria, and whooping cough; that he no longer suffer the heart damage caused by rheumatic fever; that he will no longer fear tuberculosis as a serious threat to health and happiness.

Our goal for America is to cut the kill rate from heart disease, cancer, and stroke by 300,000 men and women each year.

We cannot settle for less. In fact, we ask for more. We want to find not only a longer, healthier life for every child and every citizen now living, we want also to find a happier life in dignity. We will find it. Our children and their children will be stronger and live longer because of the work we do today.

At the same time, we must not be oblivious of the needs of less developed nations.

As you know, large sections of mankind are trying, in a rising tide of hope, to catch up with the 19th and 20th centuries.

They look to us, as leaders of the free world, for help. And our response is, as it should be, more than words of compassion—it is deeds. Our response is in keeping with our best national traditions.

We must help developing countries because it is just and right. We must also help them because our own welfare demands it.

It takes no great gift of foresight to realize that unless there is progress and unless there is growing satisfaction of just desires, there will be discontent, restlessness and turmoil.

How would you feel if you were a member of a family whose total income was less than $80 per year? Yet a majority of the people of the world have incomes of less than $80 a year.

Under such conditions, communism, with its false and easy promises might well be able to transform these popular desires into an instrument of revolution. We would help these people even if communism never existed.

Be that as it may, every American who is concerned about the future of his country must also be concerned about the future of Africa, Asia, and our old friends and neighbors in Latin America.

Our foreign aid programs are helping the less developed free nations to acquire the human skills and capital resources they need.

Foreign aid has been attacking illiteracy in most of the less developed countries; feeding hungry people; helping people build decent places in which to live; and eradicating malaria and other diseases in various parts of the free world.

Our programs have also helped establish or improve industries in various free countries thus contributing to economic and political stability around the globe.

Yet no program of our Government has been more misunderstood and criticized. We still hear the tired and worn-out clichés about "give-away" programs, about "money poured down the drain" and so forth.

The myth that foreign aid is a give-away program should have died long ago. The actual cost of our economic assistance is less than one-third of one percent—not one percent—*less than one-third of one percent of our Gross National Product.*

Another important fact to remember is that the purchases of goods and services for foreign aid are financed right here in the United States, thus creating more jobs for Americans. Therefore, I repeat, foreign aid is an investment abroad that pays long-range and short-range dividends at home.

Of prime importance, of course, is the widening gap between food production and human needs in many areas of the world.

In last year's State of the Union Message, President Johnson stated the problem in these words: "Next to the pursuit of peace, the really great challenge to the human family is the race between food supply and population increase. The race tonight is being lost."

The stark fact facing humanity is that the world is running out of food. The world is now adding a million more people each week—most of them in the less developed countries. This flood of people has been washing away all the benefits that would accrue from foreign aid.

Hunger is not an occasional visitor but a constant companion of half of mankind. Half a billion humans suffer from too little food. Another billion lead brief half-lives because their diets lack proper proportions of protein, minerals, or vitamins.

In today's War on Hunger it becomes a matter of the highest priority to produce more food. As Vice President Humphrey put it, "Food is life. Food is wealth. Food is power, because a nation without food is powerless."

Producing food through improved methods of farming is a vitally important occupation. It is a noble occupation. And colleges such as yours, teaching improved agricultural methods, deserve the support of all right thinking people.

The War on Hunger is an intensive and sustained drive, led by the United States, to increase the supply of food throughout the free world. It aims to create the economic and technical capacity that each nation must have either to produce or buy commercially the food it needs.

The Agency for International Development of the Department of State now proposes to increase its investment in agriculture—to mobilize greater U.S. technology and resources by transferring American farming techniques and equipment to the developing countries; constructing fertilizer plants; establishing more extension services and financing research for better and nutritious crops.

Today, 1,300 A.I.D.-financed agricultural experts are working overseas; 2,000 foreign agricultural professionals are studying in this country under A.I.D. auspices.

A.I.D. projects are helping to irrigate more than a million acres in India, a half million acres in Pakistan, and a hundred thousand or more each in Korea, Afghanistan, Ecuador, Morocco and Tunisia.

Food output has been rising in the less developed countries, but it has not kept pace with rising population.

A solution to the population problem of each country must be found by the individual countries themselves, according to their cultures, needs, and traditions.

Solutions to such problems cannot be imposed from outside. But we give help to nations which make their own decision to insure an effective balance between the numbers of their people and the food they have to eat. At the same time we are pushing forward the frontiers of research in this field.

The problem is indeed difficult. My colleagues in the Office of the War on Hunger of the Agency for International Development of the Department of State and I—from the very able Administrator, Irwin Hedges, on down—have been spending long hours well into the night trying to find solutions to the various facets of the problem.

But I am an optimist. For a world society that is likely to have a man on the moon within the next two or three years, it should not be too difficult to devise ways to prevent people from starving on earth, or living in the shadow of disease, misery and despair.

I am confident that at the turn of the century, population will have found its level, and food production, aided by new technologies may prove adequate, if we act *now* with drastic urgency.

Collectively and individually we must strive to free the human spirit from want and hunger.

It has been a great pleasure to meet with you today and discuss these important world issues.

I wish you every success in furthering the goals and implementing the plans of this great educational institution.

I thank you for this opportunity. You have been a wonderful audience.

Postman Carl Jenkins

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. BLACKBURN. Mr. Speaker, so often we forget that the little people are the most important persons in our lives. Many of our citizens never come in contact with anyone from the Federal Government except for our local postman. These men perform a service which is one of the most vital in our national life. Without them our whole system of communication would fall apart.

One of these great public servants, who has served my congressional district very well, is Postman Carl Jenkins. Some of the residents of Victoria Estates, De Kalb County, Ga., have asked me to mention Mr. Jenkins in the RECORD, because they are so proud of this particular civil servant. I would like to quote a few lines from a letter I received concerning Postman Jenkins which will describe how the residents of Victoria Estates feel about him.

Postman Jenkins is the kind that I knew when I was a kid. He has taken an interest in every family and has gone beyond the call of duty to serve many of us. . . . During a time of anxiety Postman Jenkins went out of his way to bring my wife and me mail. . . . Several times he did this on his off duty hours.

Mr. Speaker, Postman Jenkins sent the following letter to the people he serves. I believe this letter clearly demonstrates his character:

I am retiring from the postal service. This coming Friday will be my last day to deliver your mail. I have been a letter carrier in the city of Atlanta for over thirty two years. The last seven years I have been serving the wonderful people in Victoria Estates. I want to take this opportunity to thank you for the many acts of kindness and consideration you have shown me. I have made a great effort to serve you well in the capacity of a postman. Your appreciation and respect for my service has certainly meant a lot to me.

You have a wonderful community in which to live. I know you are proud of your community, as you should be. I am glad that I had a small part in the growth and development of Victoria Estates. It was my privilege to deliver the first letter to Victoria Estates. I am the only regular postman who has served this community.

I shall always cherish your friendship. I wish good health and happiness to each of you.

Sincerely,

CARL JENKINS
(Your Postman).

Along with the residents of Victoria Estates, I would like to salute Postman Jenkins and wish him a very happy retirement.

Loyalty for Every Day

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. GOODLING. Mr. Speaker, our society today is languishing in a state of uncertainty; hence, it becomes vitally important to remember that the keystone of a stable society is law and order.

While we are busy searching for answers to our social problems, we must realize that law and order is the starting point for our solutions and that no formula for order can be operative minus these prime elements.

The April 25, 1968, issue of the Stars and Stripes dealt very meaningfully with this subject through an editorial entitled "Loyalty for Every Day," and because of its timely nature, I insert it into the CONGRESSIONAL RECORD:

LOYALTY FOR EVERY DAY

A democracy can maintain law and order if a substantial majority of its people value what they have in their form of government. A dictator, too, if he has sufficient armed might under his rigid control has little trouble in maintaining law and order. Both Hitler and Mussolini demonstrated this fact. Likewise, a Communist governing group which, in essence, is a dictatorship, can maintain law and order. The laws and order, of course, are of their own dictation.

Law and order is obviously essential. The alternative is anarchy where no one's life or property is secure.

The difference in law and order in our type of democracy as against that in dictator or Communist countries, is that we make our laws; that they are not handed down to us by iron-handed rulers.

Americans have liked their type of government ever since its founding, and have been willing to go to battle to sustain it.

The growing bands of hippies, draft dissenters, misguided liberals and others attacking and ridiculing our laws, our elected authorities, and generally impeding the workings of our type of government give real concern to the patriotic citizen.

May 1 is Loyalty Day and Law Day. Its first observance came in 1931 under the sponsorship of the Veterans of Foreign Wars.

A revivified observance of the date this year seems more important than ever before.

The nation has had a little glimpse of what anarchy is like in the recent riots in Washington, D.C., and elsewhere over the nation. It is terrifying to conceive of what it could lead to if not controlled in early stages. Aroused Americans in the final analysis would never submit to anarchy. But controlling it once well started would be an immensely costly bill in blood and destruction.

A rededication to our democracy and principles for making it continue to work is more important this particular May 1 than ever before. Then it should be continued for all the days in the years ahead.

A Reminder of What We Stand for

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. BROCK. Mr. Speaker, in the midst of the turmoil and confusion of the past few weeks, an editorial appeared in the April 11 issue of the Donelson News Diary which reminded me of some of the basic truths and values of our society—truths and values which we need today more than ever. Because of the timeliness of this article, I place it in the RECORD:

STILL AMERICA

(By Everett Corbin)

Let us remind those who would riot and bring destruction to a city that this is still America!

And we say to those who would take from one and give to another: That is communism—the Russian way!

The American way is to get up early in the morning, put in a good day's work—and be rewarded at the end of the week with a paycheck, the fruit of our labors.

Then, with the money we are privileged to make we are entitled to buy those things we wish, be it a home, furniture, food, luxury items or what have you.

Remember that this is America, home of the free enterprise system where every man can make something of himself if he chooses.

He cannot expect to sit on his front porch, rocking in his rocking chair, and have his next door neighbor visit him, bringing food for his table.

He must have initiative, drive, ambition to better himself.

He must send his children to school. And his children must learn and prepare themselves for the future.

Life is exactly what we make it—nothing is handed to anyone on a silver platter.

But when we find it necessary to take to the streets to loot and burn and pillage we are in effect turning our backs on society and demanding that others provide for us.

This has never been the American way of life—and God help us if such an attitude and demand is left unchallenged!

We believe our leaders are afraid to act in the national interest. While change is justified, it must come about through due process of law, and no one should know this better than the law.

Again, taking from one and giving to another is the "communist way." We must not fall victim to unreasonable demands!

We must work, work, work—and only then expect to see something accomplished.

This is the American way, and it has worked marvelously well for 191 years. It must continue to be our guide.

Post-Dispatch Urges Postmaster General O'Brien To Continue Efforts To Convert Postal Service Into a Government Corporation

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mrs. SULLIVAN. Mr. Speaker, the RECORD is replete with accolades to Lawrence O'Brien for the splendid service he has rendered in his administration of the postal service, to which I wish to add mine. He has shown vision and courage in the efforts he has expended in trying to improve this important service and justly merits the commendations he has received.

Despite his resignation, the St. Louis Post-Dispatch, in its issues of April 15, 1968, has editorially urged Postmaster General O'Brien to continue working in behalf of his proposal to convert the postal service into a Government corporation. The Post-Dispatch speculates that the Kappel Commission will recommend the corporation idea and Mr. O'Brien should contribute his efforts to a citizens' committee that the Post-Dispatch believes should be formed to sell the proposal to the public.

I insert the editorial in the RECORD, as follows:

LAWRENCE O'BRIEN'S SERVICE

Lawrence O'Brien performed a fine service for the Post Office Department in his three years as Postmaster General by proposing its reorganization as a government corporation and by arguing elequently for the idea. We are sorry to see him resign before postal reorganization can be carried farther along toward fulfillment, though his feelings of obligation to join Senator Robert Kennedy's campaign now that President Johnson has withdrawn from candidacy are understandable.

His successor, W. Marvin Watson, a presidential aid, faces a real challenge to carry on for modernization of the Post Office as imaginatively and persuasively as Mr. O'Brien has done thus far. He is to receive a forceful assist shortly in the report of the commission on postal organization headed by Frederick R. Kappel, former chairman of American Telephone & Telegraph. The Kappel commission is expected, according to advance report, to recommend the corporate form of organization proposed by Mr. O'Brien and to outline ways to bring about the transformation.

If, as we hope, a citizens' committee is organized to inform the public about the urgent need for the reform and to press for

its adoption Mr. O'Brien should be a valuable participant in its work. He has been an effective advocate for reorganization, and successful completion of the movement he has begun will require the best resources that can be brought to bear.

From Skid Row to Decency

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. NIX. Mr. Speaker, I would like to direct the attention of the House to an outstanding example of what can be done to successfully alleviate human misery in our inner city areas.

Specifically, I am talking about an effort which was launched several years ago in Philadelphia, Pa., to help a group of lonely and forgotten men who live on Skid Row. Since the Philadelphia Diagnostic and Relocation Center first opened in May of 1963, supported by demonstration funds from the U.S. Department of Housing and Urban Development, about 1,000 men have been given the social counseling, medical services, and moral support needed to leave the Row and begin new lives. Over the next 2 years an additional 800 men will need relocation services.

The men who wind up on Skid Row are traditionally withdrawn and suspicious of "do gooder" attempts to reform them. To overcome this suspicion, the center hires contact men—men who know what Skid Row is like; many of them have personally known the degradation and hopelessness of living there.

One such contact man is Edmund Sullivan, who represents just one of the success stories that have come out of the center. The road from the parentless home "Sully" left at age 13 to Philadelphia's Skid Row was a long one of assorted flophouses, New York's Bowery, jails, freight cars, countless drunks, and many attempts to start over. At age 50, one of the center's contact men, an old drinking buddy, finally convinced "Sully" that the road out was worth it.

These are men who have largely given up, who do not have the courage to leave the row and try to make a better life. As Edmund Sullivan was quoted as saying:

> I needed Skid Row because of a low self-image, but any man in his right mind wants to leave because you live like animals.

Today as a contact man, Sully is working to give other men the self-confidence it takes to leave the row.

Once a contact reaches the skid rowers, the center offers them a "supermarket" of services from free meals and clothing to medical and psychiatric examinations, the constant support of an anchor counselor, and referral to other city and State agencies for specific needs.

The work of the center has produced some valuable insights into the desperate conditions of skid row life. Alcoholism, as you might expect, is the No. 1 medical problem, but the studies revealed that 16 percent of the men on the row are actually teetotalers, and 24 percent are moderate drinkers. The TB rate is 20 times the city rate and only about 2 percent of the men that were examined were free from disease or other serious abnormal conditions.

Many of the men who come to the center are not ready to go immediately to independent living. Some go to tuberculosis hospitals, many go to hospitals for alcoholics. Largely as a result of the center's work and findings, the 100-bed Eagleville Hospital and Rehabilitation Center for Alcoholics was opened up on the outskirts of Philadelphia.

Since most of the row men have little better than a grade school education and erratic work records in unskilled and semiskilled jobs, extensive job counseling and employment services are provided by the center. In addition, it runs a halfway house where alcoholics can live for a period of 4 to 6 months before moving to completely independent living.

In 1965, when the original demonstration funded by HUD ended, the Diagnostic & Relocation Corp. was specially formed to continue the important work of the center. Today the corporation and the Philadelphia Redevelopment Authority run the center jointly.

I would like to take this opportunity to congratulate the city of Philadelphia and the director of the center, Mr. Irving W. Shandler on the fine work they have done and continue to do. In times such as these, when we hear constant charges, countercharges, and criticism about what is or should be done for our less fortunate inner city residents, it is truly gratifying to learn of such an effective effort in human renewal being carried on through Federal and local cooperation.

A Tribute to Dr. Martin Luther King, Jr.

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. DONOHUE. Mr. Speaker, a most distinguished religious authority, S. Burman Long, D.D., of my home city of Worcester, Mass., recently extended, through a letter to the editor of the Worcester, Mass., Evening Gazette newspaper, that appeared in the April 19, 1968, issue, a most impressive tribute, which I include in the RECORD, to the late Dr. Martin Luther King, Jr., coupled with a most stirring appeal to all of us everywhere to conduct ourselves in his spirit.

The Reverend Dr. S. Burman Long was born in Carlisle, Pa., and attended high school in Chambersburg, Pa. He earned a B.A. degree from Lebanon Valley College, a B.D. from Union Theological Seminary, and the degrees of M.A. and D.D. from Syracuse University. He has served as moderator of the New York Congregational Christian Conference; he has been registrar and scribe of the Cheshire Association, New Hampshire; the Union Association, New York; and the Pilgrim and Worcester Associations in Massachusetts. In addition, he has been president of the Pilgrim Club of Boston, the Ministers' Associations of Syracuse, N.Y., Quincy, Mass., and Weymouth, Mass. He is also a member of the American Academy of Religion and the Society of Biblical Literature, and the author of "Be Ye Comforted," and "Calendar of Love."

Dr. Long is now registrar of Massachusetts Association of the United Church of Christ and present minister of Hope Congregational Church in Worcester, Mass.

His letter to the editor follows:

KEEPING THE SPIRIT OF NONVIOLENCE

TO THE EDITOR: It was my privilege to watch on television most of the services for the Rev. Dr. Martin Luther King, an eloquent scholar. I did not hear or even detect a word or note of vengeance against the assassin. This is good because enmity is self-defeating and apparently it was assumed that the legal authorities would deal with the killer in accordance with law and order. However, like ancient Cain, the killer at best is a fugitive and vagabond in mind and body.

It was heartening to observe the extension of the spirit of Dr. King's nonviolent methods.

The wars of recent years have been devastating to mind and body to many and the time has now come to make peace among all people the noble experiment and righteousness as the goal and love as the method of common action. May the spirit of Dr. King prevail in each of us.

S. BURMAN LONG, D.D.

WORCESTER.

Congratulations John S. Messer

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. MOSS. Mr. Speaker, Examiner John S. Messer has issued a ruling rekindling a new spirit of hope for improved passenger train service where despair had previously begun to develop. The examiner has recommended that the Interstate Commerce Commission set "certain minimal standards" for interstate passenger rail service. In making the recommendation, he stated:

> The time has come when the commission can no longer act like a county coroner. The urgent need is for preventive medicine.

By his action, taken April 22, Mr. Messer has shown courage and dedication. This is at the very least an excellent ruling. It would, indeed, be a great compliment to each member of the Interstate Commerce Commission if they would act to confirm, after these 81 years, a standard for passenger train service. By so doing, they would display courage far beyond that possessed or demonstrated by their predecessors. We are all aware of the myriad, deceitful actions taken by the American railroads to establish a position of revenue loss and passenger discouragement. In fact, Mr. Speaker, at the present time, one of the "granddaddies" of the effort to undermine public interest in railroad travel, the South Pacific Co., is attempting to remove pullman car facilities and dining car facilities from the

well-known Sunset, with undoubtedly the hope that some economic chaos can develop and the Southern Pacific can plead for relief from this undue economic burden by discontinuing the train. Now this undermining can be halted. Examiner Messer is indeed correct when he says the passenger decline has "reached bedrock."

He also speaks the truth when he contends that a considerable portion of the passenger traffic recently lost could be recovered "if the defeatist attitude of the rail carriers could be overcome."

I know I speak for many of my colleagues and a large portion of the American traveling public, when I say: Well done, John S. Messer, may the Commission have the courage to uphold the ruling which you have so ably issued.

The American's Creed

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. DUNCAN. Mr. Speaker, I am very proud of the thousands of young people who are graduating from the high schools of the Second District of Tennessee during the next 2 months. They have reached a very important step, and soon will be carrying on the jobs that we adults now hold. It is my privilege to congratulate these fine young men and women by way of a letter and a copy of the American's Creed, as follows:

DEAR GRADUATE: I am happy to have the opportunity to extend my congratulations on the occasion of your graduation from high school.

You are taking this important step forward at a significant time in the history of our beloved country and the world. You will, I know, be anxious to help in every way to safeguard our institutions, preserve our American ideals, and chart our course toward peace, to which goals we are all directing our best efforts.

To me the *American's Creed* by William Tyler Page has a special message to all loyal Americans. I am enclosing a copy for you, believing it will prove to be an inspiration and a guide.

As your Representative in Congress, I welcome your views on any matters that come before the Congress, and I will be happy to give you my best advice and assistance on any problem which you may care to bring to me. I will consider it an honor to be of service.

I sincerely hope that your future will be filled with unlimited success and lasting happiness.

Sincerely yours,

JOHN J. DUNCAN,
Member of Congress.

THE AMERICAN'S CREED

(By William Tyler Page)

I believe in the United States of America as a government of the people, by the people, for the people; whose just powers are derived from the consent of the governed.

A Republic; a sovereign Nation of many sovereign States; a perfect Union, one and inseparable; established upon those principles of freedom, equality, justice and humanity for which American patriots sacrificed their lives and fortunes.

I therefore believe it is my duty to my Country to love it; to support its constitution; to obey its laws; to respect its flag; and to defend it against all enemies.

Presented to (name of graduate) with congratulations upon High School graduation. May the future bring you success, happiness, and achievement in the highest ideals of American citizenship.

JOHN J. DUNCAN,
Member of Congress,
Second District of Tennessee.

I Am a Man

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. BINGHAM. Mr. Speaker, recently a constituent of mine, who looks 65, but is actually 90 years of age, met with me in my "mobile office" and handed to me the prose poem which follows. Mr. Harry Saks Heckheimer is himself white and born in Virginia, but his poem shows, in my view, a remarkable understanding of what American Negroes have to face.

It also presents an eloquent plea for understanding and for brotherhood.

Mr. Heckheimer's prose poem follows:

I AM A MAN

I am a man, I am black, nature made it so.
I have legs, eyes and a heart and hopes and dreams.
You will not accept me as I am, my poetry, my son
of God, I am an untouchable.

I must take my soul and place it on a platter, to be
scolded, I don't want this, I shun it, I want my simple
Sunday Prayer, and when at the door of Heaven our
mutual shadows will be immaculate and occupy the same space.

When perhaps on a festive day, they released my chain
of sweat, and at a proper distance from the White Pillar'd
Porch, dressed up in my Master's discarded suit, I bowed
and said "Master, I'm yours—your Father's Father bought me
years ago," and they said "he remembers that".

Or on my knees, marked with the vintage of my daily work
yes, work that tore my heart and bent my shoulders, I
made things rich, the dull earth bloomed, your mansions too,
my manacles of deprivation wore my wrists, how long must I wait?

No, never, no more, the sullen years wore on, the less
we had the harder we fought, the God of Israel gave us
courage to carry on, our backs still strong, for even
then there was a School, to teach us how to read and
write and nothing more, enslave the spirit, enslave the mind.

Some day a fair day, when we grow up and our Nation's
battlefields erupt our black dead, it's that, that makes
us all alike, we shared each other's blood, they gave their
lives not based upon whether they were black or white.

If, thus our sacred dead, who so gloriously fight our
wars, their glorious banners of courageous deeds, they lie
on every battlefield to sustain those "Starts", those
Stripes, so, if, equal, then why not now?

By thousands in Cap and Gown, we stand, in College, the
Arts, Professions, if we do not excel, we equal, as on
every Olympic Field, in the Ring, the Tennis Racket, the
Cinder Path, our Jerseys may be made of simple cotton.

Man for man, side by side, not like a conjurer, but as a human force, we by sacrifice, for into every learned class, Statesman, the Legislature, the highest Court, and so we stand before the Public Rostrum, our gauntlets are white.

We like our neighbors, we like their gossip, their small talk, even if detailed in letters, more than four, we discuss those things which have public appeal, our culture carries us back to the Rabbis, and time and study is matching it with yours.

You live in your houses, keep them, but take away the shambles, the running rot in every board, that is called a floor, ceilings whose dropping plaster fills your plate, no, we would rather, perhaps, stay where we are, just give us again a door that will close, water not filtered through City streets, our Taxes paid for part of yours, now you pay part of ours, yes, "give us simple sunlight and we will not want to move next door."

If, you don't want to shake hands with us, remember we have them, for there is a light shining somewhere, don't let it get out, replenish it, so it will shine through the darkest hours.

Faith began with man, he made something greater than himself, but do not wait, it may be too late, death, disease and crime are at your gates—yes to-day we vote, the horror of the Streets running wild with blood, tin cans and cannister gasoline filled, we are at the Water's Edge, and Spring will come, let's have flowers that are white, not red.

HARRY SAKS HECKHEIMER.

Special Week for Alabamians

HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. BEVILL. Mr. Speaker, this is a special week for Alabamians. The State's annual Discover Alabama Week is underway.

Discovering the many natural beauties of Alabama is indeed very satisfying during any week of the year. But on this special occasion, during this time set aside by proclamation of the Governor, we take time to focus attention on these many natural beauties. We also set aside this week to thank our many out-of-State visitors who are coming to Alabama in greater numbers each year.

Under unanimous consent, I insert in the RECORD an article printed in the Birmingham Post-Herald which tells the story of Discover Alabama Week:

DISCOVER ALABAMA

This state's annual "Discover Alabama" week is under way.

While almost any week in the year is a good one, we think, to discover the manifold natural beauties of Alabama, the third one in April which is made the official one by proclamation of the governor, is indeed a good one.

While the azaleas and white dogwood are gone in South Alabama and about gone in North Alabama, pink dogwood continues to beautify many of the state's northern counties and mountain laurel is now glorifying many of the state parks.

Alabama families could do themselves no greater favor than to plan a weekend outing while Spring's green is still fresh.

While they're enjoying the beauty of their own state, Alabama citizens also might take a few minutes to say thanks to out-of-state visitors who are coming here in greater numbers and spending more money while they're here. More than 27 million tourists visited Alabama in 1967, an increase of more than 3 million in two years. The visitors spent $265 million while they were in the state last year, thus making tourism the state's third largest industry.

With great plans now in the making for Alabama's long neglected system of state parks, the future should bring even greater delights to those who discover Alabama and greater reason for those who live here to appreciate the visitors and to hope that their tribe will increase.

His Godly Doctrine of Nonviolence

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. PEPPER. Mr. Speaker, a fitting tribute to the eloquence of Dr. Martin Luther King, Jr., appeared on April 14, 1968, in the Miami Herald, from the able pen of one of my State's most eloquent statesmen, a former Governor of Florida, the Honorable Fuller Warren.

I believe this letter to the editor will be of deep interest to my colleagues and I insert it in the RECORD at this point:

Among all the forces that have influenced the fortunes of mankind, none has been more powerful than oratory.

The matchless eloquence of Christ is, 2,000 years later, still a powerful influence upon nearly half of the human race.

Patrick Henry's explosive oratory ignited the Revolutionary War that brought into being "the last best hope of earth," the American nation.

Lincoln's majestic eloquence saved America from dismemberment and struck the shackles of slavery from the humble hands of three million human beings.

Churchill's ennobling oratory saved civilization from Hitler's boasted thousand years of Reich savagery.

The healing eloquence of a young (like Dr. King, he died at 39) Georgian, Henry W. Grady, helped to bind up the wounds of the Civil War and re-unite the dissevered sections of our country.

Martin Luther King Jr., one of the most eloquent men ever to move the minds and hearts of men, did more than any other American to further emancipate 20 million Americans whose forefathers were unshackled 105 years ago by Lincoln's deathless eloquence.

And this non-violent "Prince of Peace" may have saved our country from fratricidal convulsions that probably would have caused the streets of America to run red with human blood. Nobody knows, nobody CAN know, how much 200 million Americans owe this saintly man for calming the storm of racial strife that threatened to topple the truest refuge of freedom in the world of rising terror.

All Americans, white and black, should offer up thanks that this marvelous man lived and preached the godly doctrine of nonviolence in these turbulent times.

FULLER WARREN.

Dr. Ralph Prator, a Tribute to an Outstanding Educator

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. CORMAN. Mr. Speaker, on May 14, Dr. Ralph Prator, president of San Fernando Valley State College, will be honored at a testimonial dinner. His many friends and colleagues will take the occasion to pay homage to a man whose 10 years of devoted tenure gave to the San Fernando Valley of California and to the 22d District one of the finest colleges on the west coast.

Dr. Prator will leave his post as president and will assume a teaching position at Valley State College this fall. He is resigning the presidency because he believes that the college needs a "change of face." While his decision must be respected, it will be regretted by the community, the college faculty, and student body.

Ten years ago Valley State was a fledgling institution with 99 faculty members and 3,500 students. Under Dr. Prator's administration the college has grown to an institution with a faculty of 619 and a student body of 15,600. In an area where excellent colleges and universities abound, Valley State has the reputation of being one of the most outstanding. Its remarkable growth and development are the result of the exceptional leadership that Dr. Prator has given to the office of the presidency.

Dr. Prator's impressive educational background led him to Bakersfield College, California, where he served as president for 8 years before accepting appointment as president of the San Fernando Valley State College on February 1, 1958. During the years that he headed Valley State he also lent his considerable talents to community efforts. His interest in the community's welfare is reflected by his membership in many local organizations and in service on the board of such groups as the San Fernando Valley Council, the Boy Scouts of America, the West Valley YMCA, the San Fernando Valley Child Guidance Clinic, the San Fernando Symphony Association, the Los Angeles Headquarters City Development Association, and many others.

Following his graduation from the University of California at Berkeley, where Dr. Prator received his doctorate in educational administration, and after a brief tenure as a high school principal, he entered the field of college administration, first in Colorado, later in California. His career was interrupted by World War II, when he served as a lieutenant commander in the U.S. Navy from 1942 to 1945.

Though retiring as president of Valley State, Dr. Prator will nevertheless remain there to teach in order that—as he said, "I can relate at least part of what I've learned to prospective administrators who might attend my classes." His students will have a rare opportunity to study under an educator of Dr. Prator's caliber.

I am proud of the fact that San Fernando Valley State College is located in my congressional district and that I have been able to watch its growth and expansion under Dr. Prator's oustanding leadership. He leaves the administration of the college with flying colors.

I congratulate Dr. Prator on his retirement from the presidency, since it is his wish to take this step.

I congratulate Valley State College for adding to its faculty the impressive name of Dr. Ralph Prator.

Representative Patman Honored

HON. WILLIAM A. BARRETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. BARRETT. Mr. Speaker, one of our esteemed colleagues, the Honorable WRIGHT PATMAN, of Texas, chairman of the House Committee on Banking and Currency, is the recipient of a unique but richly deserved honor. The board of directors of the Federal Home Loan Bank of New York has presented Mr. PATMAN with a beautifully engrossed plaque in recognition of his years of distinguished service in this body and his understanding and appreciation of the importance of savings and homeownership and of the functions performed by the Federal home loan banks.

The text of the plaque reads:

Whereas, the Honorable Wright Patman is now serving his thirty-ninth year in Congress, and

Whereas, during all those years, he has been a vigorous and effective advocate for the people of this Nation, and

Whereas, the distinguished Chairman of the House Banking and Currency Committee is a recognized authority on our monetary system, and

Whereas, he has a full understanding and appreciation of the social and economic importance of savings and home ownership and the functions performed by the Federal Home Loan Banks: Now, therefore, be it

Resolved, That the Directors of the Federal Home Loan Bank of New York express appreciation for his thirty-nine years' service in Congress and extend to him our best wishes for continued happiness, good health and many more years of service to this country.

I am sure the Members of the House join with me in expressing congratulations to Mr. PATMAN and wishing him good health and many more years of service in the Congress.

A War on Crime That Is Being Won

HON. W. E. (BILL) BROCK
OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. BROCK. Mr. Speaker, with the dismal failure of the Attorney General and other national leaders to enforce the law effectively, it came as quite a relief to read of a local police force which is making steady, tangible progress, and proving that law enforcement, like so many other functions of government, is best conducted and improved on the local level. The following article, which appeared in the Tampa Tribune of April 14, describes what I would consider a model program for improved police-community relations and better law enforcement. I hope that the excellent example of the Orlando, Fla., Police Department will be followed by intelligent law-enforcement officials throughout the country, and include this article in the Extensions of Remarks.

COURTESY, COOPERATION CURB ORLANDO CRIME

(By Bennett Deloach)

The City of Orlando is demonstrating that courteous policemen and a strong public relations program to gain citizen support of good law enforcement are two of the very best techniques to fight crime.

The heart of this unorthodox program is prevention of crime at its source. The polite-but-firm police approach ties in with other independent efforts to control crime in Orlando.

Criminal Court judges are imposing tougher sentences, particularly on criminals with past conviction records. An aggressive part-time Orange County Juvenile Court judge has in operation several novel and effective youth programs.

These combined crime fighting enterprises are paying off. FBI reports show that during 1967 serious crime increased 16 per cent across the nation and 20 per cent in cities of 100,000 to 500,000. In many Florida cities, the increases were worse. But in Orlando, crimes of passion decreased 34 per cent, and crimes against property increased less than 1 per cent, Orlando's juvenile crime rate rose only 2.33 per cent against the national average of 14.

ORLANDO CRIME CHART

	Homicide	Forcible rape	Robbery	Aggravated assault	Breaking and entering	Petty larceny	Auto theft	Offenses cleared by arrest
1966	17	34	124	379	1,406	996	418	351
1967	19	4	122	263	1,112	1,185	494	531

Catalyst for this war on crime is Mayor Carl T. Langford, whose No. 1 campaign plank when elected last year was rehabilitation of the police department. He keeps a police walkie talkie at his bedside and wants to be called on every serious crime. Almost every night he tours the city until after midnight.

By word and deed the five-member City Council has backed the anti-crime crusade. It is on record as saying there will be no lawlessness in Orlando and that the police department has its strongest backing.

The police department has been granted everything it and the mayor wanted, including pay raises that averaged $1,200 per man, new equipment and assurance of a new police building to replace the present one built as a school house in 1907.

A starting salary of $5,844 for recruits went into effect during 1967 and work hours were reduced from 44 to 40. The response to this was so great that applications flooded in from Florida police officers. There were 35 from Tampa alone.

The city administration, however, decided against hiring officers from police departments in the Central Florida area for fear of stripping them. A rule now in effect is that a policeman must have been away from his previous police employment in this area for six months or must submit a letter endorsing his application from his police superior.

The Orlando police department has a budget of $1,600,000, which is to be increased to $2 million in November. The department has an authorized strength of 211 officers. Currently it has 185 employes and a huge stack of applications awaiting processing.

Mayor Langford, who's 50, promised when elected to "reorganize, revitalize and rehabilitate the police department by better pay, better working conditions and better government and community support."

Two weeks after Langford took office, the then police chief, Carlisle Johnson, retired. Mayor Langford would say only that Johnson was a firm, strong and good officer. Persons outside the city administration said Johnson was extremely tough and always feuding with newspapers and embroiled in controversy.

Under city charter, the Mayor has the duty of director of public safety. Langford's predecessor only used the title of "acting director," letting each department head run his own affairs. Langford shucked the "acting" part of the title and became a full fledged director in complete charge of police, fire and garbage departments.

One of his first acts was to name a new chief, Robert Chewning, who had risen through the ranks to deputy chief. Then the Mayor and Council put through the pay raises which amounted to increases as high as $1,500 for some officers.

Mayor Langford said before he took office police morale was extremely low, officers were indifferent toward the public and often were discourteous. He ordered the police department to accord every citizen equal treatment.

It was up to dapper Chief Chewning to carry out the Mayor's commands. The chief looks anything but the part of a police officer. He's 44, has prematurely gray hair, a black moustache, looks and expresses himself like a business executive.

Chewning issued a general order that police officers would be courteous and polite at all times. They would be neat. No citizen would be addressed in a degrading manner and that included use of such terms as "hey, boy" when talking to Negroes.

He opened police records to the press and sought newspaper support to help tell the public of his department's work.

Morale shot up, primarily because of the pay raises. But there have been other morale stimulants. When an officer does an outstanding job there is a ceremony for presentation of commendations. Copies of the commendation go into the officer's personnel record and to the City Council.

Chewning explains that for too long policemen everywhere have been clannish and actually isolated from the mainstream of community life. To eradicate this complex and to push police public relations at the same time, Chewning urges his officers to join civic clubs and to become active in them.

A speakers' bureau has been established within the department. Police spokesmen actually solicit speaking engagements to tell the public their story.

Police Week is celebrated with demonstrations of pistol shooting, judo, self defense and crime detection methods. Last year at a shopping center 12,000 persons viewed a police exhibit and performance.

Chief Chewning thinks police dogs invaluable in police work, both for searches and for controlling unruly crowds. Two of his six German Shepherds are good trailers. The public was told about the addition of a Canine Patol six months before the dogs actually were put to work. A public demonstration was held in Orlando Stadium and 6,500 persons turned out to see the dogs.

When the dogs were first used, a threatening crowd in a Negro area was dispersed within minutes. Then the handlers remained at the scene with the dogs while children patted the animals and listened to stories about them.

Every officer is urged to take college training and Mayor Langford said it is hoped that eventually all officers will have college degrees. Chief Chewning himself is working toward a degree.

Police completing college work are given extra credit toward promotion. The department pays for all college work successfully completed. If an officer flunks a course, he pays for the instruction.

A police review board investigates every complaint, no matter how minor.

The chief enthusiastically believes a police department's public image reflects its efficiency.

He also says "I can go into any town and by looking at the police department tell you what kind of government you have. It is a good barometer."

Crime detection work is stressed in Orlando's police department and nearly every day some kind of school is being conducted. Special equipment used in criminal work has been purchased. All this is evidenced in the increase—almost double—in the number of arrests made after crimes have been committed.

The city spends a great deal of time in racial relations and all efforts in this field are regarded as crime deterrents.

Orlando was one of the first cities in Florida to have a Mayor's committee on interracial relations and it has worked effectively in their city, with a Negro population of 31 per cent.

When he took office Mayor Langford rescinded the closed-door policy of inter-racial committee meetings.

"There will be no secret meetings. If we have a (racial) problem we talk about it in public."

One of Chief Chewning's most valuable officers is Sgt. Otha Kelly, a Negro. Sgt. Kelly is popular with Negroes and his picture is on police recruiting posters as an example of police careers available to Negroes. Orlando has 11 Negro policemen and is seeking more.

A future project for the department is to open a branch or police precinct office in the largest Negro area. Chief Chewning believes this will afford Negro residents a quicker and better outlet for their problems.

One official heavily involved with work among young Negroes is Juvenile Judge D. Arthur Yeargey. His overall work has done much to hold down the crime rate among juveniles. However, he says he will not be satisfied until there is no increase shown for juvenile crime.

Working with the Orange County Bar, Judge Yeargey has arranged for the bar to provide young offenders with volunteer attorney aid. This was going on long before the Supreme Court's Gault decision last year ordered legal aid for offending youths who wanted it.

He is a strong advocate of opening juvenile courts to the press. He says the mere act of a reporter's opening his note pad at a court hearing has a greater effect on the parents of a young offender than anything a judge might say. Parents just don't want their names or their children's names appearing in public print.

Only as a last resort is a boy or girl sent to a state reform institution to serve a juvenile court sentence. Every effort possible to rehabilitate an offender is taken.

All second offense traffic violators are required to spend night hours in the emergency rooms of hospitals where accident victims are brought. Driving violations have fallen off considerably.

Under Judge Yeargey's direction the Orange County Parental Home has been established for children charged with minor infractions who have no home or come from broken homes.

Bars were removed from the Juvenile Detection Home three years ago. A strong religious program has been put on by the ministerial association and recreational activities keep the youngsters busy. The youths are taught basic school subjects by public school teachers.

There also is an Edgewood Boys Ranch where first offenders are rehabilitated. A strong religious atmosphere prevails and church workers counsel with the offending boy's parents. Boys are given ranch duties and required to attend public school. Of the 60 boys at the ranch in its two years of operation only two have run away.

Civic groups and individuals financed construction of the Parental Home and Boys Ranch and help in its operations.

One effective crime curb is a judge-to-youth type group which Judge Yeargey calls the Juvenile Court Advisory Council. Two representatives from each school in Orange County meet about every six weeks.

The boys and girls freely discuss current problems such as marijuana, smoking, speeding with Judge Yeargey. The youngsters often request discussions with newspapers and narcotics and FBI agents. The meetings enable the judge to detect juvenile trouble areas.

All these projects and all the efforts of police, says Judge Yeargey, are being put together to try to make a climate conducive to preventing crime.

It is a climate most cities would find enviable.

The Snooping Machine

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. GALLAGHER. Mr. Speaker, the House Committee on Government Operation's Special Subcommittee on Invasion of Privacy, which I have the privilege to chair, held hearings in 1966 on a proposed National Data Bank. Those hearings, as well as intensive press speculation and increasing congressional interest, have caused the National Data Bank to become inextricably interwoven with all the worst aspects of big government characterized as "Big Brother." The attempt to separate out the strands which would be beneficial for our society from those which would kill privacy is now a fundamental concern of many informed writers on this subject.

Prof. Alan Westin has written an accurate history of the National Data Bank debate and has made valuable contributions to the continuing discussion in the May issue of Playboy. As he says:

What this all boils down to is the fact that American society wants both statistical data and privacy.

As a nation, we do not want to become data rich at the price of becoming privacy poor. In order to transform "The Snooping Machine" into a meaningful engine for progress, a basic understanding of the issues involved must be kept clearly in mind. Professor Westin's article is very helpful in this regard and I am pleased to insert it in the RECORD at this point:

THE SNOOPING MACHINE

(By Alan Westin)

The year is 1975. The place is a suburb in the United States. The setting is a record-control society that could make George Orwell's Oceania almost look like a haven of privacy.

At seven a.m., our typical citizen, an engineer named Roger M. Smith, wakes up, dresses, has breakfast and gets ready to commute by car to his office in Central City. Already, heat, light and water records fed directly from his home to the Central City Utility Corporation (for purposes of billing and use analysis) provide data that can establish when Smith got up and just how he moved through his house.

Smith takes his car out of the garage and drives onto the turnpike, heading downtown. As he reaches the tollgate, his license plate is automatically scanned by a television camera and his number is sent instantaneously to an on-line computer containing lists of wanted persons, stolen cars and traffic-ticket violators. If Smith's plate registers a positive response, police stationed 100 yards along the turnpike will have the signal before Smith's car reaches their position.

As he stops at the tollgate, Smith gives the initial performance of what will be a ritual repeated many times during the day. He places his right thumb in front of a scanning camera. At the same time, he recites into the unit's microphone, "Smith, Roger M., 2734–2124–4806." Roger has just used his thumbprint, voiceprint and personal identification number to carry out his first financial transaction of the day.

Roger's inputs are carried swiftly by data line to the Downtown National Bank, the central depository of Roger's financial account. Though he may have accounts in other banks throughout the country, these are all registered and monitored by the bank in Smith's place of residence or work. When the thumbprint and voiceprint recorded at the tollgate are compared with the bank's master prints, establishing that it is really "Smith, Roger M., 2734–2124–4806," the bank's computer posts a 75-cent charge to his account and flashes a 75-cent credit to the bank holding the Turnpike Authority account.

Throughout his typical day, when he parks at the Triangle Garage, is registered in and out of the company office for payroll verification, has lunch at Jimmy's East, makes purchases at Macy's, goes to Central City Stadium for a ball game, places a bet on the daily double, buys plane tickets, settles his hotel bill or buys 500 shares of Electronic Computers Unlimited, Roger Smith will use no cash. Money has been eliminated, except for pocket-change transactions.

Of course, all of Roger's regular, continuing obligations are paid automatically from his account—his mortgage installments, insurance premiums, magazine subscriptions, organizational membership dues, etc. Those continuing accounts that fluctuate monthly are also verified and paid automatically—medical bills, psychiatrist's fees, gasoline charges, telephone bills, pay-TV account, book-club purchases, etc. All financial credits to Roger's account, each carefully identified as to the source and classified as to the basis for payment, go directly to the bank, not to Roger. Roger's various Federal, state and local tax obligations are determined by computer analysis and are automatically paid when due.

This is a superb system—efficient, practical and far cheaper than the money economy with which mankind fumbled along for so long. But one by-product of the cashless society is that every significant movement and transaction of Roger Smith's life has produced a permanent record in the computer memory system. As he spends, uses and travels, he leaves an intransmutable and centralized documentary trail behind him. To those with access to his financial account, Roger Smith's life is an open tape.

But the daily denuding of Roger Smith has only begun. For every person in the United States in 1975, there are four master files. His complete educational record, from preschool nursery to postgraduate evening course in motorboat economics, is in an educational dossier, including the results of all intelligence, aptitude and personality tests he's taken, ratings by instructors and peers and computer analyses of his projected educational capacities.

Roger's complete employment record contains entries for every job he has held, with rate of pay, supervisors' evaluations, psychometric test results, recommendations, outside interests, family milieu and a computer-analyzed, up-to-date job-security profile. All of this is available for instant print-out when an employer wants to consider Roger for a job or a promotion.

Roger's financial file is probably the largest. It contains a selected history of his financial transactions, from his earliest entry into the computerized economy to his latest expenditure for a new Carramba-35 sports car. His patterns of earnings, fixed expenditures, discretionary spending, computer-projected earning capacity and similar items are all kept ready, so that decisions involving loans, mortgages, insurance and other credit-line transactions for Roger Smith are made with full knowledge of his fiscal history.

Finally, there is Roger's national citizenship file. This is a unified Federal-state-local dossier that contains all of Roger's life history that is "of relevance" to Government. In 1975, that is quite a broad category. It includes his birth facts and permanent identification number, his educational file in full (after all, it was either public education or publicly assisted), his military service, all the information from his license applications, income-tax records and Social Security data and, if he now works or worked in the past as a Government employee, consultant or contractor, his public employment record and assorted security clearances. If Roger was ever arrested for a crime other than a minor traffic violation, a special public-offender intelligence file is opened on Roger Smith that includes a large base of information relating to his educational, employment, military, family and civic activity. Citizenship files also include a personal-health category, developed to aid public-health measures and to assist individuals caught in health crises away from their home physicians. This contains a complete medical dossier from birth condition and psychosexual development to reports of last week's immunization shot, cardiogram flutter or extended-depression check-up. Most important of all, these four master files on education, employment, finances and citizenship can be put together into one unified print-out whenever a Government agency with subpoena power chooses to do so.

For purposes of economic forecasting, de-

mographic studies and behavioral prediction, the data base such a dossier society has created provides unequaled opportunities for research and policy analysis. For enforcement of public programs—educational reforms, integration rules, crime control, mental health—the national file system brings unparalleled advantages. But crucial elements of privacy in a free society, such as the partial anonymity of life, limited circulation of personal information and preservation of confidence in certain intimate relationships, are the bleeding casualties of a dossier society. For the Roger Smiths of 1975, life is by, on and for the record.

How does the record net work? For Roger Smith, who started work as an engineer at Consolidated Technics in the "old personnel system" days of 1965, the flash of understanding came when he was considered for the key promotion of his career, a possible move from engineering supervisor at Consolidated Technics to deputy vice-president for engineering at General Space, Incorporated. As Roger sat in the office of the information-system analyst (formerly personnel director) of General Space, he found himself staring at a print-out that had just been handed to him. It was titled "Inconsistent Items for Personal Explanation at Assessment Interview." As he scanned the list, he found these items:

1. *High School Personality Test Profile.* High score on the Fosdick Artistic and Literary Interest Inventory; technical career rated "doubtful."

2. *Criminal Record.* Disturbing-the-peace conviction, Daytona Beach, Florida, age 18. Speeding tickets, New Jersey Turnpike, 1973, 1974.

3. *Civic Activity.* Signed antidraft petition circulated by Colgate University chapter, Make Love Not War Society. Door registers showed attendance at campus lecture by George Lincoln Rockwell, age 20.

4. *Income Management Rating.* B—. Average annual personal loan held during past five years—$3000 to $5000. Balance in savings account on April 1, $217.41.

"If you have studied this long enough," the information-system analyst broke in, "let me briefly explain our procedure here to you. You are one of four men being considered for this position. We want you to take as much time as you need to write out an explanation of these items in your record. Your answers should be in terms of how these items might affect a possible career for you here at General Space, Incorporated. Keep in mind that we do seventy-five percent of our work for the Federal Space Voyage Program, and that involves classified information. The explanation you give us will become part of your general personnel files, of course, including the disposition we make of your employment review.

"Since this is the first time you seem to have applied for a job under the new computerized career-analysis system, let me reassure you that this is not an unusually large number of inconsistent items to be presented with. Your complete file runs close to two hundred and fifty pages, which is about the average length for a man of your age. However, I think it is only fair to tell you that two of the men being evaluated for the position have no inconsistencies to comment on as part of their personal interviews. After you have done this on several occasions you will probably get used to it."

At this point, Rod Serling should appear on the television screen, grin his raffish grin and say, "Portrait of life in a fish bowl, somewhere in the Twilight Zone." We should all be able to smile appreciatively at his superb science-fiction imagination and then check the late movie on channel two. The trouble is that Roger Smith's dilemma is closer to reality than we think, both technologically and as a matter of social trends in America.

Consider first the question of technological feasibility. The average person knows that computers can collect and store vast amounts of data, search this with great swiftness, make comparisons and collation and engage in machine-to-machine exchanges of data, all at quite reasonable cost per bit of information. Despite this general awareness, there is still a common tendency to believe that "technological limitations" make it impossible to collect information for a dossier system of the detail described for Roger Smith.

Such a belief is simply nonsense. To illustrate this fact, we need only look at one data memory process recently developed by the Precision Instrument Company of Palo Alto, California. This system uses a one-watt, continuous-wave argon laser to burn minute "pits" in the opaque coating of plastic computer tape. The laser is so precise and can be focused so intensely that each pit is only one micron, or .000039 inch in size. Where normal recording has been about 5600 bits of information on an inch of magnetic tape, the new laser process can put 645,000,000 bits in microscopic parallel rows on each inch. And the recording process achieves speeds of 12,000,000 bits per second.

Once recorded, the information is permanently available for use. To read the data, a lower-powered laser beam examines the tape as it flies past at high velocity, translating the light that shines through the pits into an electrical pulse that is sent to a print-out machine or a computer for further use.

In terms of a dossier society, the laser memory system means that a single 4800-foot reel of one-inch tape could contain about 20 double-spaced typed pages of data on every person in the United States—man, woman and child. It would take only four minutes to retrieve a person's dossier under such a system. With 100 reels of tape, stored in a room no larger than 15 feet by 20 feet, 2000 pages of data could be maintained on every American. Allowing extra time to locate the particular reel on which a subject's file was stored, his entire 2000-page dossier could be retrieved in about ten minutes.

The cashless society lies equally within technological reach. Enough computers could easily be produced to handle the volume of transactions that would be generated by an automatic economy. Remote-point inquiries and inputs from small desktop units to a central computer are in common use today in airline- and hotel-reservation systems. New types of telephone instruments, such as the Bell Touch Tone card-dialing system, allow bills to be paid from the home and permit merchants to verify availability of funds before releasing products to purchasers. Vending machines have been developed that use optical scanners to accept credit cards. Though there are still some problems in achieving unique identification of each individual by single fingerprint or voiceprint, simultaneous use of these techniques could now prevent all but the most elaborately conceived frauds. Any losses of this kind would probably be far less than those currently sustained by check forgery and stolen credit cards. Technologically, then, we now have the capability of installing a computerized economic system.

Even though both the dossier network and the automated economy are technologically possible, this does not mean that American society has to use its capabilities in this way. Why shouldn't we dismiss this prospect as something that Government and private organizations would never think of adopting? The answer is that several basic social trends in American life have been moving us in precisely such a direction during the past two decades.

The first of these trends is the enormous expansion of information gathering and record keeping in our society. Partly, this stems from factors such as the increasing complexity of our industrial system, the expansion of regulatory, welfare and security functions by Government and the growth of large-scale bureaucracies in our corporations, universities, unions and churches. Partly, the growth in record collection stems from the breakdown of traditional, face-to-face techniques for personal evaluation of individuals by authorities. In an age of increased personal mobility, nationalization of culture and standardized mass education when so many people within each socio-economic group look, talk and think alike, "the file" becomes the Government's instrument for distinguishing among them.

Similarly, the turn of social science from rational or interest-seeking models of human motivation to heavily psychological and sociological explanations of human behavior means that masses of highly personal data must be collected to analyze events "scientifically" and make wise choices in public policy. Self-disclosure by individuals, then, becomes an obligation of good citizenship in the modern age, as well as an act of faith in "science."

Thus, when each American today reaches the gatekeepers of public and private authority, the official's basic response is to open a file on him, ask for extensive self-revelation, conduct independent investigations and share information with other certified file managers of our society. If anyone thinks this is an exaggerated portrait, just stop and think for one moment: How many Government forms and reports on yourself or your family did you fill out during the past year? How many questionnaires did you answer about yourself? How many progress reports on your activities did you file with financial, employment and organizational authorities? How many investigations of yourself do you think were conducted without your knowledge? How many investigators asked you about other people's lives. How many evaluations of others did you contribute to the permanent files? Did you ever refuse to answer questions about others or yourself? Do you know anyone who did?

This growth of investigations, dossiers and information sharing has been, of course enormously accelerated by the advent of the computer. Now, private and public organizations can process 10, 50, 100 times as much personal information about their employees, clients or wards than was ever possible in the eras of print, paper and analysis by eyes and ear. The older barriers of too much cost, not enough time and too much error that once protected privacy of personal transactions have been overcome by the computer in just the same way the barriers of closed rooms or open spaces that once protected privacy of conversation have been swept away by new electronic eavesdropping devices.

The impact of the computer is not just economic, however. Its real force is on the mental processes of our society, in the way we think we should make decisions once we have machines that are capable of accepting, storing and processing so much information. When machines can store so much data and so many questions that we once thought beyond our capacities to resolve can be answered factually and logically, our society comes to expect that decisions of business, government and science ought to be based on analysis of all the data. Anyone who advocates withholding the necessary data from the information systems in the name of fragile values such as privacy or liberty may be seen as blocking man's most promising opportunity in history—to know himself and to make more rational, more predictable decisions about human affairs.

These technological capabilities and social pressures became a tangible issue for the American public with current proposals to

create a national data center. For years, computer-industry leaders, Government data collectors and social scientists had been exchanging wistful memos on the need to bring together the statistical data gathered and held separately by various public agencies. Though this was felt to have great value for statistical research, it was generally believed that cost factors, technical problems and an "unready" public opinion made such a data center something for the future.

In 1965, a committee of the Social Science Research Council recommended that the Federal Bureau of the Budget create a national center for "socio-economic" data. The S.S.R.C. is one of the leading private sponsors of academic research, and the Budget Bureau is the President's chief coordinating instrument for Executive agencies. The report pointed out that bureaus within 21 major Federal agencies had accumulated more than 600 bodies of statistical data on 30,000 computer tapes and 100,000,000 punch cards, that there was a risk of destruction for some of this data and that what was kept was not being coordinated effectively for analytical use.

The Budget Bureau responded by hiring a management consultant named Edgar S. Dunn, Jr., to study the issue. Late in 1965, he reported that the data-center idea was excellent. Computer technology, he noted, now made possible statistical aids to public policy analysis that had never been possible before. At the same time, important new Federal responsibilities for urban renewal, health, antipoverty, education and civil rights programs made amalgamation of statistical data essential. Dunn observed that the nucleus of the center could be some 9000 tapes that had been identifed as the most important of the Federal data pool. These would be drawn from housing and current population data held by the Census Bureau, consumer-expenditure surveys and industry-labor data from the Bureau of Labor Statistics, Social Security data and Internal Revenue Service records.

The Dunn report recommended that the Budget Bureau ask Congress for a small appropriation in 1967 to preserve the 9000 key tapes and to start design of the data center. The proposal seemed to be gaining momentum when the Budget Bureau named a task force in December 1965 to make over-all recommendations for more effective utilization of Federal data. This committee, chaired by Professor Carl Kaysen, an economist who had served with the Kennedy Administration and is now chairman of the Institute for Advanced Study at Princeton, was expected to give the data-center proposal warm endorsement. About the same time, the press reported that another Federal Executive commission had urged the creation of a computerized national employment service; this would contain personnel files on persons seeking employment and would be used to match prospective employees with new job openings. Yet another Federal study group reported in 1965 that a national citizens' medical data bank would be desirable and would probably be established "in the next decade."

To those familiar with the Washington political process, it looked as though the full Executive "softening-up process" was at work. Prestigious private groups had called on the Executive branch to move forward with a badly needed program. Executive task forces had affirmed the necessity and feasibility of the proposal. If no Congressional authorization had been needed to go ahead with this "technical program" and if existing funds could have been used for the early design studies, the national data center might well have been launched.

But 1966 was a year too full of public alarms over Big Brother technology for this proposal to slide by unnoticed. In early 1966, two Congressional subcommittees that had specialized in probing invasions of privacy by Executive agencies—one under Congressman Cornelius Gallagher of New Jersey and the other chaired by Senator Edward V. Long of Missouri (see *Big Brother in America*, Playboy, January 1967)—began studying the proposed data center, and with serious initial reservations. While they were doing so, the Washington press corps learned of the idea: a series of sharp attacks on the Dunn report appeared in leading national magazines and newspapers during May and June 1966. The liberal *Washington Post* headlined its story, "Center for Data on Everybody Recommended." "Apparently no secrets would be kept from the data center," the *Post* concluded. The conservative *U.S. News & World Report* was even more alarmed. In "A Government Watch on 200,000,000 Americans," *U.S. News* warned its readers: "Your life story may be on file with the Government before long, subject to official scrutiny at the push of a button." In addition, several articles were written about the millions of investigative files, or dossiers, that were being collected regularly on American citizens by Government agencies and private credit bureaus. The public began to realize just how much personal information was going into public and private information files.

Though Senator Long held a two-day hearing that explored the Dunn report, the full-dress confrontation on the national data center came in July 1966, when the Gallagher subcommittee called Executive agency officials in to testify. The principal witnesses were Edgar Dunn and Raymond T. Bowman, Assistant Director for Statistical Standards of the Budget Bureau. Both explained that the data center was only a tentative idea in development stage, not a finished "decision." They also acknowledged that the S.S.R.C. report and the Dunn report had not been "careful enough in their wording" and had been faulty in failing to discuss in detail the problem of safeguarding privacy. As their testimony proceeded, they stressed that only statistical socioeconomic data would go into the center, not "personal" matters such as educational or court records, psychological test results, etc., and that the data would be used solely for statistical analysis. Information about named individuals would not be used for regulatory or law-enforcement purposes; this was to be a statistical and not an intelligence system.

As for the need to create such a data center, the Executive spokesmen noted that hundreds of millions of dollars of Federal money were being spent for socioeconomic programs about which the Administration, Congress and the public had inadequate or, sometimes, no signficant data on which to plan or judge policy alternatives. Finally, the witnesses explained that everyone associated with the data-center idea had simply assumed that statutory provisions would be enacted to limit the uses of the data to statistical purposes and forbid all regulatory or prosecutive use and that administrative rules would have been set to enforce antidisclosure and confidentiality laws. The model they had taken for granted was the Census Bureau, which has a tight statute, strict rules and no known instances of misuse of its data since it began operations at the start of the American republic.

However persuasive this Executive case for the data center might seem when summarized here, it was completely shot down in flames at the Gallagher hearings. The first missiles came from several computer specialists, particularly Paul Baran of the Rand Corporation. These witnesses informed the Congressmen that, as long as the identities of individuals were kept attached to the data put into the center, there was always the possibility that those managing the center or those obtaining access to it could convert it into an intelligence system and obtain a comprehensive print-out of all the information about a target individual. They also showed how much personal and potentially damaging information about individuals and businesses could be extracted by trained intelligence personnel from the kinds of data that would be going into the proposed center.

When pressed by Congressman Gallagher about these problems, the Executive officials admitted that they could not separate identities from data. The center had to have the name, the Social Security number or some personal identification system permanently linked to the data so that the income-tax files of Roger Smith could be linked to his Social Security and Census files and so that the progress of identified individuals could be traced through time. Thus, even though the identities would not appear on any of the statistics drawn, the very nature of the system made it impossible to prevent intelligence files from being obtained on particular individuals. Though several computer specialists indicated that elaborate safeguards against outside intrusion and many types of inside misuse had been developed for national-security computer systems, none of these technological safeguards had been considered as yet by the data-center proponents. In fact, they displayed considerable ignorance about design and machine techniques for assuring privacy.

The other attack on the data center came from legal and civil-liberty experts testifying before the subcommittee. Congressman Gallagher and his colleagues drew from the Executive witnesses damning admissions that they had not thought through the constitutional and legal protections that ought to be attached to personal information given to the Government for one purpose and then compiled into a centralized data pool for other uses. The legal specialists showed that the system could have enormous potential effects on the citizen's privacy and could lead to a major increase of power in the hands of Federal officials who might use the data for intelligence purposes. Given these possibilities, Congressman Gallagher argued that thorough analysis of the full range of problems was called for in advance of any decision to start a center. Yet the Gallagher subcommittee established that no committee or advisory group had been called in to consider the technological, psychological, constitutional and political implications of the data center, despite the availability of experts on all of these matters.

The Gallagher hearings ended with a promise by the Budget Bureau spokesmen that no start on the data center would be made without seeking approval from Congress. Publications as diverse as the *Nation, The Wall Street Journal, The New York Times* and the *NAM* (National Association of Manufacturers) *Reports* applauded the Gallagher subcommittee for its work in halting the "computerized garbage pail" and "biggest Big Brother." Several publications, noting the weakness of the Executive presentations, predicted that the proposal was probably dead.

This was one of the most premature obituaries in history. In October 1966, the Kaysen committee issued its report recommending establishment of the data center. Having been warned by the Congressional hearings and press attacks, the men who wrote the report included an appendix discussing means that should and would be taken to guarantee privacy. While far more informed and thoughtful than the Dunn report or the Bowman testimony on this issue, the Kaysen discussion of privacy still left the issues of design safeguards and legal standards, disturbingly vague. Congressman Gallagher published an angry letter he had written to the director of the Budget Bureau expressing dissatisfaction with the Kaysen report and insisting that a clearer showing of the need for one central facility, a concrete description of what was going into it and advance

planning by computer specialists and constitutional experts were all prerequisites for any further action.

In March 1967, Senator Long's subcommittee held further hearings on the data center, questioning Kaysen and Executive-agency proponents and hearing civil-liberties objections from a law professor and the Washington director of the American Civil Liberties Union. Throughout the rest of 1967, the data center was debated at national meetings of groups from the American Bar Association to the Joint Computer Conference, and dozens of newspaper articles and magazine pieces explored its implications.

In January 1968, the Long subcommittee held hearings at which it published a comprehensive survey of the information about individuals that is presently collected by each Federal agency. The survey found that many Federal agencies were collecting more personal and intrusive information than even the most charitable concept of their legitimate needs or missions could justify. Furthermore, the Long subcommittee survey found that a substantial segment of these records was not presently protected by legal guarantees of confidentiality against disclosure. The Long hearings also went into the rapid growth of other kinds of computer data centers—credit-bureau computer systems, employment data banks, law-enforcement systems and a host of other burgeoning data pools, some private and totally unregulated, some governmental with careful privacy safeguards and others lacking such measures.

As of this writing, there is no national data center. There has been talk by Budget Bureau official of attempting a small (two-percent) sample of the various data that would go into the full center, in order to design the system, see how it might operate and demonstrate it for Congressional review. There has also been talk of creating an advisory panel of constitutional lawyers. Executive officials, Congressmen, social scientists and computer specialists to help the Budget Bureau devise the package of necessary safeguards—a thorough statute, administrative regulations and audit-review procedures. Some original advocates of the center now talk of concentrating on the design of a limited data pool to provide statistical analyses in a few of the most pressing areas of national socioeconomic policy, such as poverty programs or Medicare, and build slowly outward from there.

Whether any of these plans go forward is now a White House decision. The costs of starting another furor in Congress may not have high appeal in an election year, and many Washington observers expect the national data center problem to be deferred until after 1968.

Ironically, much more attention was given by Congress and the press to possible misuse of this statistical system than to the quiet initiation by the FBI of its National Crime Information Center in 1967. This uses a central computer to collect and distribute national, state and local information on stolen cars, stolen property and certain wanted persons. While the system is presently narrow in scope, the plans are to expand it in the future to collect much more intelligence information. Which names will go into files and what information about them will be collected remains to be seen. What safeguards will control the FBI operation has not been aired in the press or questioned in Congress. The Congressional committees that went after Budget Bureau and Census Bureau officials with sharp inquiries have shown no desire to put questions to J. Edgar Hoover.

Looking at the national data center debates of 1966–1967, we can see three distinctly different approaches to the problem of new computer technology and privacy. The first position, reflected in the initial thinking of most of the Executive-agency officials, computer manufacturers and behavioral scientists, assumed that a modest adaptation of traditional administrative and legal safeguards, plus the expected self-restraint of officials who would manage any statistical system, would be enough to protect the citizen's privacy. The more reflective spokesmen in this group would add that our society is requiring greater visibility of certain individual and group activities, in order to carry out rationally important socioeconomic programs that have the deep support of the American public. Since privacy has never been an absolute value, they reason, we should accept certain minimal risks to privacy as part of the balancing of values in a free society.

The second position, reflected by the initial views of most newspaper editorials, civil-liberties groups and Congressional spokesmen, is to oppose creation of a data center completely. The need of Government officials and behavioral scientists to have better statistics for policy analysis is seen as simply inadequate when weighed against the increase in Federal power that such a system might bring and the fears of depersonalization and loss of privacy that it could generate among citizens. The only situation that would satisfy these critics would be a "tamper-proof" system in which all identities were removed from the data.

The third position is the one that seems most persuasive and that may be the ground on which the two initial positions will meet, now that the privacy considerations have been thoroughly aired. This sees the added threats to privacy from centralized data systems as requiring a new legal and technical approach to sensitive-information management by Government. While this approach would be applied differently, according to the type of data center involved—statistical, social-service or law-enforcement—it is the statistical center that concerns us here.

At the outset, we must recognize that the individual's right to limit the circulation of personal information about himself is a vital part of his right to privacy that should not be infringed upon without showing strong social need and satisfying requirements as to protective safeguards. When Government takes information from an individual for one purpose, such as income taxation, census enumeration or Social Security records, and uses it to influence, regulate or prosecute the individual on unrelated matters, this strikes a blow at the individual's autonomy and violates the confidence under which the information was originally given.

Following this view, a statistical data center must have both "machine system" safeguards to limit the opportunities for misuse, and legal controls to cover those human abuses that cannot be averted by technology itself. At the system level, we should realize that storing data in computers allows us—if we want to—to create far more protection for sensitive information than is possible when written files are available for physical inspection. Information bits in the memory banks can be locked so that only one or several persons with special passwords can get them out. Computers can be programed to reject requests for statistical data about groups that are really designed to get data on specific individuals or business firms. (For example: "All the records on elected Federal officials from New York State who are under 45 and served in the President's Cabinet in the past ten years.") Furthermore, a data system can be set up so that a permanent record is made of all inquiries. Such an "audit trail" can be reviewed annually by the management of the center. Congressional committees and an independent "watchdog" commission of public officials and private citizens set up for that purpose.

Though many additional ways of guarding a data center from outside intrusion or inside misuse could be outlined, one clear fact remains. The system can still be beaten by those in charge of it, from the programmers who run it and the mechanics who repair breakdowns to those who are in charge of the enterprise and know all the passwords. This means that a package of legal controls is absolutely essential. For example, a Federal statute could specify that the data was to be used solely for statistical purposes; could forbid all other uses to influence, regulate or prosecute, making such use a crime and excluding all such data from use as evidence in courts; and could forbid all persons other than data-center employees from access to the data-center files. The data could be specifically exempted from subpoena. An inspector general or Ombudsman type of official could be set up to hear individual complaints of alleged misuse, and judicial review of the decisions in such cases could be provided.

What this all boils down to is the fact that American society wants both statistical data *and* privacy. Ever since the Constitution was written, our efforts to secure both order and liberty have been successful when we have found ways to grant authority to Government but to control it with the standards, operating procedures and review mechanisms that protect individual rights. Such a balance of powers is possible with a data center, if both the fears of the critics and the enthusiasm of technical proponents can be turned to constructive measures. For the Roger Smiths, 1975 demands effective Government as well as freedom from a data-file Big Brother. A free society should not have to choose between these values if we apply our talents for democratic government.

The People Speak Out—Results of the 1968 Opinion Poll, 22d Congressional District of Ohio

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HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mrs. BOLTON. Mr. Speaker, this year the people of the 22d Congressional District of Ohio responded to my 12th annual opinion poll in greater numbers than ever before. They spoke their views emphatically—on only two or three of the 17 questions asked was there anything like an equal division of opinion.

The tabulation below is based on the first 25,000 replies to this poll received during the last 2 weeks in March 1968. This is the largest response ever received for the same period in any previous year. It is most satisfying to me to see this increasing interest in Federal legislation as evidenced by this growing response from the people who have elected me 15 consecutive times to represent this diversified metropolitan area of Greater Cleveland.

It is particularly timely and significant to note that my constituents opposed the administration's handling of the situation in Vietnam by a ratio of 4 to 1. While this compares with a 5-to-3 opposition registered in certain national polls taken at approximately the same time, trends in both polls have revealed a still further deteriorization of confidence in the way the war in Vietnam has been handled. Both in my district and nationally there was a definite reversal

of opinion, as compared to a year ago, on the administration's Vietnam war policy.

In my recent poll the people of the 22d District voted 3 to 1 against a further increase in United States war efforts and 2 to 1 in favor of a decrease in U.S. military efforts in Vietnam. Contrasted with this, in my opinion poll of a year ago my people favored by almost 2 to 1 the administration's policy of increasing American ground forces in Vietnam; favored by 3 to 1 the increase of conventional bombing of selective targets in North Vietnam: and favored by 4 to 1 a naval blockade around the Port of Haiphong.

On the issues of Federal taxes and Federal spending my people also have definite ideas. They are opposed by 2½ to 1 to the proposed 10-percent increase in Federal income taxes. At the same time they favor by 2½ to 1 a cutback in domestic spending programs to reduce the need for a tax increase. The administration's proposed travel tax drew a 46-percent favorable and 46-percent unfavorable response, with 8 percent of the people expressing no opinion.

A plan whereby certain Federal taxes would be distributed to the States for their unrestricted use was favored, 5 to 4, while proposed tax credits for parents for the college expenses of their children were favored 2½ to 1.

The people of the 22d District prefer private to public financing of programs for the underprivileged in the cities. They are against, 3 to 2, an increase in the annual appropriation for antipoverty programs from $1.77 billion to $2.18 billion. They are against, 5 to 4, a $1 billion appropriation for the model cities program.

They are opposed by a very small fraction to an appropriation of $2.1 billion for training of some 500,000 hard-core unemployed.

By a ratio of 3½ to 1 my constituents favor private businesses training or retraining workers in urban poverty areas and receiving a tax credit for their efforts. They favor by nearly 2½ to 1 Federal legislation such as the National Homeownership Foundation Act, to provide homes for low-income families financed largely through private funds.

On the question of a Federal open-housing law the people of the 22d District are opposed by nearly 2 to 1. They favor by 5½ to 1 Federal legislation to curb and punish those who engage in rioting and looting.

The complete percentage results of this tabulation follow:

[In percent]

Do you favor or oppose—	Favor	Oppose	No opinion
Taxes:			
1. A 10-percent increase in your Federal income taxes to offset part of the deficit caused by the Administration's domestic programs and the war in Vietnam?	28	66	6
2. A cut-back in domestic spending programs to reduce the need for a tax increase?	69	26	5
3. The Administration's proposed travel tax to discourage U.S. travel abroad?	46	46	8
4. A Federal tax-sharing plan whereby certain Federal tax revenues would be distributed to the States for their unrestricted use?	47	38	15
5. Tax credits for parents for the college education expenses of their children?	66	27	7
Cities:			
6. An increase in the annual appropriation for antipoverty programs from $1.77 billion to $2.18 billion?	35	55	10
7. A $1 billion appropriation for the model cities program to rebuild neighborhoods in certain cities selected by the Administration?	39	50	11
8. An appropriation of $2.1 billion, in addition to other antipoverty job training programs, for training some 500,000 hard-core unemployed?	44	47	9
Cities—Continued			
9. Private businesses training or retraining workers in our urban proverty areas and receiving a tax credit for their efforts?	72	21	7
10. Federal legislation, such as the National Homeownership Foundation Act, to provide homes for low-income families financed largely through private funds?	60	25	15
Crime:			
11. Providing Federal funds through State Governors to strengthen local law enforcement agencies?	65	25	10
12. A Federal law controlling the interstate shipment of firearms?	74	18	8
Civil rights:			
13. A Federal open-housing law?	32	58	10
14. Federal legislation to curb and punish those who engage in rioting and looting?	78	14	8
Vietnam:			
15. The administration's handling of the situation in Vietnam?	17	70	13
16. A further increase in U.S. military efforts in Vietnam?	23	63	14
17. A decrease in U.S. military efforts in Vietnam?	53	29	18

Interstate Taxation Act

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. BRASCO. Mr. Speaker, a very great threat exists to our Nation's economy. Many States have been imposing a multitude of conflicting and overlapping taxes on goods shipped in interstate commerce.

This maze of taxes has dealt a shattering blow to businesses large and small. It has eroded the Nation's common market, the very foundation of our country's thriving economy.

Recently Chester Thomson, president of Thomson-Leeds Co., Inc., and vice chairman of the Point-of-Purchase Advertising Institute, Inc., a nationwide organization, visited with me in Washington. He appealed for prompt congressional attention and action on this key problem.

As you know, the House Judiciary Committee, headed by our distinguished colleague, EMANUEL CELLER, hammered out the proposed Interstate Taxation Act after 5 years of intensive study.

I firmly believe that the House should consider the act and move for its passage. It will eliminate many inequities in multiple taxation; it will prevent various States from imposing discriminatory tax measures; it will help to guarantee a more vibrant, productive economy.

I want to compliment Mr. Thomson for his cogent presentation of the problem, as faced by industry and by point-of-purchase advertising firms. Our course of action should be clear.

Vietnam: A War or Training Program

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. RARICK. Mr. Speaker, the Council for Statehood, Box 1131, North Miami, Fla. 33161, has prepared a thought-provoking paper on the Vietnam war which is factual and may well serve to invite unanswered questions.

I insert Miss Mary Davison's paper, "This Is Your Life(?)" in the RECORD, followed by an Evening Star report for April 18, for all to read:

THIS IS YOUR LIFE(?)

As this is written, March 1968, the war in Vietnam is raging savagely and apparently out of control. American casualties have passed the 100,000 mark, more troops are being poured into the Asian meat-grinder and the people are completely uninformed as to the real cause of our involvement and the objectives sought by the Government in Washington.

Congress is denied the information which it consistently seeks; the President and the Secretary of State defy Congress and refuse to consult or inform it. As protests pour into Congress from the grass-roots, Congress has been driven to renew its demands and to move toward enforcing those demands.

To some extent at least, the present angry mood of Congress has been stimulated by the discovery that in the very midst of the Vietnam war, the President, the Secretary of State and United Nations Ambassador had entered into agreement with the United Nations to provide troops for a UN invasion of South Africa and did, indeed, send transport planes and crews into the UN operations in the Congo.

In addition to this, a long-concealed "study" and report, "Report From Iron Mountain" has been exposed. This report, compiled by a special committee appointed by the late President Kennedy (who had predicted a "dire peril" and a "long twilight"), confirms deductions made fifteen years ago by some of America's foremost historians and journalists, eight of whom collaborated in writing an outstanding book—the title of which spells out the recommendations of the "Report From Iron Mountain"—*Perpetual War For Perpetual Peace.*

The New York Times of November 5, 1967 stated that the Report suggests: ". . . the world would face an unparalleled catastrophe if the world ever achieved peace . . . war and war preparations are politically, psychologically, and culturally indispensable to world stability . . . lasting peace, while not theoretically impossible, is probably unattainable; even if it could be achieved it would almost certainly not be in the best interests of a stable society to achieve it."

Congress realizes that for nearly forty years succeeding administrations have been guided by men holding just such ideas as the above and, as a result of their guidance and advice, the nation has been in an almost constant state of war. This body has gone along with the schemes of the "great humanitarians" and has witnessed in its own time the baleful consequences now mounting to crisis in Vietnam. A badly frightened Congress is slowly emerging from its long period of frustration and with mounting ire threatens to resume, insofar as possible, the obligations imposed upon it by the Constitution, the States and the People. The Congressmen face a long, hard pull to recover the ground they abandoned so casually and many of them will fall by the wayside. Others, younger in years and in spirit, with support from their States and constitutents, MAY meet the greatest challenge of all time.

WHERE DO YOU FIND THE ANSWERS?

Most of the members of Congress have gone to Vietnam in an effort to get answers; but there, too, avenues of communication are closed. Few of the officers in charge there seem to know just *why* we are involved. Certainly, they do not accept the story of a SEATO commitment binding on the United States but not upon our SEATO allies. The answers are not to be found in Vietnam any more than they are in Washington with its studied policy of concealment. Fortunately, there are Congressmen determined to get the facts. A long study has resulted in establishing a most amazing story of our real purpose in Vietnam. This incredible story has been inserted into the Congressional Record for February 15, 1968 and contains far more detailed information than has yet come to light from any other source.

AID OFFICIAL GIVES ANSWER

We reproduce for your information an article from the Congressional Record quoting at length (Feb. 15, 1968) the testimony of Mr. Rutherford Poats, formerly our top AID (Agency for International Development) official:

AND NOW THAT YOU'VE RECEIVED ALL THIS EXPENSIVE TRAINING

". . . we are steadily, day by day, Americanizing our participation in Vietnam. Not just on the military side, we had that Americanized a long time ago; but I am talking about the pacification program, the nation-building area."

AT OUR EXPENSE

The President and the National Service Secretariat now hold that the veterans of Vietnam have acquired at government expense, skills (medical, teaching, construction, sanitation etc.) which are sorely needed in the "slums and ghettos," and the government is now going to reward their heroic sacrifices by giving them an "opportunity" to serve the world contributing these skills to those who need them. At present, it appears that they will be permitted to volunteer these services but *in the background of the whole operation is the recommendation, approved by the President, for a draft.*

THERE'S "THE OTHER WAR"

The public press speaks frequently of "The Other War" which is usually identified as "pacification." Fortunate indeed is the young American who finds himself assigned to the "pacification" projects—building empire and training Vietnamese, through education and job training, for service in the "World Development" projects of the richest men on earth.

THE NATIONAL SERVICE RECRUIT NOW AND DRAFT LATER FOR LABOR

The skills acquired by the young Americans as teachers, medical assistants and construction workers will be of great value to their exploiters when their debt to the world has been fulfilled in Vietnam. But, as you will see, this is only half the debt owed the world; they still owe a two year "hitch" in the "slums and ghettos" of the United States. Incredible is the fact that the actual recruitment for "national service" both here and abroad (in Asia and Africa) is being carried forward in Washington, D.C.; but even more incredible is the fact that while the recruitment is going forward under the auspices of the United States Department of Labor, Congress knows nothing about it.

We would remind you that many of the richest men in the world have formed business corporations for the exploitation of all Southeast Asia and Africa. The President has appointed an African Executive Service Corps headed by David Rockefeller, including Sol Linowitz of Zerox and Thomas J. Watson of IBM. Another Executive Service Corps has been appointed by the President for Asian development, that one headed by Eugene Black, vice president of Rockefeller's Chase National Bank.

TO BUILD AN EMPIRE FOR

We are indebted to one Senator for identifying two other World Development Corporations. The first is a corporation headed by David Lilienthal of Tennessee Valley Administration and Atomic Energy Commission fame, in cooperation with two unnamed partners plus Lazard Ferres. This corporation, waxing fat on Agency for International Funds (tax) Development, will put all Southeast Asia into industrial and agricultural production.

AT ROCKBOTTOM PRICES—THE TAXPAYER FOOTS THE BILL

From the CONGRESSIONAL RECORD, volume 113, part 26, page 35443:

"It is also essential that new methods be found to induce private capital industrialized nations to invest in productive enterprises in developing countries. One already successful method is the multinational *private investment* (emphasis added) formed in 1964 based on a project I chaired by over 130 banks and other enterprises of Canada, Western Europe, the United States and Japan—The Adela Investment Company."

The building of world empire within sight of the battlefields of Vietnam, and to a large extent with the labor of the American servicemen, certainly adds a new dimension to the "war to stop communist aggression against South Vietnam." It explains convincingly the failure of the South Vietnamese to do his own fighting; he can build for himself a greater stake in the New Order by helping build houses, dams, roads, railroads, ports, powerplants and the other accouterments of industrialization which protecting his life and limb from the perils of combat.

TO PROVIDE BASIS FOR U.N.'S TOTAL EMPLOYMENT

The Charter of the United Nations (Art. 55) which the UN holds to constitute a positive mandate to them, provides that the UN shall provide full employment for everybody in the world. The natives of the "developing countries" are not employable, nor will they be under the best of circumstances, for many years or generations to come. But the UN, with our foreign aid money, has created throughout Asia and Africa a tremendous infrastructure for world-wide industrial development. They need skilled industrial management and labor required to move the project now. Hence, the President has authorized and appointed a "Committee of Distinguished Citizens" acting under the authority of the United States Department of Labor to begin the recruitment of a labor battalion for "national service" overseas and, to some extent, in the "slums and ghettos."

The "distinguished" ones have set up in business at suite 500, 1629 K Street, N.W. Washington, D.C. under the title National Service Secretariat, and are currently issuing a newsletter seeking voluntary recruits for "national service."

HIGHER EDUCATION INFILTRATED THROUGH GRANTS

These newsletters, couched in the smooth and beguiling language of the New Order are being circulated nation-wide. The operation is lavishly financed by a number of large foundations, including Ford, Arthur Vining Davis, Sloane, Russell Sage and others. Some of the same foundations which have for years been contributing large "grants" to college and university professors for the purpose of influencing the teachings and policies of the universities and colleges.

The National Service Secretariat then, as was to be expected, began funneling their recruitment activities through the colleges and universities without hindrance or protest. They were and are openly soliciting recruits for four years "national service," a two-year "hitch" overseas and another two-year "hitch" in the slums and ghettos. A "study" made by the National Service Secretariat and submitted to the President for his approval (which was the groundwork for the appointment of the recruitment Secretariat) recommended the drafting of all boys and girls between the ages of 18 and 26, including the young mothers and fathers, for a four year service to "humanity."

CALL COLLECT

By December, 1967, the Secretariat was inviting the young people to seek further information from the United States Department of Labor and to call collect from (anyplace in the nation 202/961–3017 and to ask for "Mr. Quinn or William deProsse." The same newsletter states that "financial support for the operation of college student programs is now available from the United States Department of Labor." This is not a military operation nor a social service scheme, it is recruitment of labor under the Labor Department.

A later newsletter (Jan.–Feb.) revealed the close cooperation between the National Service Secretariat and the President: It refers to a cagy statement of the President in his State of the Union message requesting $50,000,000 for a "Veterans in the Public Service Act of 1968," which will go through unless somebody with common sense rises up against it, with no opposition. Already, Congressmen are falling all over themselves to laud the great "opportunity" the noble leader is offering the returning Veterans "to whom we owe so much." The "opportunity" is the realization on the part of the President and his world government herd masters, that the returning veterans having served their two-year "hitch" overseas will have the opportunity of serving their fellow-man for another two-year "hitch" in the slums and ghettos.

While nothing is said about pay for the college and university recruits, the veterans will fare better; they will collect $80 per month for the first year. In the second year, with a year of invested training behind them the incentive need not be so generous—they will collect $50 a month in the second year. By that time the draft provision should be in effect.

Most of the returning veterans will have had experience in "nation building" and "pacification" in Vietnam. They have been engaged in building World Empire for the World Development Corporations within sight of the battlefields without ever suspecting the real reason behind these activities. Nor will most of them question why North Korea decided to stir up the international situation by highjacking our ship, Pueblo, with her 83 man crew. Strangely, nobody raises the question of why, with a fully equipped army of 500,000 Americans

in South Korea, help was not immediately dispatched from South Korea. Why indeed?

Once more the involvement of the United States in the United Nations is completely hidden from the Congress and the People. The army of American citizens is not an American Army! it is a UN army doing UN occupation duty in a war still in progress—no peace was ever negotiated. The UN is still technically at war with North Korea, the Sea of Japan is a battle-zone and the true identity or the status of the Pueblo under the circumstances is debatable, to say the least. At any rate, the American citizen army could not go to the aid of the Pueblo unless the United Nations command in New York ordered it. Nor is it likely that the ship and crew will be returned to us unless the UN agrees to it.

IS THERE A WAY OUT?—YES

The appointment of substantial committees (not less than twenty-five) from the State legislatures should be commissioned to meet with congressional delegations (Congressmen and Senators from the States) to confer, to explore and to determine the best interests of the States, and to make known the wishes of the State Governments which these Congressmen and Senators are presumed to represent.

For too long have Members of both Houses of Congress looked to such men as Dean Rusk, Robert McNamara, Walt and Eugene Rostow, Arthur Goldberg and their associates for advice and direction. The results have been disastrous. The people have never been represented in such a situation. Now, as the consequences of our own folly and neglect show up on the casualty figures from Vietnam, it is indeed time that our Representatives in Congress confer with our State legislatures. This, we predict, will be a short way to end the war and to prevent other wars for the profit and glory of the billionaire empire builders.

ACTION

Over the years thousands of requests to the United States Senate for a review of the United Nations Charter and careful scrutiny of the treaties and resolutions enacted under the cover of that charter, have been ignored. Had this obvious duty of our Congress been carried out, Congress would know what it is doing. The most vital facts concerning our national security lie buried in the records and documents of the United Nations. It is time a million citizens demand Congressional action in this field.

CONGRESS OUGHT TO KNOW

First and foremost, Congress ought to know what is in the United Nations Charter, UN treaties and Resolutions.

Congress ought to know that the Department of Labor, with the knowledge and consent of the Executive Department, is directing the recruitment of an enormous Labor battalion for servitude in Africa and Asia. A quasi-governmental commission operating under the title "National Service Secretariat" is busily recruiting this labor battalion from their plush headquarters in: Suite 500 1629 "K" Street, N. W. Washington, D.C.

The National Service Secretariat has decided that every boy and girl between the ages of 18 and 26 owes a debt of service to the world, and they intend to see to it that the debt is paid. The NSS is presently recruiting on a voluntary basis, but proclaim an intent to extend the compulsory education system to include a two year "hitch" overseas.

Noting with dismay the increasing tendency of the government to recall Vietnam veterans who have already served a year overseas, Congressman Horton of New York introduced (March 14, 1968) a "sense of the Congress Resolution, viz:

"Resolved, that it is the sense of the Congress that in the absence of a formal declaration of war by the Congress, any members of the Armed Forces of the United States who has served in a combat zone for a period of one year should not again be assigned to serve in a combat zone for a period of at least one year after the termination of any prior period of one year service in a combat zone."

Congress really should know that not only is it the "Sense of the National Service Secretariat" that such veterans still "owe" a second year service overseas but, having served the second year they will be presumed to have acquired such skills (medical, sanitation, teaching, construction, etc.) at Government expense that they must serve an additional two years in the "slums and ghettos" in the United States. Congress should be on the mailing list of NSS, the service is free.

Congress ought to know about an attempted invasion of Southwest Africa by several planeloads of Americans who attempted to occupy the territory in the name of the United Nations. These people had no visas; they had chartered planes from Zambian companies who were unaware of the situation. When they arrived over the territory the South African police warned the pilots against attempting to land, informing them that their passengers had no visas and were engaged on a mission of conquest. The pilots refused to honor their contracts with the invaders and turned back. The American invasion team did not report to Congress, although one Congressman did (two months later) insert the story into the CONGRESSIONAL RECORD, volume 114, part 4, page 4151. Congress cannot claim they were not told—Congress should know.

Congress should know that the occupation of Southwest Africa decreed by the General Assembly Resolution of October 27, 1966 is still in effect and an overwhelming majority of the delegates of the Member States, including the United States, is demanding action. Congress should never be permitted to lose sight of this.

MARY DAVISON.

[From the Washington Evening Star, Apr. 18, 1968]

JOHNSON SEES EISENHOWER AFTER TALKS

(By Garnett D. Horner)

MARCH AIR FORCE BASE, CALIF.—President Johnson conferred with former President Dwight D. Eisenhower here today for 2 hours and 15 minutes on Asian problems.

Johnson flew here to meet Eisenhower after assuring South Korean President Chung Hee Park in Honolulu last night that American commitments in Asia "will remain firm in the years ahead."

While Johnson and Eisenhower met, television cameramen had their sound cameras set up, expecting a statement by the President. But he took off for his Texas ranch home, to spend the weekend there, without making any statement.

Johnson landed here from Honolulu at 2:55 a.m. (5:55 a.m. EST) and slept aboard his plane until shortly before a Marine helicopter brought Eisenhower here from his winter home at Palm Desert.

Eisenhower landed at 7:13 a.m. Johnson greeted him beside his helicopter and then had Eisenhower precede him up the steps of his plane.

The President and former president talked together privately over a cup of coffee and then were joined for breakfast by a group of military and diplomatic advisers who had accompanied Johnson to Honolulu.

White House Press Secretary George Christian said Gen. Earle G. Wheeler, chairman of the Joint Chiefs of Staff, briefed Eisenhower on the Vietnam war situation.

William P. Bundy, assistant secretary of state for East Asian and Pacific affairs, reviewed developments in the dispute with Hanoi over selection of a site for preliminary talks about possible peace negotiations.

Cyrus R. Vance, troubleshooter for the President and former deputy defense secretary, reported on plans being developed with South Korea to meet threats of renewed Communist aggression from North Korea.

In Honolulu last night, Johnson joined Park in a statement asserting that "continued resolution and military firmness" must accompany the quest for an honorable peace in Vietnam.

His one-day summit conference in Honolulu with Park, leader of what Johnson has called one of the "bravest" allies in the Vietnam war, was climaxed with a joint statement in which:

1. Johnson pledged that the United States would consult fully with South Korea and other allies "concerning negotiating developments and positions to be taken at each stage" in prospect preliminary talks with North Vietnamese representatives about possible peace negotiations.

2. The two presidents reaffirmed that South Vietnam and the allied nations aiding in the fight against Communist aggression there should participate in any settlement of the conflict—with the Saigon government a "full participant in any negotiations" about a settlement.

3. Park said a "continued U.S. presence" in Asia and the Pacific "is essential to a just and lasting peace," and Johnson expressed "determination that the U.S. should continue its efforts for stability and security in the region."

4. In the face of threats raised by "increasingly belligerent and aggressive actions" by North Korea, Johnson "reaffirmed the readiness and determination of the United States to render prompt and effective assistance to repel armed attacks" against South Korea.

The President went much further regarding a continued American "presence" in Asia in a speech to a reception at the South Korean consulate in Honolulu than he did in the joint statement.

"I deeply believe," he declared, "that this nation will continue to play its part in helping protect and develop the new Asia.

"I deeply believe that my successor—whoever he may be—will act in ways that will reflect America's abiding interest in Asia's freedom and security.

"The commitments of America in Europe and Asia—all made by Congress and presidents before my administration—are color-blind.

"They run with the security of the nation and our basic human values. They will remain firm in the years ahead."

Such public remarks, as well as what he had to say to Park in hours of private conversation, were designed to allay fears in South Korea and other free Asian nations that the U.S. might be so anxious for peace in Vietnam that it would back away from its commitments to stand firm with its Asian allies against Communist aggression.

Growing uneasines has been reported from Seoul and other allied nations whose forces are fighting beside Americans and South Vietnamese since Johnson announced on March 31 a sharp curtailment of U.S. bombing of North Vietnam in a new effort to get Hanoi to the peace table.

Hanoi surprisingly agreed to preliminary contacts to discuss an unconditional halt to all the American bombing. But for the last two weeks Hanoi and Washington have been sparing over selection of a site for these contacts.

The U.S. is trying to get Hanoi to agree to a location, preferably in Asia, in a neutral country with adequate communications and accessible to South Vietnamese and other allied representatives to be on hand for consultation.

Johnson gave strong assurances to Park that the U.S. is not putting all its eggs in

the peace quest basket to the neglect of keeping up military pressure on the North Vietnamese.

"The two presidents agreed," their joint statement said, "that the common goal of an honorable and secure peace required the earnest pursuit of a diplomatic solution, coupled with continued resolution and military firmness.

"They expressed the policy of their governments to sustain their efforts to meet the requirements of the struggle in all respects until peace is attained."

The statement said Johnson explained to Park in detail the current status of efforts to set a time and place for contacts with Hanoi and reviewed the position the U.S. would take in such contacts.

American officials have made it plain that the U.S. will not agree to halt all bombing of North Vietnam unless convinced that Hanoi will not take advantage of freedom from bombing to rush reinforcements into South Vietnam.

Johnson and Park reaffirmed that the allied position in any peace negotiations would be based on the communique of the 1966 Manila summit conference—upholding the right of South Vietnam to be free of external interference.

In the communique last night, Park expressed "satisfaction" in developments relating to contacts with Hanoi as related by Johnson and "highly commended the great role and persistent efforts of the United States to bring about freedom, peace and prosperity in Asia and the Pacific."

Vallejo Times-Herald Praises President Johnson's Effort at Peace and Unity

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. HANNA. Mr. Speaker, the Vallejo, Calif., Times-Herald has commended President Johnson's decision to spend his last days in office seeking peace in Vietnam and unity at home—rather than reelection to political office.

The Nation faces unparalleled challenges. War in Vietnam, crisis in our cities, division among our people are the burdens of our generation.

The President, cognizant of these challenges, has placed Nation above self to unify the country, give common purpose to our people, and heal the wounds of partisan attack.

But, as the President prepares to retire, his legislative accomplishments will stand as a shining symbol of united action and common determination. Dramatic breakthroughs in education, medical care, civil rights, and antipoverty have touched every American family.

Our fondest hopes for economic stability and social justice are closer to fruition than ever before—and the cause of freedom the world over has been strengthened.

A united people have done much—but a divided nation can do little.

By his self-sacrifice, the President has attempted to regain the unity necessary for America to build on its accomplishments. For this, America will remember its President, in the words of the Vallejo Times-Herald, as "an honorable, sincere, and dedicated statesman."

If America follows President Johnson's call to unity—we cannot fail.

Crackdown on Inciters of Violence

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. WYMAN. Mr. Speaker, the hour is past 12 on enforcing the laws of this Nation against persons who incite to violence. It makes no difference what their race or color.

Free speech in America does not include the right to encourage or provoke arson, larceny, or murder. Those who deliberately incite others to such action should be arrested, indicted, and convicted for violation of existing laws.

This great land cannot tolerate anarchy and terrorism. Equal justice under law means just what it says. It is a principle to which all Americans must remain dedicated.

In this connection I commend the reading of the following article by Crosby Noyes in the Washington Evening Star of April 25, 1968:

CRACKDOWN URGED ON INCITERS OF VIOLENCE

(By Crosby S. Noyes)

The time has come to crack down on the crackpots and hard. It is time to put out of circulation for as long as possible all of the individuals and organizations in this country, black and white, who are deliberately and openly inciting to violence and race warfare.

Few democratic societies in the world would tolerate the murderous activities of such outfits as the Revolutionary Action Movement, the Black Panthers or the grotesquely misnamed Student Nonviolent Coordinating Committee. Most would have long since outlawed the hate merchants passing as Minutemen, Klansmen and American Nazis.

Tolerance of such groups is a luxury which the United States can no longer afford. The danger which they represent to the fabric of American society is clear and imminent. The prompt removal of their leaders from circulation would do more to cool the fever of our cities than all the appeals for law and order put together.

Consider, for example, the case for tolerating the likes of Stokely Carmichael. Within hours of the murder of Martin Luther King in Memphis, Stokely was telling his friends in Havana that the American revolution was now in full swing.

"More people," Carmichael assured his listeners, "are now beginning to plan seriously a major urban guerrilla warfare where we can begin to retaliate not only for the death of King but where we can move seriously with this country to bring it to its knees."

Bluff and bluster? Perhaps. But it would be a very serious mistake to underestimate the potential of even a small group of dedicated conspirators.

The most competent officials of the government believe that under present conditions a few dozen men in as many major cities could quite easily start riots which would overwhelm the police and military forces presently available for riot control.

If the outbreaks of violence were planned and carried out simultaneously, it would be physically impossible to move troops into all the trouble areas simultaneously. And if this should happen a number of major cities could quite literally be burned to the ground.

In fact, there is some reason to believe that the shooting of Dr. King caught Carmichael and his fellow conspirators unprepared. The unexpected pretext for violence was irresistible and, in fact, rioting broke out more or less spontaneously in a number of cities.

But Carmichael & Co. were unable to exploit the outbreak for their own purposes. His appeal to the crowd to "get you a gun" had a ring of improvisation and mercifully went unheeded. As the riot ran its course in Washington, Stokely was nowhere in evidence.

Yet very surely there will be a next time.

The recent riot demonstrated once again how little relationship there is between the immediate cause of an outbreak and the motivation of those who take part in it. In the course of the coming summer, during which this city will be subjected to planned demonstrations, perhaps involving many thousands of people, ample opportunity will present itself for a more carefully prepared explosion.

If this is reason enough for preventing the planned demonstrations, it is surely all the more reason for lowering the boom now on Stokely and his friends. The safety of the city demands it, including most especially the safety of the black community, which will be the chief victim if Carmichael succeeds.

Last year in New York, 12 members of RAM were arrested for plotting the assassination of Roy Wilkins, the head of the National Association for the Advancement of Colored People. Today, the assassination of whole cities is being plotted, and virtually nothing is being done about it.

The laws to put Stokely and his friends out of business are on the books. The new District Crime Reduction Act includes an anti-riot section which provides penalties up to $10,000 and 10 years in jail for anyone who incites a riot resulting in serious bodily harm or property damage exceeding $5,000.

So far as most people are concerned, a man who urges a crowd at the onset of a riot to go home and get their guns qualifies conspicuously under the provisions of this law. But though the Justice Department has been investigating Carmichael's case for weeks, he is still very much at large. The final decision rests with Attorney General Ramsey Clark, who would be well advised to stop pussyfooting and crack down before it is too late.

Turning a Blind Eye to Lawlessness

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. BROCK. Mr. Speaker, a recent issue of the Chattanooga News-Free Press carried two UPI news stories on statements made by various national figures on how to cope with the wave of lawless violence which has swept many of our cities. It was shocking to read the words of Attorney General Ramsey Clark, the President's "Mr. Big" in the war on crime. Clark warned that use of force against looters and arsonists would make them turn to more drastic means—an argument which makes about as much sense as telling our soldiers in Vietnam not to fire back because it might "escalate" the conflict.

It is gratifying to note that not all of the other persons quoted by UPI are as blind to the need for law enforcement as our present Attorney General. Because of their interest, I place these two items in the RECORD at this point:

CLARK SEES MORE RIOTS IF POLICE SHOOT LOOTERS

WASHINGTON.—The racial unrest smoldering in the nation's cities could be dangerously escalated if police are allowed to shoot to kill or maim arsonists and looters, Atty. Gen. Ramsey Clark warned Wednesday.

In an indirect clash with Mayor Richard J. Daley of Chicago over his controversial order to his police force to shoot looters and arsonists, Clark said that if police "overreact" with excessive violence during civil disorders, it would force more blacks to adopt "terrorist and guerilla tactics."

While Clark, speaking at a meeting of the American Society of Newspaper Editors (ASNE) here, warned against use of deadly force except in extreme circumstances, Daley Wednesday was reiterating his order to shoot to kill arsonists and "shoot to maim or cripple" looters.

MILDER TERMS

Although Daley did not retreat from his hard line, his statement to the City Council was couched in milder terms than his bitter off-the-cuff criticism of his own police Monday for not using tougher tactics against rioters.

Clark, asked directly about Daley's get-tough order warned it could heighten tension in the ghettos. "I do not believe that the use of deadly force by law enforcement officers is permissible except in self-defense or when it is necessary to protect the lives of others," he said.

Daley's stand meanwhile raised a storm of both condemnation and support across the country.

New York Mayor John V. Lindsay, whose city has largely been spared from racial violence this year, said, "We're not going to shoot children in New York City."

Detroit Mayor Jerome P. Cavanagh, whose city suffered the nation's worst riot a year ago, said police must use whatever force is necessary to quell violence but added, "firing into crowds of looters that are frolicking through stores—women and children—would be tantamount to a massacre."

His sentiments were echoed by Pittsburgh Mayor Joseph M. Barr and Earl F. Morris, president of the American Bar Association, who said shooting looters or arsonists should come only as a last resort.

But Miami Police Chief Walter B. Headley said the way to deal with arsonists and looters during a riot is to shoot them on sight and Ohio State Adj. Gen. S. T. Del Corso said National Guardsmen used in riot areas in Ohio would shoot to kill snipers and shoot to wound arsonists and looters.

DALEY SAYS COCKTAIL TOSSERS ASSASSINS

CHICAGO.—Mayor Richard J. Daley, center of a national controversy over how to handle urban rioters, Wednesday redefined his stand but left in effect his orders to police to shoot looters and arsonists on sight.

Daley went before the City Council and read a carefully worded prepared statement in which he called for protection of people and property by police using whatever force was necessary. He did not use the words "shoot to kill" in regard to arsonists or "shoot to maim or cripple" in regard to looters, as he had on Monday.

His statement came as he asked for a resolution urging that on Law Day U.S.A., May 1, citizens "reaffirm our faith in the rule of law and in the supremacy of government by law rather than by men."

The resolution passed the council and Daley was applauded after he couched in softer language his "get tough" order to police.

Daley went on to say "men poised with Molotov cocktails, incendiaries or firebombs of any kind are the same as the assassins who pulled the triggers on the guns that killed the Rev. Martin Luther King and the late President John F. Kennedy."

The reaction to Daley's hardline policy continued.

Miami Police Chief Walter B. Headley said he agreed with the shoot-on-sight theory of handling arsonists and looters during a riot.

"It is a matter of common law that looters and arsonists may be shot on sight. That is the quickest way to contain it," he said.

A Letter of Interest

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. BERRY. Mr. Speaker, it is a real privilege for me to insert in the CONGRESSIONAL RECORD a letter from a young man in my hometown of McLaughlin, S. Dak., who is serving in the Armed Forces of the United States in Vietnam. I insert it in the RECORD so that others may know the feeling of the men serving their country.

REPUBLIC OF VIETNAM,
March 28, 1968.

It is a rare occasion to find a newspaper or magazine that doesn't devote space for a critic to give his reasons why the United States should pull out of Viet Nam. It's also pretty obvious that the anti-war demonstrators, the draft card burners and the so-called pacifists are getting their full share of publicity.

I question if these people realize how we as Americans obtained these freedoms of the press and speech, and, most important, how we kept them. It wasn't by turning our backs on our responsibilities as a world power. Nor was it done by backing out on alliances with other free-world powers. I believe one of the best explanations was given by the late Douglas MacArthur when making his farewell address at West Point. I quote in part ". . . As I listened to those songs of the glee club, in memory's eye I could see those staggering columns of the First World War, bending under soggy packs, on many a weary march from dripping dusk to drizzling dawn, slogging ankle-deep through the mire of shell-shocked roads, to form grimly for the attack, blue-lipped, covered with sludge and mud, chilled by the wind and rain; driving home to their objective, and, for many, to the judgment seat of God. I do not know the dignity of their birth but I do know the glory of their death. They died unquestionably, uncomplaining, with faith in their hearts, and on their lips the hope that we would go on to victory. Always for them—Duty-Honor-Country; always their blood and sweat and tears as we sought the way and the light and the truth.

And twenty years later, on the other side of the globe, again the filth of murky foxholes, the stench of ghostly trenches, the slime of dripping dugouts; the burning suns of relentless heat, those torrential rains of devastating storms, the loneliness and utter desolation of jungle trails, the bitterness of long separation from those they loved and cherished, the deadly pestilence of tropical disease, the horror of stricken areas of war; their resolute and determined defense, their swift and sure attack, their indomitable purpose, their complete and decisive victory—always victory. Always through the bloody haze of their last reverberating shot, the vision of gaunt, ghastly men reverently following your pass-word of Duty—Honor—Country."

". . . This does not mean that you are war mongers. On the contrary, the soldier, above all other people, prays for peace, for he must suffer and bear the deepest wounds and scars of war."

Now we are in Viet Nam, for What? To keep our precious freedoms for which Americans have fought so hard. We must continue to do whatever is needed to stop Communist aggression. The Domino Theory is a reality, not a myth. Why should we turn our backs now and let it become law?

Very Sincerely,

Lt. CHARLES E. HOWE,
U.S. Army, Vietnam.

Minneapolis Couple Helped by Economic Opportunity Loan

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. FRASER. Mr. Speaker, I want to bring to the attention of my colleagues the fine work the Small Business Administration is doing through its economic opportunity loan program.

SBA in 1964 developed the economic opportunity loan program and has been able to expand it to bring more help to disadvantaged people in poverty-stricken areas. People who have business ability and a desire to be their own bosses now have a real chance to be successful in their own small businesses.

In my State of Minnesota during fiscal 1967 the Small Business Administration made 26 economic opportunity loans totaling $171,000.

In my district, Adam L. Lindsay, Jr., and his wife Mary, were granted an SBA loan to enable them to start a business of their own.

The Minneapolis Spokesman, the Twin City Observer, and the Minneapolis Tribune featured stories on the Lindsays' achievement. The Minneapolis Spokesman article follows:

[From the Minneapolis Spokesman, Apr. 18, 1968]

A. L. LINDSAY, JR., PURCHASES DAIRY QUEEN ON NORTHSIDE

Adam L. Lindsay Jr., a resident of the Minneapolis North Side for more than 15 years, is the new owner of the "Dairy Queen" store at 1228 North Plymouth. Mr. Lindsay and his wife, Mary, live with their son, Adam III, at 701 Sheridan Av. N., only about a mile and a half from their "Dairy Queen" store.

A native of Birmingham, Ala., Lindsay attended elementary school and three years of high school there before joining the Army in 1943. He spent his tour of three years in the European Theatre during World War II, leaving the Army as a corporal in 1946.

After his discharge from the service, he went back to school and received a diploma from Western City High School in Kansas City, Mo., in 1947. He completed the four-year correspondence course of Blackstone School of Law, Chicago, and received his degree Oct. 11, 1960. After that, he added a year and a half of night-school study in accounting and business law at the Minneapolis School of Business.

Immediately before purchasing the Plym-

outh Avenue "Dairy Queen", he worked for the Food and Drug Administration office in Minneapolis, where he was in charge of motor pool maintenance and supply.

A 32nd Degree Mason, he is a past worshipful master of Anchor Hilyard Lodge No. 2 P.H.A. He is a past president of the Royal 20 Club, an affiliate of the Phyllis Wheatley House. He is also the chairman of stewards at his church, Holsey Memorial Christian Methodist Episcopal Church, 1229 Logan Av. N.

The store will need about six employees during peak business hours and the Lindsays have hired some of their part-time help from the student ranks at North High School.

Lindsay received financial assistance for the purchase of his own business from the Small Business Administration, which authorized the loan under the federal Economic Opportunity Act of 1964. Harry A. Sieben, regional director for SBA, gave much of the credit for bringing Lindsay together with "Dairy Queen" and SBA to Charles McCoy, SBA program assistant and specialist in Economic Opportunity Loans.

Lindsay has been open since last Friday, getting some assistance his first few days from officials of the American Dairy Queen Corporation. The store's regular hours will be from 10 a.m. to 11 p.m. daily. After training their employees for a few weeks, the Lindsays will be announcing a grand opening sale.

John van Laer and the Monetary Myths

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. KUPFERMAN. Mr. Speaker, for too long now, we have been hearing from the alleged economic pundits in our Government on steps that must be taken to preserve our economic system.

Prof. John van Laer, of Hunter College, in my district, has done his own analysis of this situation with respect to the President's surtax proposal.

I know that my colleagues will be interested in his analysis and conclusions:

REMARKS ON THE PROPOSED TAX INCREASE

I wish to discuss a problem that has occupied the Congress and the general citizenry for many months—the proposed income tax surcharge, or possible rate increase, in "defense of the dollar."

There has been an enormous outpouring of nonsense in this connection. The Congress seems to be in some danger of being bulldozed into taking a step that could be disastrous. I know you will weigh the merits of the arguments very carefully before taking a position. However, the arguments contrary to a tax increase are being drowned out by a well-orchestrated chorus of propaganda. Please consider the following widely-held myths.

MYTH I

The dollar has been threatened by speculators who rushed to buy gold in anticipation of a rise in price.

Nonsense. The threat to the dollar comes from continued Federal Government insistence that foreigners hold ever-increasing quantities of U.S. paper, when it is already coming out their ears. The real threat is neither speculation, which is merely a symptom of existing weakness, nor the private sector of the economy, which has consistently produced a surplus in the balance of trade, but Federal Government profligacy. For two decades, the American citizen has been paying through the nose for absurd amounts of overseas expenditure. Now that the inevitable reckoning is upon us, the private sector is expected to bear an even heavier burden to compensate for unabated governmental irresponsibility.

MYTH II

It would be calamitous to raise the price of gold, hence deflationary fiscal measures must be taken to avert it. Raising the price of gold would be inflationary, would reward speculators, and would redound to the benefit of the Soviet Union (detested by everyone) and of South Africa (detested by liberals).

Again: arrant nonsense. The price of gold could be increased to $70, or even $100, without a hitch. The Bretton Woods Conference had the foresight to set up a mechanism whereby gold could be revalued upwards, without devaluation of any currency relative to any other. All currencies would maintain their present relative parities. The dollar would retain its present pre-eminent position as a reserve currency. The actual result would be a beneficial increase in international liquidity (based on gold, not on phony paper gimmicks), renewed confidence in the stability of the worldwide system of payments (which could continue on the same basis that has served so well for over twenty years), and a fantastic increase in world trade. This would benefit everybody. Not just gold bugs—everybody.

As for the inflationary drawback: the only nations that would incur abnormal inflationary pressures would be the Union of South Africa, and possibly the USSR. For the rest of the world, an increase in the price of gold to three times its present nominal value would merely be a long-overdue admission of worldwide inflation that has already occurred. For the United States in particular, which alternative is the more inflationary: a domestic dollar backed by empty promises, or a dollar backed universally by gold at $100 an ounce? In purchasing power, the dollar is down to roughly one third of its 1940 level, not to mention its level of 1933. So what? Who is worse off now than he was in 1933? Why not admit the inflation, raise the price of gold, and let the world get on about its business?

What is really at stake is not the prestige of the United States, or of its currency, but the tattered reputations of a few Federal officials who have repeatedly laid their careers on the line by reciting the absurd litany that we will defend the $35 price of gold "down to the last bar." What they really mean is: down to the last citizen's last silverclad copper coin.

Why anyone takes these people seriously is beyond me. Look at the record. When silver was demonetized last July, the very same officials were crowing that without the "support" of Treasury offers to buy at $1.29, the price of silver would decline to its "natural level" around fifty cents. Since then, these people have been squandering Treasury silver at an alarming rate in a vain and misguided attempt to keep the price below $2.00. In the process, they have depleted the Treasury's holdings of silver to such an extent that the Treasury will be *unable to satisfy the statutory requirement* to transfer 165 million ounces of fine silver to the defense stockpile by June 24, 1968. This is neither a partisan issue nor a trivial one. Silver is vital defense materiel, not just a plaything of traders on the New York Commodity Exchange.

The silver fiasco is a grave situation, brought on by the foolish lack of judgment of these same "experts," who now insist that the Congress milk the taxpayer in order to stave off a rise in the price of gold long enough so that they can be safely out of office and back on the lecture podium by the time the rise occurs. Walter Heller and Gardner Ackley have already fled. Let them all begone, before they beggar the lot of us!

In truth, there is every reason to believe that a tax-increase at this time would worsen our balance of payments, and be inflationary into the bargain. Labor will demand compensatory wage increases. The real wage of the average factory worker has actually declined since 1965. The response to an increased withholding "bite" is sure to be a wave of bitter and protracted strikes culminating in unprecedented hourly wage increases. Management will do its utmost to pass the tax-increase, and the resulting increase in labor costs, on to the ultimate consumer. The ensuing price hikes would cause our international balance of trade to deteriorate even further.

A tax-increase now could bring about a severe recession, without having the desired deflationary effect. Deflation always brings recession in its train. The converse is not necessarily true. The 1958 recession, which was accompanied by a relentless increase in the cost of living, is a case in point.

It would be truly calamitous if the Congress, in an attempt to bail out these discredited public servants, lets loose a barrage of fiscal flak that shoots us all down. Go easy on that firing button, please!

The Slow Pace of Urban Renewal

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. PEPPER. Mr. Speaker, we are all deeply concerned with the problems of our urban counties and I have been especially proud of the incisive studies of these problems which have been appearing periodically in the leading daily newspaper in my area.

Last year I inserted in the RECORD several articles written by Mrs. Juanita Greene on urban affairs written for the Miami Herald. I wish to call to the attention of my colleagues at this time another series of articles by Mrs. Greene which appeared in the Miami Herald in January. I regard them as an alert and very objective survey of the urban renewal problem in a typical community. Since this kind of problem faces us in other communities throughout the land I wish to call this series to the attention of my colleagues:

[From the Miami Herald, Jan. 8, 1968]

URBAN RENEWAL: HIGH PRICE BUT SLOW GAIT

(NOTE.—Bright promises, stirring words and talk of money do not add up to urban renewal. About 2,500 people have been moved here after eight years of planning. But there has been no construction. Here is the first of a series of reports by Herald Writer Juanita Greene on the massive problems still to be overcome.)

(By Juanita Greene)

For eight years now, the bright expectations of Urban Renewal have been hovering over Dade's worst slums.

In the minds of many, this government program is expected somehow, some day, to create model neighborhoods out of urban blight, with somewhat the same prowess of Cinderella's godmother.

The magic wand is federal funds, which cover two-thirds to three-fourths of the total cost of clearing out the bad stuff, fixing up the remainder, and preparing the area for new construction.

Whether the dreams of the planners and sociologists will ever materialize is problematical, but some hard facts emerge when

Urban Renewal's first eight years are reviewed. It has:

Demolished 450 buildings, without building any new ones.

Moved 2,500 people.

Spent $9,717,000.

Laid plans for a dozen projects around the county which will cost $481 million over the next 17 years.

The only visible evidences of Urban Renewal's presence in Dade County are scattered patches of bare ground in the first renewal project in the heart of the Central Negro District.

About 80 per cent of the land for the project has been bought by the agency. The rest will be bought or condemned. Some 350 buildings remain on the site, but they are scheduled to be torn down. In the meantime they are deteriorating rapidly, though they still are at least partly occupied.

"A jungle," is the description Miami Commissioner Athalie Range gives the area. Like many, she is becoming impatient with the rate of progress.

The Metro Commission set itself up in 1959 as the local public agency to handle Urban Renewal. Five years ago it, appointed its first board and got its first planning grant, and two years later it got the money and authority to begin condemning property in its first project.

Thus far Metro has spent $867,000 in local tax funds on Urban Renewal, will spend $492,000 this year and is committed to spend at least another $492,000 on the first project.

On the same project the federal bill has run up to $8,850,000 so far, with another $2,500,000 to be spent in the future. In addition, the City of Miami is committed to install more than a million dollars worth of facilities like streets, sewers and parks in the area. Widening 20th St. will be part of its contribution.

The first project, between NW 14th and 22nd Streets from Third Ave. to the North-South Expressway right-of-way, is not a pretty sight. To date it is the only section of Dade County definitely authorized for participation in federal Urban Renewal.

The place is so dismal it doesn't even have a name, like Parkwood Terrace, or Palacial Plaza, or Villa Haven or other hopeful designations given most Urban Renewal areas around the country. It is called simply "Project Area Number One."

NEW LEADERSHIP PUSHING AHEAD

But after undergoing a sweeping reorganization last fall, Metro's Urban Renewal agency is pushing ahead with new leadership and new momentum and by spring will be opening bids on the first construction project.

It will be a small housing complex of about 50 units for low and moderate income families and is being rushed through to give the community some concrete symbol of progress.

From these small and halting beginnings, the local agency hopes to become a major force in the campaign to stop the spread of decay from neighborhood to neighborhood, to rehabilitate declining areas still worth saving, and to demolish and rebuild those which are hopelessly deteriorated.

There are only 147 acres in the first project area, and when Urban Renewal is finished with it, $14 million in government funds will have been spent there. But in another area immediately south of it, there are 173 acres for which federal funds have been released for renewal planning. The estimated $16 million needed to do the job is expected to be appropriated soon.

Aside from these two projects in the Central Negro District, nothing definite is going in Urban Renewal, despite the many plans being laid.

In the past few months, the local agency has sent applications to the Atlanta regional office to begin planning for renewal in seven other areas of the county, and soon will send at least three more.

In the meantime, building activity in these areas is expected to come to a standstill, as it already has in most of the Central Negro District. The local FHA office reports it would hesitate to approve any project inside them because of the possibility that in a few years it would be condemned and demolished as part of Urban Renewal. Some private lenders have expressed the same reservations.

BUILDING HALTS UNTIL—WHEN?

Thus until some indefinite date in the future when the applications are approved or rejected, neither government nor private enterprise is expected to be doing much in the Coconut Grove Negro areas of Miami and Coral Gables, the Negro areas in Goulds, South Miami and Hialeah, three square blocks in downtown Miami, Miami Beach south of 10th St., part of downtown Hialeah, the area east of Jackson Memorial Hospital and the Central Negro District areas near Projects One and Two.

In the only project yet approved for execution, Dade's new Urban Renewal director, Norman Watson, is straining to pick up speed. But he finds himself considerably handicapped by a people problem. There isn't enough adequate replacement housing at prices they can afford for the remaining 3,000 persons who eventually must be moved out of the area.

"Relocation is our biggest problem," said Watson.

He is committed to avoid one of the big mistakes of early Urban Renewal projects in other parts of the country. There bulldozers moved in and scattered slum dwellers to adjoining slums, which became even more crowded and more deteriorated.

The resulting complaints from Negro leaders led to the establishment of a new policy in Washington which requires that persons forced out by Urban Renewal must be provided with decent accommodations elsewhere.

But many of the families can't afford standard private accommodations and public housing, after taking in 300 families (or about 1,200 persons) from the area, is all filled up. This is partly because it also helped rehouse hundreds of the Negro poor who were displaced by the giant expressway interchange which borders Project One.

The Miami Housing Authority recently received authorization to build 5,000 additional units and funds are expected to be available soon for about half of them. But finding suitable sites and getting the units built will take time. About 100 of them already have been scheduled to go on the Project One site.

In the meantime many families are living in the Urban Renewal site in buildings which the government has purchased from private landlords. They pay reduced rents, some $30 a month or lower, because the rate is set at about 20 percent of income.

OLD BUILDINGS A BIG PROBLEM

The second big problem currently confronting Watson involves some of these buildings. The original plan for redeveloping the area called for keeping 66 of the newer and larger concrete apartment houses and rehabilitating them. Watson would rather see all or most of them demolished.

So would his boss, Haley Sofge, former director of the Miami Housing Authority who now directs Metro's new Department of Housing and Urban Development, which includes, Urban Renewal, public housing, code enforcement and other activities dealing with housing.

To tear down the buildings bought for rehabilitation would add about a half million dollars to the cost of Project One. Watson says the additional cost is justified because even after they were fixed up they would be below the standard which he hopes to have maintained in Urban Renewal projects.

Federal officials with the regional Urban Renewal office in Atlanta, however, are reluctant to go along. After considerable haggling, they have authorized the demolition of only nine. Future decisions will be based on a thorough study of each individual building.

Most of these buildings today are going from bad to worse because they contain many vacant units which are being vandalized. In the slums, no building can stand partly empty for more than a day or two before its windows are broken, doors jimmied, plumbing ripped out and walls scrawled with obsceneties. Adult hoodlums steal what can be sold and mischievous unsupervised children follow behind to complete the demolition.

Whether the buildings were unfit for rehabilitation at the time of purchase by Urban Renewal or whether they got that way because they were left unprotected from vandals is one of the questions being raised.

A final decision on whether the buildings will stay or go will have to be made before tracts of land can be offered for bid in sizes that will attract big developers. They would have to know whether they would be bidding on a site that will be completely cleared or one that includes buildings they would have to rehabilitate.

At least some of the bidders are expected to be nonprofit or limited profit corporations because the plan for Project One calls for low and middle income housing. The plan was criticized last year by the Miami Citizens Advisory Committee on Housing, on grounds it would be replacing an old low-income Negro ghetto with a new one. Urban Renewal was urged instead to plan for buildings that would provide a racial and economic "mix".

But the location of the project and the pressing need for low and moderate income housing have caused the agency to stick close to original plans, except to include public housing where none was contemplated originally.

PRIVATE BIDDERS TO DO THE MOST

Most of the redevelopment, said Watson, is to be done by private developers who are expected to take advantage of new federal housing programs and subsidies designed to provide better housing for lower income families. The local FHA office reports it is receiving a significant number of inquiries from persons interested in bidding on tracts in Project One.

These tracts, said Watson, should be large enough to allow a developer to build about 100 units at a time, because volume cuts costs. This would require offering land for sale in parcels of at least five acres. Density requirements inside Urban Renewal areas, more stringent than in those outside, allow only about 25 units an acre. There presently is no cleared area this large in Project One.

Watson's hope is that the area will be redeveloped by large builders, and he expects some of the bids to come from people outside the county. The successful bidders will not be chosen on the price offered for the land.

There will be a fixed price on that, and it will be much cheaper than land available in similar areas outside Urban Renewal boundaries. The decision on who gets to build will be made on the basis of the type of development proposed—its layout and architecture, and the amount of rent to be charged.

Making the decision will be the Metro Commission, after receiving recommendations from the Urban Renewal staff and the recently appointed seven man advisory board of Metro's "Little HUD".

The estimated $14 million cost to the taxpayer on the 147 acres in Project One is the difference between what the Urban Renewal agency will get for the land and what it costs to buy, clear and prepare it for redevelopment.

The area not only will be cleared of most structures, but its traffic pattern will be redesigned, new streets built, water and sewer facilities installed and parks and playgrounds developed.

On Project One the federal government will pick up three-fourths instead of the usual two-thirds of the cost because it was approved in 1965, when Dade was eligible for special assistance because of its high unemployment rate. The county no longer qualifies and subsequent Urban Renewal projects will get only two-thirds federal funds except those in cities like South Miami and Coral Gables which have a population of less than 50,000. There the three-fourths formula will apply.

SEVERAL BIDDERS ARE ATTRACTED

The small first development in Project One, on which bids were advertised in November, calls for developing 2.6 acres in the northwest corner of the Urban Renewal tract. Price of the land is set at 41 cents a square foot, compared with about $1.50 a square foot that would be demanded on the open market.

Despite its size limitation, Watson says the development has attracted several potential bidders who mainly are interested in showing their good faith in the Urban Renewal effort. For the first 60 days, the Urban Renewal staff will work closely with all interested developers to make sure they are qualified to bid. Then those which are qualified will be set loose on their own and allowed to bid during the last 30 days.

The winner will have available to him $25,000 a year in federal rent supplements which can be used to defray the rent of qualified low income families which he can select to live in his project.

It is through this means that families of less than moderate income will be able to move into the first development. Others will be able to move into the 100 units of public housing that will be erected on the tract and is the only other project definitely in the works.

EVENTUAL HOME FOR 1,495

Eventually Project One will be home for 1,495 families of moderate means or less, if present plans are pursued. The benefits to the families living in the area will be obvious. There will be ample landscaped, green open space, nicely paved streets with only local traffic, parks and playgrounds and an expanded and improved school.

For the remaining taxpayers who will help foot the $14 million bill, the benefits will be more social than financial. Whether the renewed area will produce more property tax revenue is questionable. To have it do so could be self-defeating because the higher the taxes, the higher the cost of housing.

Urban Renewal brings more money into municipal coffers when the cleared land is put to a higher use, as when a former slum becomes the site for luxury high rise apartment houses, or a new department store, or a new department store, or a modern factory. This has happened in many cities.

But the new emphasis on urban renewal is to provide sites for moderate income housing, and in Miami's case, that probably is the only logical use for Project One anyway.

It is not located so near the downtown business district that it would be highly desirable for commercial use, or close enough to the bay to attract high income high rises. Surrounded on all sides by slums or near slums, the site isn't exactly the hottest piece of property on the local real estate market.

There's nothing cheap about Urban Renewal. The cost of clearing out Project One and preparing it for redevelopment will amount to about $9,000 for each new family that moves in. Most of this cost went to buy the slums. There's nothing cheap about them either.

[From the Miami Herald, Jan. 9, 1968]

URBAN RENEWAL FACT OF LIFE: BIG PROFITS IN SLUM LANDS

(NOTE.—The cost of clearing and redeveloping slums is high and one big reason is the price Urban Renewal has to pay for the ghetto homes and apartments it buys. In this, the second article in a series, Herald Urban Affairs Writer Juanita Greene examines the costs.)

(By Juanita Greene)

It will cost the taxpayers at least $140,000 an acre to get Dade's first Urban Renewal area in shape for redevelopment.

If the price seems high, the principal reason is that land and buildings, no matter what their condition are not cheap in the slums. That is one of the important lessons learned not only in Dade, but in every community in the nation that has set out to fight blight.

And in most cases, Urban Renewal is offering prices that bring no argument from the property owner. Sometimes he not only gets his money back but makes a substantial profit on the sale.

Here are some of the price tags on property in Dade's only area now undergoing renewal—between NW 14th and 22nd Streets and Third Ave. and the expressway right of way.

A—$38,300 for three ancient frame tenements and two sagging duplexes squeezed on a lot 150 feet long and 52 feet wide.

B—$11,950 for a small duplex that had been damaged by fire and was condemned for demolition and a small old frame house, on a 50-by-141-foot lot.

C—$44,600 for a small five-year-old apartment building with six two-bedroom units on a 50-by-141-foot lot.

D—$404,750 for five concrete apartment buildings with 126 units built 12 years ago on a piece of ground 392-by-141-feet.

E—$5,995 for a small, old frame house on a 30-by-75-foot lot.

Human beings create the high value in the slums, by crowding tightly in buildings that crowd tightly on the land. They live all jammed up because they are poor, and can afford to pay for only a minimum amount of living space.

But a lot of people living in a little space can enhance property values. Ten families paying $50 a month rent yield the same gross income to landlords as five families in the same size building paying $100, or two paying $250.

Thus property in the slums can be as valuable as property in middle and upper income areas. Density is the reason.

In the Negro slums the problem of congestion is compounded by race, because the tenants aren't free to shop around for cheap housing outside the ghettos.

CENTRAL DISTRICT LAND IS COSTLY

For the occupied land in the heart of the Central Negro District, Urban Renewal usually pays from $1 to $1.50 a square foot.

The higher figure is the same price commanded today outside the Urban Renewal area for some of the land along Brickell Ave. zoned for high rise apartments or single family residences, or for factory sites in the Fifth Ave. garment district. For $1 a foot, land can be purchased today in industrial areas that have access to roads and city water along the Palmetto Bypass.

For the land on which the old tenements were crowded, Site A at 328–346 NW 19th St., Urban Renewal paid $1.50 a square foot, or $11,700 for the 150-by-52-foot lot.

On the site of the small new apartment building, Site C at 1931 NW Fourth Ct., the building covered only 30 per cent of the ground. Urban Renewal paid $1.25 a square foot, or $8,850 for the 141-by-50-feet parcel.

The price for the ground on which the five concrete buildings stood, Site D at 2040 to 2160 NW Third Ave., was $1.04 a square foot. The buildings covered less than 30 per cent of the plot. Total land price was $80,000 for 392-by-141-feet.

Urban Renewal had to pay even less for the land occupied by the small, old frame house at 1653 NW Fifth Ct., Site E, which was inhabited by one family. It went for $1 a foot, or $2,250 for 30-by-75-feet.

In paying for the buildings, Urban Renewal takes into consideration not only their condition, but the income they bring.

Prices paid for rental property in the Urban Renewal area run from three-and-a-half to more than six times the gross income, depending on the age of the buildings.

In the small, newer apartment building on Fourth Court, Site C, rent was $22 a week for each of the six two-bedroom units, bringing an estimated gross of about $6,300 a year. The property sold for about seven times this gross. This is top price. Cost of similar buildings going up outside the Urban Renewal area are figured at about five times the gross.

LANDLORD PROFITS HIT 25 PERCENT

In fact, the few new apartment buildings being constructed today in middle-class Negro neighborhoods are costing about $5,500 for a two-bedroom unit, not counting the land.

They are of higher quality and have more floor space than the Fourth Court building, which was built in 1962 and appraised by Urban Renewal in 1965. Yet Urban Renewal paid $5,530 a unit for the building. It was constructed at a cost of $3,750 a unit.

Thus the transaction indicates that a profit of $1,780 a unit, or $10,680, was made by the owners. On the $44,600 deal, that comes to almost 25 per cent profit.

The big project of five concrete buildings, Site D, which went in one of the biggest sales to Urban Renewal, was bringing the owner an estimated gross income of $79,000 a year. Rents ran $11.50 a week for 18 efficiencies, $14.50 for 90 one-bedroom units and $18.50 for 18 two-bedroom units.

For the property, Urban Renewal paid about five times the gross.

For the buildings without the land the price came to $2,400 a unit. When constructed about 12 years ago, the cost of such buildings was running about $2,800 a unit.

So the owner didn't get back what he put in it, but he got income and depreciation on the building for 12 years.

The old tenement property, Site A, housed 16 families who paid about $9,000 a year in rent—$10 a week for the apartment and $15 for the duplex units. The purchase price came to about four times the gross.

At least 40 years old, this property was paid for long ago and had remained in the same family. It was built under minimal code requirements at a time of cheap construction.

Originally, the units rented for $2 a week. The five times rise in gross income over the years was not matched by a five times outlay on the building, though inside bathrooms were installed about 15 years ago.

SLUM BUILDINGS HAVE BIG VALUE

It is on this type property that the owners make the largest return and get the biggest profit on the sale to Urban Renewal. After realizing income on the land for 40 years, the owner got $38,300 from the taxpayers for it in the government's campaign to fight blight. The buildings, went for $22,300, or about $1,700 a unit.

Thus because it had slums standing on it the property was worth almost three times what the bare ground would have cost.

As Secretary Robert Weaver of the U.S. Department of Housing and Urban Development testified recently:

"Land and buildings in slum and blighted areas, despite their defects, generally have a far higher market value than the land alone after the buildings have been demolished."

The burned out duplex, Site B, long un-

occupied, had been ordered demolished by the City of Miami but was still standing when Urban Renewal came around. This enabled the owner to get a higher price for the property, and also to shift the cost of demolition to the taxpayer.

On this site, the duplex and the tiny single family frame shack sold for $3,105, or $1,050 a unit. That would make the duplex worth $2,100, which was the owner's reward for ignoring the demolition order.

In purchasing property, Urban Renewal is committed by law to pay the fair market value. The price it offers is arrived at after the property is appraised by two outside experts who make independent studies and recommendations.

These are reviewed by a staff appraiser from the Atlanta office and Edward Regan, appraiser for the local agency. The offer can not be lower than the lowest appraisal or higher than the highest. If an owner is not satisfied, he can go to court and get a jury decision, with Urban Renewal paying all the legal costs.

URBAN RENEWAL OFFERS BONUS

But of the more than 400 cases already handled, only six have wound up in court, because Urban Renewal offers not only fair market value but a bonus to settle without litigation. This bonus amounts to 10 per cent of the first $10,000 and five per cent of the remainder.

It was $19,750 on the sale of the five concrete buildings on Site D; $2,600 on the small, newer building on Site C; $2,300 on the old tenements on Site A and $545 on the old single family house, Site E.

Average return on income property in the Urban Renewal area runs 12 to 15 per cent, which is what most real estate investors expect to get in any area.

However, actual dollar profit on the property often amounts to more than the reported return because of depreciation. For income tax purposes the owner can write it off as expense, but in reality he is able to put it in his pocket.

Another interesting fact turned up by Urban Renewal's buying program is that, contrary to general belief, the Central Negro District was contributing a substantial amount of tax revenue to local government.

According to Charles Kimball, economist for the Greater Miami Society of Real Estate Appraisers, the assessed value on apartments in the Urban Renewal area comes closer to matching the purchase price than in any other part of the country.

OLDER PROPERTY GETS TAX BREAK

In city and county taxes that year the owner, Francis P. Chalmers of Jacksonville, paid $14,941 on the property. That came to $118 a unit.

He found that many properties in the Central Negro District were assessed at from 95 to 100 per cent of what Urban Renewal paid for them, while the average for all other apartments in Dade County was 72 per cent of sales price.

Thus the apartments in the lower income Negro areas pay proportionately more taxes than anywhere else. The cost, of course, like all expenses, is passed on to the tenant.

The big five-building project, Site D, for example, was assessed by the county in 1965 at $381,000. Urban Renewal paid $385,000 for it, not counting the bonus.

County assessment on the newer building, Site C, was $36,400. Urban Renewal bought it for $42,000 plus bonus. The owners, Mike Ackerman, Morris Blitz and Sidney Blum, all of Miami Beach, paid $1,193 in local property taxes. That came to $198 a unit.

Typically, the older property got a better break on taxes. The 19th St. tenements (Site A) owned by Reba Engler Daner, 303 E. San Marco Dr., Miami Beach, were assessed by the county at $20,600 but Urban Renewal paid $36,000 plus bonus for them. Taxes amounted to $826, or $59 a unit. On the burned out duplex and single family shack (Site B), also owned by Mrs. Daner, taxes in 1964 were $259.

The old house on Fifth Court (Site E) was assessed at $2,900, sold for $5,450 plus bonus, and paid no taxes at all because it was occupied by its owner, Lenora Payne, who qualified for homestead exemption.

In total, Urban Renewal will spend about $12.5 million for property purchases in its first project. It will get back some of this money when it resells most of the land to private developers at a substantial write down.

The difference between what the land cost to buy and clear and what it will be sold for will be absorbed by the taxpayers, with the federal government paying three-fourths and local government one fourth of the cost.

The public's bill for the project which includes preparing the site for redevelopment, will be about $14 million. It covers 147 acres, but about 50 of them were cleared by the State Road Dept. and will be used for expressway purposes.

Almost all the buildings in the project will be demolished, including the newer ones that were in good condition when purchased, like Site C, and those in fair condition which were originally scheduled to be rehabilitated, like some of the concrete buildings in Site D.

[From the Miami Herald, Jan. 10, 1968]

LITTLE ACTION ON URBAN RENEWAL: WHERE THEY WAIT IN HOPE AND ANGER

(NOTE.—Progress in Urban Renewal is considered "dependent on expeditious relocation of families." A deterrent factor is the lack of available housing units, as explained by Juanita Greene, Herald urban affairs writer in this third article of a series.)

(By Juanita Greene)

In the Urban Renewal area, the people wait.

And wait and wait.

They wait in patient hope, or apathy, or despair or anger. Much of the attitude depends on their financial circumstances.

Mrs. Mary Smith (not her real name) figures she might as well be patient. She still lives in the same one-bedroom apartment she has occupied for several years at 444 NW 17th St.

About a year ago Metro's Urban Renewal agency bought the building. Her rent went down from $70 to $25 a month.

But the neighborhood, too, went down, as people began to move out and vandals attacked the empty or near-empty buildings.

The apartment next to hers has been vacant since July. There's a desolate atmosphere about the half-empty buildings that remain in the half-empty neighborhoods.

Down the street last week another big crane moved in to knock down another big building, extending the bare dirt prairies that dot Dade's only Urban Renewal project area now in execution—in the Central Negro District between NW 14 and 22nd Streets and Third Ave., and the expressway.

Mrs. Smith wonders when she will have to move. So do the Metro Urban Renewal officials. Her building is one that was bought for rehabilitation. But the Urban Renewal agency now would like to tear it down. Either way, she'll eventually have to leave.

"I'd like to go into a project," said Mrs. Smith, "because they are spacious."

By project, she means public housing. She and 545 other families still in the area are eligible for it. Another 324 families—about half of those who have left—have already been moved into the new projects in the Liberty City-Brownsville area.

Metros' Urban Renewal agency would like to delay relocation of families like Mrs. Smith's until they can be moved into the subsidized housing. But more units will have to be constructed first.

Across the street, Mrs. Maggie Brown (not her real name either) fumes.

"All I want is a decent place to live where I won't be scared," she said.

WANTS TO STAY DESPITE CRIME

Crime in the neighborhood, she reported, has risen sharply in the past two years. Yet she would like to stay downtown, because transportation facilities are better.

"They say they are going to rebuild in the places that have been torn down," she said, "And I'd like to move in one of the new places."

Up to now, however, nothing new has been built on the Urban Renewal land, which still is being cleared for redevelopment. The first small project is expected to begin later this year.

Mrs. Brown's rent, also has been reduced—from $60 to $26 a month.

In the next building, on Fourth Ct., a mother of three lives in a building not yet purchased by Urban Renewal. She still pays $15 a week rent to a private landlord for her one-bedroom apartment. She expressed little curiosity or concern about eventually having to move.

"I'd like to stay overtown," she said, referring to the Central Negro District.

Unlike most of the more than 3,000 remaining inhabitants in Project One, Ferris Rhodes set out to find out all he could about Urban Renewal.

His study left him unhappy and frustrated.

HE OPERATES BARBERSHOP

"It seems like the residents in the area who pay taxes and own property are the only ones that are going to get hurt," he said.

Rhodes operates a one-chair barber shop at 316 NW 16th St. He moved into the Central Negro District about 30 years ago, when there were no paved streets and few other city services.

Year by year, he made and saw progress. He got his home paid for, put two boys through college and has a year to go on the third. He joined groups that pressured the city to pave the street, put in sidewalks, drainage and street lights.

"I wouldn't feel so well about leaving," he said, "I've been part of this neighborhood for 30 years."

He acknowledged that the CND has decayed. For that he put much of the blame on the city, for allowing outside investors to move in and build the giant "concrete monsters" which overcrowded the land, for refusing to make absentee landlords keep the old frame rental property in good repair, and for providing what he called inferior services to the area.

"I'm not trying to stop progress," said the elderly but alert barber. "What I'm asking is that we people who have lived so long in the area be allowed to play a part in the redevelopment.

On the street, in addition to Rhodes' barber shop, is his well kept CBS bungalow and five frame houses occupied by relatives or in-laws.

"Our property may not be up to standard," said Rhodes, "but it is not a slum."

He proposed that he and his family be given help by Urban Renewal in bringing it up to standard, or be allowed to rebuild on the site in accordance with the overall renewal plan and with financial assistance from one of the new federal housing programs.

SELLING OUT UNSATISFACTORY

Merely paying him off and sending him elsewhere will not make him happy, said Rhodes.

"We'd have to move to another slum area," he said.

On his barber shop, he said, he pays only $25 a month. To rent space elsewhere, he found, would cost $60 to $75 a month.

For years now, Rhodes has been going to

neighborhood meetings about Urban Renewal, calling on officials, writing letters and trying to organize other property owners. He even went to Washington and tried without success to see Robert Weaver, secretary of the U.S. Department of Housing and Urban Development (HUD). In the course of his campaign he also had to call on his doctor.

"I was worried to death and was suffering nervous tension."

The new director of the Dade renewal program, Norman Watson, has given Rhodes a sympathetic ear, but still no promises that he will be able to stay or play a part in the redevelopment.

The Urban Renewal plan for Project One calls for the 96 acres to be redeveloped in large tracts of multi-family housing for middle- and low-income groups. There may be some townhouses and condominiums that will be sold to people who would rather own than rent.

"After all this time," complained Rhodes, "I still don't know what is going to happen."

Among the former property owners who have already moved out of the Urban Renewal area is a woman whose small frame home was purchased for $5,500. That wasn't enough to enable her to buy another home outside the Urban Renewal area and she and her children now live in public housing.

A FEW HAVE BOUGHT HOMES

A few of the displaced families, however, have been able to buy their own homes with "221" certificates obtained from the local Federal Housing Administration office.

It enables them to purchase a home valued up to $15,000 for only $200 down, under a long-term mortgage which keeps the monthly payments low. FHA reports it has issued about 1,000 of these certificates over the last five years.

But most of them went to families displaced not by Urban Renewal but by the expressway, and very little about the program is heard in the Urban Renewal area.

Though the first steps toward Urban renewal were taken here about eight years ago and project One was authorized for execution in 1965, it is not behind schedule, Watson says.

Whether it can stay on schedule and finish by 1970, however, depends in part on how much acceptable relocation housing becomes available outside the project area for people still living there.

In its year-end report on the status of activities, Metro's new Department of Housing and Urban Development (little HUD), which is directing the Urban Renewal program, reports:

"To a great extent, progress in all phases of Urban Renewal is dependent on our expeditious relocation of families . . . One of the deterrent factors in relocating efficiency is the lack of available housing units.

"The supply of permanent and temporary housing is virtually exhausted. Until community resources produce additional housing, Urban Renewal progress will be slowed."

Private enterprise today is building virtually no low-income rental housing, except for a few projects which will be subsidized by rent supplement or below market interest rate FHA programs.

MORE HOUSING BEING PLANNED

There are plans for building, 2,000 additional public housing units, most of them outside the Urban Renewal area. Though their availability is months and years away, they will go principally to families displaced by Urban Renewal, including the 545 still waiting in Project One.

Pointing out that more than 50 per cent of the families already relocated have gone into public housing, the Little HUD report added:

"This appears to be one of the largest percentages of transfers to public housing achieved by any Urban Renewal program in the country."

The current emphasis on what happens to the pepole in the Urban Renewal area is the result of national reaction against earlier projects in other parts of the country. There families were moved out with little concern given to where they would go.

The new philosophy, heartily embraced by Metro's Little HUD, is to try to help the residents with not only their housing problems but other problems as well.

As it begins planning for the second Urban Renewal project, immediately south of the first, the local agency is making a socio-economic survey of the inhabitants. It is doing the same with those remaining in Project One.

"The information gathered," reports Little HUD, "will enable the staff to go to the various social service agencies, show them the workload and ask for greater coordination in meeting the needs."

This essentially is what the local poverty program, Economic Opportunity Program, Inc., is supposed to be doing in the slums. So Little HUD will attempt to work with EOPI to "avoid duplication and increase efficiency."

ALL AGENCIES CONSOLIDATED

The establishment of Little HUD by Metro last year put under one department all Urban Renewal, public housing and code enforcement activities, with Haley Sofge as director and Watson as deputy director in charge of Urban Renewal. Sofge formerly was director of the Miami Public Housing Authority, whose activities are being transferred to Little HUD.

The consolidation of housing functions enables Urban Renewal to distribute a pamphlet to residents in Project Area One which reads:

"If you want to know more about public housing, call or visit the Urban Renewal people, don't judge whether you are eligible for public housing by what happened to a friend or neighbor. Call 377-5191 or come to 421 N.W. 19th St. and talk to the Urban Renewal people. They are there to help you."

In the Project Two area, where activity is just beginning, another pamphlet is being distributed which reads:

"Very soon you and the other residents of your neighborhood, along with the Urban Renewal people, will begin the planning stage. It will be some time, though, before the other stages begin."

[From the Miami Herald, Jan. 11, 1968]

WHAT WILL CITY'S FACELIFTING LOOK LIKE?

(NOTE.—Despite the millions of dollars being spent, Dade's first urban renewal project may not provide the taxpayers with an immediate financial return. In the last of a series of articles, Herald Urban Affairs Writer Juanita Greene explains why, and what benefits are expected.)

(By Juanita Greene)

After all the dust is settled and the money spent, what will Dade County have to show for its first Urban Renewal project?

It will, if the project is completed as planned, bring to the community a 50-block neighborhood of decent, safe, attractive housing occupied by low and moderate income families, on a site where once stood some of the worst slums in the county.

Most of the buildings would be "garden type" apartment houses, though some town houses also are on the planning sketch.

Some of the housing will be public housing. But most would be owned by private enterprise, which would rent not only to middle income families but to the poorer ones who would be getting subsidies through new FHA programs.

In social terms, few are expected to argue with the results as planned. The knowledge that Urban Renewal is out there doing something in the slums already has tended to salve the community conscience about housing for the poor.

In economic terms, the benefits gained in comparison to the money spent will be debated for a long time. The argument won't be settled until the project is completed and operating.

What is known today is that to clear out the slums and prepare the land for private and public development will cost the taxpayer $14 million, with three-fourths of that coming from the federal government.

In many Urban Renewal projects around the country, the increased property tax revenue from new developments built on the cleared land has eventually written off all the public cost.

Whether that will happen here is not certain, though Urban Renewal Director Norman Watson is convinced that it will, especially if all costs and benefits are counted.

HOW MUCH REVENUE?

Two factors raise doubts. The slum area being cleared produces more property tax revenue than many slum areas around the country. This is partly due to the fact that many new buildings, known as concrete monsters" were erected there for low income tenants after World War II.

Because of tax reassessment, they are on the tax rolls at very close to real value. Nobody knows how much revenue local government was collecting from the project area before renewal. It is something the Urban Renewal agency will attempt to determine soon. An educated guess puts it at $250,000 a year.

Whether, when fully redeveloped, the area will produce the same amount won't be known until then. Redevelopment plans call for expanding the amount of public owned nontaxable land in the area—in parks, playgrounds, larger school sites and public housing sites.

Low density moderate and low income housing does not produce the revenue realized from luxury high rises or commercial buildings, which have replaced the slums in many Urban Renewal projects around the nation.

Even with moderate income housing, Watson believes, the taxpayer won't lose because if nothing else, increased construction cost will bring the new housing up to the value of the old. And, he estimated, no more than 40 per cent of the property will be off the roll at one time.

While buying on one end, Urban Renewal will be selling at the other, beginning next month when bids will be opened on the first 2.66 acres.

Into the savings realized by the taxpayer, said Watson, should be figured the reduced cost of police and fire protection and other public services for the area. Nationally, he said, for every $1 in tax revenue taken out of the slums, government must pay from $7 to $10 for services. What the local figures are, nobody knows.

Another benefit that should be figured in, Watson added, is the better housing provided outside the Urban Renewal area for the former slum residents. More than half, he pointed out, have gone into public housing. That, of course, adds something to the cost side, too.

SOME LESSONS ARE APPARENT

Probably the greatest contribution Project One will make to the community will be the lessons learned from it. In Dade there are many more slums and declining neighborhoods that need and will be receiving attention.

Some of the lessons already are becoming apparent.

Among them is the realization that large-scale clearance, as that done in Project One, may not be the best answer to removing blight. It takes an agonizingly long time, is costly, and destroys an area's social fabric.

This is true not only in Miami's Central

Negro District but in all similar projects nationwide. The long wait from beginning to end, for example, raises howls everywhere.

At the Washington level, large-scale clearance already has been rejected as the principal tool of Urban Renewal. The emphasis today, according to Secretary Robert Weaver of the Department of Housing and Urban Development, is to make maximum use of rehabilitation, with spot clearance only in the worst areas.

Yet in planning for Urban Renewal in other areas of Dade County, the Metro agency still envisions extensive clearance in some of them, especially Coconut Grove.

Here the tentative plans are to tear down everything on 250 acres, virtually the entire Negro area, and rebuild anew with residential buildings. Yet the Grove has a high ratio of home ownership—about 40 per cent. These small property owners, along with the tenants who live in old and new apartment buildings, would have to move.

The South Miami Negro area, also with a higher percentage of home ownership, is another area where extensive clearance is planned.

By contrast, the second proposed renewal project in the Central Negro District is to be only about half cleared. In Project One, the only program now in execution, 70 of the 96 acres originally were scheduled for clearance. But since then Urban Renewal has decided to tear down many of the 66 concrete apartment buildings that were scheduled to remain and be rehabilitated.

A SUBSIDY IS NEEDED

Another lesson learned is that to provide decent housing for even moderate income families requires some form of public subsidy. It can be provided through public housing, rent supplements, subsidized interest rates, a write-down on the land, tax abatement or some means yet undevised.

The issue left for the community to decide, if it commits itself to adequately housing the poor and the near-poor, is which method or combination of them should be pursued. Up to now the main thrust has been toward public housing.

Even by getting the land cheap, private builders in the Urban Renewal area will have to charge at least $70 a month rent unless they get some additional subsidy. And most residents of the Central Negro District can't afford this much.

It has also become apparent that density compounds the slum problem and puts a premium price on slum clearance. In the Urban Renewal areas the costly sin of allowing the land to become overcrowded will not be repeated.

Yet in neighborhoods outside Urban Renewal areas the sin is committed every day. Under private development today are apartment house neighborhoods that in a few years will qualify for Urban Renewal because overcrowding and lack of adequate parking space will turn them into slums.

Which brings up another lesson, emphasized by Watson.

Urban Renewal is nothing but an administrative tool to carry out a community plan. The people themselves have to decide the goals for their city.

That Metro's new Department of Housing and Urban Development is capable of making sweeping suggestions, however, is found in the fact that it has, since its creation last year, sent up a barrage of new applications to the Atlanta office of the Federal Housing and Urban Development Department. Even if there were funds to grant them all, the projects would not all be completed for at least 17 years.

DADE LATE IN STARTING

Because it has legal problems to overcome, Dade County was late in getting started on Urban Renewal. The Florida Supreme Court finally decreed that it was legal to carry out Urban Renewal to clear slums, but so far it has remained silent on whether the program can be extended to areas that are not slums but suffer from blight.

The broader interpretation would be needed for Metro to go ahead on one of its applications—for clearing out three blocks of downtown for a junior college site.

It is the question of legality that has kept Urban Renewal out of downtown Miami up to now. Yet, as other cities have proved, Urban Renewal can operate effectively and sometimes profitably in the rebuilding of downtowns.

Pittsburgh, Philadelphia, Hartford and many other cities have made startling changes in their central business districts with the help of Urban Renewal. What makes it so valuable in these areas is its power of eminent domain, which enables government to assemble large tracts of land for private redevelopment.

In Dade, all the proposed Urban Renewal projects call for tearing down slums and replacing them with new housing, except in the Miami central business district.

Despite the many applications for it, Urban Renewal will not be the only tool used locally to clear slums and blight.

To be uplifted under a new federal program—Model Cities—are the nine square miles between NW 36th and 79th Streets and NW Seventh Ave. and the Hialeah city limits.

Here there will be not much clearance but considerable rehabilitation. The aim of Model Cities is to encourage government to coordinate all programs to improve housing and help the underprivileged so that physical and social problems can be treated together.

It is considered by many as the next step up from Urban Renewal, being more comprehensive, less disruptive and hopefully, less costly.

PUBLIC HOUSING MAKES STRIDES

Another program bearing down on the local slum problem is public housing, which at the national level has been injected with new concepts and new life, and on the local level has long been vigorously pursued.

It is not a part of Urban Renewal or Model Cities but will coordinate its efforts with these programs, now that all are under Metro's Little HUD.

Outside Little HUD, the agency that will be playing an increasingly meaningful role in the low and moderate income housing picture is the FHA.

It will administer the new subsidy housing programs which are supposed to encourage private enterprise and nonprofit corporations to go into the lower income housing field, both inside and outside the Urban Renewal areas.

RENEWAL PROJECTS: LOCATION AND COST

In execution

Project Area 1: Miami Central Negro District NW 14th to 22nd Sts. Third Ave. to Expressway; acres, 96; estimated cost, $14,000,000.

Planning funds granted

Project Area 2: Miami Central Negro District NW Fifth to 14th Sts. Third to Seventh Avenues; acres, 186; estimated cost, $16,000,000.

Planning funds applied for

Coconut Grove: Miami From U.S. 1 and Bird Ave. south to Marler Ave., roughly between Brooker and McDonald Streets; acres 206; estimated cost, $32,000,000.

Coconut Grove: Coral Gables East of U.S. 1 and LeJeune Rd. to Miami city limits, from Brooker to Loquat; acres 47; estimated cost $6,500,000.

South Miami: Part of area east of 62nd Ave. to Red Rd. and U.S. 1; 115 acres; estimated cost, $7,000,000.

Goulds: Most of area east of U.S. 1 between 213th and 222nd Streets; 162 acres; estimated cost, $3,500,000.

Downtown Mia: NE Second to Fifth Streets First to Second Avenues; 11 acres, estimated cost, $9,500,000.

Jackson Hos. Ar.: Tenth Ave. to Seaboard railroad, 20th St. south to expressway; 64 acres, estimated cost, $10,000,000.

Hialeah: Downtown. Most of area from West First to East Second Avenues between First and Ninth Streets; 100 acres, estimated cost, $3,000,000.

Feasibility grant applied for

Miami Beach: Everything south of 10th St.; 287 acres; estimated cost, unknown.

Planning grants to be applied for

Project Area 3: Miami Central Negro District NW 22nd to 29th Sts. Third to Seventh Ave. and 20th to 29th Streets Third Ave. to FEC railroad; 278 acres, estimated cost, $18,000,000.

Project Area 4: Miami Central Negro District 14th to 20th Streets FEC Railway to Third Ave. and Fifth to 14th Streets First to Third Avenues; 178 acres; estimated cost, $24,000,000.

Hialeah: Seminola, Negro community. Boundaries still undetermined; estimated cost, $4,200,000.

Other Federal programs

Model Cities: NW 36th to 79th Streets, Expressway to Hialeah, received for planning social and physical uplift; estimated cost, $268,000.

Community Renewal Plan: All Dade except Miami; applied for; estimated cost, $800,000.

Demonstration grant: For portable relocation housing; applied for; estimated cost, $600,000.

Senator Bourke B. Hickenlooper

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. SCHWENGEL. Mr. Speaker, this year, Senator BOURKE B. HICKENLOOPER is retiring after 34 years as a public official. He has served the State of Iowa with distinction.

"HICK," as he is called by his Iowa friends, has served 24 years in the Senate. We will miss his leadership when he retires, but his advice and counsel will still be sought.

An indication of the esteem and high regard held for Senator HICKENLOOPER by his fellow Iowans was the following editorial broadcast by radio station WHO:

SENATOR BOURKE B. HICKENLOOPER

We'd like to add our tribute to the many being given Iowa Senator Bourke B. Hickenlooper, and we're confident independents and members of both parties will join with us. In one sense, Iowans have been paying tribute to this man by electing and re-electing him to office. Since January 1st, 1935, the record of Bourke B. Hickenlooper includes four years as State Representative, four years as Lt. Governor of Iowa, two years as Governor, and 24 years in the U.S. Senate. In the Senate, he is the ranking Republican of the Foreign Relations Committee, and is Chairman of the Republican Policy Committee. He did not stay in public office and reach such a position of influence by always trying to say the popular thing. At times, he bluntly told people things they didn't want to hear. That is one of the characteristics which made him so valuable to the Nation. Throughout his many years of

public service, he has acted with integrity and dignity, and has brought honor to the State. The people of Iowa and the Nation owe him their thanks.

Unions Could Take Over Our Farms

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. ASHBROOK. Mr. Speaker, legislation is now pending in the House Rules Committee which, if enacted, would have drastic effects on American farmers, large and small. In addition, the repercussions would be felt by farmworkers and consumers.

The legislation, H.R. 16014, would permit the unionizing of farmworkers under extension of the National Labor Relations Act.

The bill has been discussed both in and out of the House Education and Labor Committee for well over a year and the many major disadvantages of it still demand a resounding defeat when and if it comes up for a vote.

Farmers who are already under the gun because of Government meddling in agriculture would be in even worse straits if this bill became law.

The farmer is nearly unique in that he cannot survive delays, especially at harvestime. For most, these critical days mean the difference between a successful year and bankruptcy. Is it only logical that with union workers in his employ, this would be the prime season for a strike, and the farmer would either give in to the union demands or lose his crop?

With the small margin between costs of operation and income, how many farmers could afford to invest time and money and effort into a crop only to see it rot in the field because farmworkers struck.

The farmer facing the threat of union pressure would almost certainly make every attempt to further mechanize his operation and in so doing would force an even greater rate of increase in the numbers of unemployed farmworkers. Thus, the farmer would face financial problems regardless of which way he turned. Men who are even now living virtually without wages and merely on the return of their investment would be confronted with either investing in more machinery or facing union demands.

With other pressures already at work to the extent that the number of farmers in the United States is less than half what it was 20 years ago, the consequences of such dilemma can only be imagined. And add to his problems the fact that farm parity prices are the lowest in over 30 years.

The future of the farmworker also should be considered. Already pressed by the decrease in the number of farms, mechanization, and a swelling of urban areas into area that was once farmland, he will, under the effects of this bill, become the shuttlecock in the union-controlled game of "grab the power."

The consumer and persons working in allied industries would also experience the disaster this legislation would release. Greater costs to the farmer can only mean greater costs to the shopper when she visits the supermarket and for the food processor, distributor, and retailer.

This bill fails to recognize the unique position of the American farmer, a position which prompted the House Agriculture Committee to adopt a formal resolution calling for the defeat of the bill in committee.

I introduce at this point a more detailed discussion of the effects of H.R. 16014 consisting of the additional minority views of several members of the House Education and Labor Committee.

These remarks deal with the consequences of the bill in greater detail and also treat the dangerously fallacious argument that only the larger farmer will be affected.

The information referred to above follows:

SEPARATE MINORITY VIEWS ON H.R. 16014

The enactment of the committee bill would adversely affect the interests of farmers, farmworkers, and consumers.

The farmer is uniquely vulnerable to strikes and labor disputes. Unlike most businesses, a farmer cannot close down his farm and sit out a strike. A farm must be operated every day, particularly if the farmer is engaged in the production of fruits, or vegetables, or milk, or other perishable products.

In the case of a dairy farm, cows must be milked twice a day. If they are not milked their udders "cake up," physiological damage is done to the milk production system, and the cow is irreparably ruined for milk production in the future.

Fruits, vegetables, and other perishable crops must be harvested on a timely basis. A delay of even a few days will result in crop losses and a decline in quality. If a farmer is not able to get his crops harvested, he very likely is bankrupt. Not only would he have no income for the year, but he would lose a capital investment of hundreds of dollars an acre, often borrowed money, which he has invested in planting, cultivating, fertilizing, spraying, and other operations, prior to harvest.

Under these circumstances most farmers could not stand a strike at harvest time. It is, of course, at harvest time that a strike could be expected, because at other times of the year farmers are not employing workers or are employing a comparatively small number of workers.

Thus a strike at harvest time creates an impossible situation for a farmer. He would be under terrific economic pressure to accede to demands made upon him by a union, no matter how unreasonable, capricious, or arbitrary such demands might be.

Thus, no other group of employers can be harmed as much as farmers can be harmed by a strike at harvest time. Even a processor who buys and processes perishable farm products, almost invariably has a contract provision permitting him to refuse delivery in the event of a strike in his plant. In these cases too, the loss is borne by the farmer.

Another problem of farmers if the bill were enacted is the question of legal counsel. Most manufacturing and commercial businesses have found it necessary to employ attorneys specializing in labor law to counsel them prior to and during the course of negotiations, or in any labor dispute where a strike, or picketing or boycotts or other activities are involved, and in relationships with the National Labor Management Relations Board. This is an extremely complex area of law and only an attorney who is familiar with all the latest interpretations of the law, NLRB decisions and court cases, is in a position to provide the employer with reliable counsel as to his status, activities, and relationships. Such attorneys are scarce, and they command substantial fees. In many rural areas it would be difficult to find an attorney qualified by experience to provide adequate counsel to farmers. In any event this would impose a heavy burden on farmers they are not in most cases able to finance.

Now let us look at the economic situation of farmers at a time when the additional burdens and costs resulting from the enactment of the committee bill would be placed on their shoulders.

In 1967 the prices received by farmers, in terms of parity relationships, were the lowest since 1934, at the depth of the depression.

In 1967, and the data used here is from table B–77 of the 1968 Economic Report of the President, the realized gross cash receipts from farm marketings were $42.5 billion. This is not the gross income of farmers because it does not include such items as the rental value of farm residences, the value of food and fuel produced and consumed on the farm, earnings from outside employment, and Government payments. But the $42.5 billion is the amount of money farm operators received from their farming business. The cost of producing farm products in 1967 is reported from the same source, as $34.4 billion. If we deduct the total costs of farm production from the total cash receipts for the sale of farm products, the net operating revenue in 1967 was only $8.1 billion. This is the total for over 3 million farmers.

In table B–82 of the same publication, it is reported that the total indebtedness of farmers as of January 1, 1968, was $49.9 billion. This compares with farm indebtedness as of January 1, 1950, of $12.4 billion.

Since 1950, the farm population has declined from 23,048,000 to 11 million. Anyone from an agricultural area knows that many additional farmers are being squeezed out by rising costs and declining prices.

In 1967, net farm incomes declined 11.3 percent, but farmworker wages increased 8.7 percent. (P. 109 of the Economic Report of the President.)

By any measure selected, earnings on investment in farming are lower than for investment in any other industry. In fact, if you assume a reasonable labor return for farmers, the income from investment in agriculture would be zero.

We know that farm wages are not as high as in industry and not as high as we could hope that they were. Almost all farmers would agree with this.

But the reason they are low is that farm incomes are low. Farmers simply do not have the earnings to pay higher wages. If it were not for this fact, competition would force farm wages up more rapidly. The margin between farm revenues and costs is narrow. Many farmers don't have any margin at all. Yet, if the committee bill were to be enacted, it is clear that unions would try to extract a larger percentage of the excessively low margins of farm operators, with disastrous consequences to farmers.

Now let us look at the impact the enactment of the bill would have on the people it is intended to benefit, the farmworkers.

The real problem of farmworkers in most areas is that they don't have enough days of employment per year. As a result of the termination of the bracero program and the extension of minimum wage legislation to farmers (whatever the merits of such legislation may be) and rising farm wage rates, farmer employers have accelerated their purchase of improved farm machinery and other

improved technological processes, and have reduced the employment of hired labor. Here are the figures for the past 4 years:

Hired farm labor annual basis

1964	1,604,000
1965	1,482,000
1966	1,360,000
1967	1,256,000

Source: "Farm Labor" reports, USDA.

Since the full impact of the minimum wage coverage of farmworkers is yet to be felt, further substantial reduction in employment of farmworkers is inevitable in 1968 and 1969, even if the committee bill were not enacted.

But the enactment of the bill would tremendously accelerate this disemployment of farmworkers. It would result in more unemployment of farmworkers because farmers would be provided two substantial additional incentives to reduce employment by the purchase of labor-saving machinery and equipment and other adjustments, as follows:

1. Most farmers would expect, as a result of the enactment of the bill, that their wage rates in the future would be higher.

2. Most farmers would expect, as a result of the enactment of the bill, that they would have more labor disputes in the future, and that it is, therefore, imperative for them to take such action as they can to eliminate or reduce their vulnerability to such disputes.

Now, we are told that the reduction in hired farm employment would occur anyhow because of mechanization of farm operations. This argument fatally confuses cause and effect. Mechanization is an extremely expensive process, requiring heavy investment of hard-to-come-by capital. Farmers don't mechanize their operations unless they reach the conclusion that this is imperative to adjust to the situation they are in or expect to be in. The enactment of the committee bill would create tremendous pressures to accelerate farm mechanization.

The advocates of this bill should answer these questions: What is to happen to the many thousands of farmworkers who would be disemployed as a result of its enactment? What will they do? Where will they go? Will they flock into city slums to increase the relief and poverty problems of such areas? Unfortunately, most of the workers involved are not qualified by education, skills, or inborn or acquired qualifications, to find employment in industry or commerce.

Now, we come to the consumer. The immediate adverse impact of the bill will be on farmers and farmworkers. But the secondary impact will be on consumers. We don't pretend to know how much food prices may be increased as a result of this bill. But the resultant increased costs, particularly if accompanied by labor disputes, conflicts and strikes, will be to increase consumer prices of those products in the production of which substantial numbers of workers are engaged.

We would now like to deal with the most important factor relating to the bill. The bill has been allegedly been amended to limit coverage to large farmers. This is a trap that those of us who are interested in the welfare of agriculture should avoid.

The bill does not actually eliminate by this exemption, the impact of farm unionization on smaller farmers.

If a farm labor union is able to organize the larger farmers in an area, the union will have created an economic base—a headquarters, a staff, money, and organization. From this base it can effectively operate to unionize smaller farmers. By strikes, boycotts, picketing, and by harassment of the workers of the small farmer, it can be expected that small farmers, vulnerable as they are, would capitulate. The union could divert workers from the unorganized farms to the organized farms. Whatever concessions the union was able to extract from the organized farmer, the unorganized farmer would have, in fact, to match.

So we should not be confused. The exemption in the bill for small farmers will not really exempt them. What the bill would do would be to provide a vehicle whereby farming as an industry, particularly for those commodities and areas where substantial numbers of farmworkers are employed, would be unionized top to bottom. Of course, this would not happen overnight. But in time that would be the result.

We should also recognize that whatever may be in the bill as reported, that the Senate may well have a different version, and that what might emerge from conference may not resemble the bill as reported.

The brevity of this bill may deceptively conceal the magnitude of the problems involved. To begin with, no consideration has been given to the question of how well the NLRB has been doing in carrying out its responsibilities under existing law. At a time when there is widespread support for consideration of legislation to replace the NLRB with a court, it seems highly questionable to place upon it new responsibilities.

The bill before us ignores the wide differences in labor management relations which, of necessity, exist between the varying types of farm production situations.

As it relates to manufacturing, the National Labor Relations Act establishes the rights and responsibilities of both employer and union in collective bargaining and establishes the procedures whereby employees may select or reject unions to represent them.

Consider the plight of the producer of the time-sensitive crop. A strike is called at harvesttime and he has no alternative but to capitulate to union demands, no matter how unreasonable they may be. I submit this farmer could not receive the legal protection that the NLRB is supposed to provide for him as an employer. To receive these protections, he must be provided with a system which will dispense instantaneous and final justice.

The NLRB regional offices set up throughout the United States are hundreds of miles from potential labor disputes. The system is accustomed to the resolution of disputes over periods of weeks or months, not days or hours.

Neither the Education and Labor Committee nor the Congress have given consideration to the multitude of other problems which would be created by the enactment of this legislation. Are we to involve teenage, summer help, in compulsory collective bargaining? In determining the makeup of a bargaining unit, how do you treat the temporary or part-time employees? Or the man who works for one farmer one week, and another the next? Another point, who would be responsible for "wildcat" strikes?

Is a collective bargaining agreement to apply to successive groups of employees, even though new employees may not have been a party to the original agreement?

These questions, and many others which could be asked, should be satisfactorily answered by the proponents of H.R. 16014 before the House gives consideration to such legislation.

One further point deserves particular emphasis. The implications of this proposal on the American farmer are so serious that the House Agriculture Committee adopted a formal resolution urging the Education and Labor Committee to deny approval of the bill. It is our opinion, and that of the majority of the members on the House Agriculture Committee, that enactment of H.R. 16014 would not be in either the national interest or in the interest of agriculture.

We urgently recommend that the House reject this bill—a bill that simply does not fit the circumstances in agriculture—and which will have harmful effects upon farmers, workers, and consumers. Under current farm programs, the farmer no longer runs agriculture. It makes no sense at all to let labor unions run agriculture. We should reject this bill.

JOHN M. ASHBROOK.
EDWARD J. GURNEY.
WILLIAM J. SCHERLE.
JAMES C. GARNER.

Notre Dame Law School Symposium on Crime

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. BRADEMAS. Mr. Speaker, I have previously inserted in the RECORD the remarks of two participants in the symposium on crime, "The Challenge of Crime in a Free Society: Perspective on the Report of the President's Commission on Law Enforcement and Administration of Justice," which was held February 12, 1968, at the Notre Dame Law School, Notre Dame, Ind.

Today I include the remarks of several other speakers at that conference in the RECORD at this point. They are the addresses of Prof. Henry S. Ruth, of the University of Pennsylvania Law School; Mr. Irving Lang, chief counsel of the Narcotics Addiction Control Commission, New York, N.Y., and Prof. Lloyd Ohlen of Harvard Law School.

The addresses follow:

THE CRIME COMMISSION

(Remarks of Prof. Henry S. Ruth, Notre Dame Law School, February 12, 1968)

In April 1931, Calvin Coolidge said:

"The use of fact-finding commissions is again being criticized. About twenty-five years ago agitation caused the Congress to prohibit spending public money for such purpose . . .

"Some people are born with a complete set of readymade opinions. Facts do not affect them. But no executive, from first selectman to President, can know everything necessary to discharge his office or be able to learn it from official sources. He must call on some body which can gather the information. Public duty requires it."

In the past few years, numerous presidential commissions have been appointed and have filed their reports. Subject matters ranged from the status of women to the assassination of a president, from technology and automation to heart disease, cancer and stroke, from outdoor recreation to the patent system to military conscription. It is fair to say that no major national problem has been immune from study by a temporary commission.

President Johnson appointed his Commission on Law Enforcement and Administration of Justice in July 1965. My assigned purpose here today is to discuss briefly the background of this National Crime Commission, its method of operation and the planning for implementation of its recommendations.

During its work from July 1965 to June 1967, the Commission had a full-time staff of approximately forty professionals and utilized the services of about 450 consultants and advisers. The publications of the Commission include a General Report to the President, nine separate reports of task forces concerned with specific aspects of crime and criminal justice, five field survey

reports and forty-one consultant papers. The General Report, *The Challenge of Crime in a Free Society*, summarizes all the Commission's conclusions and recommendations.

Appointment of this Commission was a natural development in light of what had been occurring in the 1960's. Public concern about crime ascended rapidly during the first half of the decade. National crime rates during 1960-65 reflected an upward trend that was increasing faster than the previous long-term trend. The number of serious offenses known to the police per 100,000 population for these five years rose 25 percent for violent crimes and 36 percent for property crimes. The largest increases occurred in 1964, highest for forcible rape among the violent crimes and for motor vehicle theft among property crimes.

Other developments converged that year to heighten public interest and alarm. The current wave of riots commenced in the summer of 1964 as disturbances erupted in New York City, Philadelphia, Chicago, and Rochester (N.Y.), and in the New Jersey cities of Paterson, Elizabeth and Jersey City. The Republican presidential candidate, Barry Goldwater, was decrying lawlessness and crime in the streets during the summer and fall of 1964.

A Gallup poll in 1963 revealed that persons had chosen juvenile delinquency as the second most important problem in their respective communities. And a 1964 Harris survey showed that the factor most often cited by persons as causing increased crime in their neighborhoods was the existence of "disturbed and restless teenagers." Finally, those blaming restrictive court decisions for the rising crime rates acquired apparent new fuel in June 1964 with the Supreme Court's *Escobedo* decision as to right to counsel for each suspect who becomes the accusatory focus of a police investigation. The mounting alarm mirrored a twofold concern: a belief by many that our system of criminal justice and enforcement was not performing its role to any adequate degree and a public fear that criminality was spreading so vastly as to endanger basic public order and security.

Now, I think a lot of people find it difficult to say that appointing a commission is really doing anything about anything. I remember when the National Crime Commission was announced, one magazine commented that "commissions come cheap in Washington, and most often their reports turn out to be vague and anticlimatic." Proponents of any commission argue that an executive should launch a broad, action program only on the basis of a prior, independent study of all relevant factors. Critics of these presidential bodies, depending upon the particular circumstances, note acidly that a commission is a cynical creature of politics, a method of "buying time," a device for calming the public in matters where agitation and aggressive concern are truly appropriate. Depending on the kind of commission which is being appointed, one or more of those criticisms would be valid. I think it was necessary in 1965 to buy some time, but I also think it was necessary before any broad program was launched by the federal government that there be a rather lengthly and, as far as possible, an independent study of all aspects of crime. If you look back over the 30 years prior to 1965, the federal government had become immersed in practically all other fields of social action: education, medicine, housing, etc. They had only touched the field of crime. I was in the Department of Justice in 1964 and molding a federal crime program presented a difficult problem for the leaders. What should the federal government do? If, in 1965, the federal government had jumped in with a massive federal aid program or any other type program without a prior study, I think that it probably would have been a mistake.

INCREASING STUDY OF CRIME

However, there had been forerunners of federal involvement in state and local enforcement; the F.B.I. of course had conducted police training courses for many years. But during the first half of 1960, further approaches were probed. The President's Committee on Juvenile Delinquency and Youth Crime was created in 1961 and, through the Office of Juvenile Delinquency and Youth Development in the Department of Health, Education and Welfare, funded comprehensive, crime prevention-related programs in several major cities. The President's Advisory Commission on Narcotic and Drug Abuse completed its report in 1963. With impetus from the report of the Attorney General's Committee on Poverty and Administration of Federal Criminal Justice, the Department of Justice and the Vera Foundation in 1964 sponsored a national conference on bail practices, and appointed an Executive Board to assist in the development of bail programs in various states. In August 1964, then Attorney General Robert Kennedy created a small Office of Criminal Justice in the Department of Justice; one of the major functions of this office was to propose and assist reform measures in state and local criminal justice operations. It was this office that did the early planning for the President's Crime Commission, which was appointed by executive order in July, 1965. In his state of the union message in 1965, the President had announced a crime program of which the National Crime Commission was only a part. A crime commission was appointed for the District of Columbia. There was also the beginning of a federal aid program; The Law Enforcement Assistance Act, which was passed in September, 1965 and which authorized grants to local and state agencies, and private organizations, for the purpose of improving existing efforts to deal with crime.

The presidential mandate to the National Crime Commission seemingly ran to any problem, any institution that was related in any way to crime. The message to Congress, the Executive Order creating the Commission in July 1965 and the President's remarks to the members at their first meeting in September 1965 blanketed the spectrum from causes of crime to crime prevention to criminal justice agencies to rehabilitation of released offenders in the community.

What this all meant in fact was that the early staff sat down with commission members and endeavored to carve out a mandate of manageable proportions. What could be done in 18 months when one has to deal with all aspects of crime? There was a tendency in the beginning for people connected with the commission to look upon this opportunity as a way of formulating brand new programs to bring instant solutions and great magic to solve the crime problem. But it soon became evident that if that sort of desire were to dominate the commission effort, the end product would be a failure. I think this would probably be true of any commission, but especially true of any commission with such a broad mandate. In the end, a commission finds that, for the most part, it has collected the existing enlightenment of progressive people throughout the country, added several innovative ideas, put it in a convincing package and told the country that this is the direction they should be moving in law enforcement and criminal justice. I think our early search for instant answers was reflected particularly when we started to look at the science field. For the first time a gathering of scientists just sat around a table and answered questions as to how to solve the crime problem tomorrow. They assured us they could. But soon, as the study progressed, it turned out that with the competing values of our society, the checks and balances and the costs, this search for dramatic solutions was not to be fruitful.

In the quest for answers, I don't think enough of us are aware of how old some of our "new" trends are. I was looking at a history of the Philadelphia Police Department and there is an account by a police chief in the 1880's giving his analysis of what crime is all about and what causes crime. Reading through that, I just checked off the kinds of concerns of his in 1880 that are portrayed as being "new" and "progressive" today: recognition of the failure of institutional confinement as a rehabilitative device; emphasis upon the problem of recidivism; recognition of poverty, ineffective family training and lack of job opportunities as basic conditions of crime; the necessity to resurrect or create individual self-respect; a proposal to concentrate upon crime prevention programs; recognition of the problem of white collar crime; the importance of a study of victims' contributions to crime (so-called victimology); and a need to explore the structured system for disposal of stolen goods. Those who think our society is "soft on crime" and has fallen prey to radical, new ideas of social scientists do well to consider these eighty-year old observations of a Philadelphia police chief who perceived today's "new" trends.

BACKGROUND AND PRECEDENT

In addition, there was precedent for a National Crime Commission in President Herbert Hoover's National Commission on Law Observance and Enforcement, popularly known as the Wickersham Commission. During the presidential campaign of 1928, in which prohibition was an emotion-charged issue, President Hoover promised that, if elected, he would appoint a commission to study all aspects of crime and, in particular, prohibition enforcement. And he was accused of being political, of being cynical, of not knowing what he really wanted. As one reads the documents of that time, the confusion is evident. Sometimes when President Hoover spoke about the Commission, he spoke only of prohibition; later he spoke only of examining all aspects of crime and criminal justice; later he spoke of just examining federal criminal justice and procedure; and finally after the commission was under way in 1929, he did start to speak of studying not only prohibition but also all aspects of crime and law enforcement at the federal, state and local level. And that is exactly what the Wickersham Commission did. They were an eleven member commission composed of lawyers and judges with the exception of one lady, who was Dean of Radcliffe College. Included in the membership were Dean Roscoe Pound of Harvard Law School; a former secretary of War, Newton Baker; and a former Attorney General, chairman George Wickersham. It was indeed a distinguished body; but as you look at their mission, they had difficulty because they apparently thought they had to decide whether prohibition was a good or bad thing. When they became immersed in this one aspect, everything else they did was buried from the public and legislative minds. The prohibition report was issued first, in January 1930, and everyone thought it was a very evasive report. The correspondents said they should all go home; others thought they had betrayed the public.

The Senate and House intended to cut off further appropriations until President Hoover made a personal appeal. The Commission finally did receive appropriations for a second year and went on to issue its 14 reports on all aspects of crime and criminal justice. Similarities in the background and work of the 1929 and 1965 commissions are striking. Professional concern about improving criminal justice framework and procedures had produced important studies that preceded both commissions' appointments.

The Wickersham Commission completed more comprehensive surveys of matters such as lawlessness in law enforcement and court processing of cases. The National Crime Commission's surveys included a much broader range of subjects and reflected the improvements in methodology developed since the 1930's. The 1929 commission also concentrated to a far larger degree than the 1965 commission on federal problems and procedures—prohibition enforcement and the eighteenth amendment, the federal court system, children processed in the federal system. In addition, a report on crime and the foreign born was appropriate only to demographic conditions of that earlier time.

But the broad areas of study were substantially similar and the preceding group created paths that the 1965 commission either repeated, expanded or carried forward. In many areas the same theoretical and philosophical orientation prevailed. The studies and analyses of economic and social factors as conditions of crime are strikingly similar in both commissions. However, President Hoover's commission did not follow through with recommendations on these matters as did the Johnson commission.

COMPARISON AND CONTRACT OF COMMISSION

Only examples of similar recommendations of each commission can be offered here as to other fields: the need for a national inventory of the costs of crime; the need for centralized criminal statistics; the need for centralized prosecution systems at the state level; the need for improved communications, coordination between departments, education, training, minority group representation and crime prevention in the police world; the failure of prisons, the need to strengthen probation and parole, and the assumption that community treatment for offenders is the appropriate disposition unless proved otherwise in individual cases; the emphasis upon improving the discretionary, invisible administrative processing of offenders in the criminal justice system, and the recognition that most offenders in the system are processed through without trial; the shocking conditions in the lower courts and the need for the same, or better, procedures and services there as compared to the felony courts; the need for counsel for all defendants facing more than the very lightest penalties; the use of procedures alternative to arrest; the appropriateness of indeterminate, as opposed to mandatory minimum, sentences.

In general, then, it can fairly be stated that both commissions emphasized the same broad needs, i.e., crime prevention activities, development of alternative ways to deal with offenders, elimination of unfairness and injustices, the need for greatly improved personnel and other resources in the criminal justice system; and detailed requirements for research to fill massive gaps in the state of knowledge and information.

Now, I could tick off other similarities; these are just examples of the same things recommended by both commissions. It does lead to some discouragement to realize that commissions 37 years apart were making the same kinds of recommendations. But it is a mistake, I think, to conclude that nothing had happened in the interim. If you look at the Wickersham reports, you can see how much difference there was between that time and this era. They produced an entire report on lawlessness and law enforcement, which centered about the third degree and extraction of confessions. Police training was a virtually new phenomenon then. Probation and parole for adults lacked program content. The federal probation system at that time had about 4300 probationers and eight probation officers. Community treatment alternatives that combined treatment in the community with some sort of direct regulation of the offender had not commended to any noticeable degree. There were no government aid programs for the ghetto areas. Criminal code reform had not yet commenced. The procedural revolution of the Supreme Court as to police practices was yet to begin. I think that a Wickersham Commission member looking at these things today would say there was improvement.

But there were so many other areas that the National Crime Commission looked at in which no sign of improvement could be detected. The lack of individualized justice, and the consequent mass processing of offenders at all levels: Police, Court, Prosecution, Corrections. I think this is more of a problem today than it was then, because of the increased number of offenders. The lower courts looked the same in 1965. The decrepit prisons which were condemned by the 1931 report were to a large extent still being operated in 1965. The jurisdictional fractionalization of police departments, prosecutive offices, courts and corrections, exist today in varying degrees much the same as in 1931; and again, I think it is a bigger problem today because of the intervening social changes. The public attitudes of then and today, I think, were quite the same. I have a quote here from another era, which you might recognize as having been said today. In April 1929, President Hoover stated:

"What we are facing today is . . . the possibility that respect for law as law is fading from the sensibilities of our people. . . .

"Every student of our law-enforcement mechanism knows full well that it is in need of vigorous reorganization; that its procedure unduly favors the criminal; . . . that justice must be more swift and sure. In our desire to be merciful the pendulum has swung in favor of the prisoner and far away from the protection of society. The sympathetic mind of the American people in its overconcern about those who are in difficulties has swung too far from the family of the murdered to the family of the murderer."

That was April, 1929. I think as we compare the progress that has been made since 1929 with the negative aspects mentioned previously, you can see that for much of the guidance of the Wickersham Commission, the tomorrow that they predicted for the law enforcement world just did not appear. Administrative processing of offenders by police and prosecutors still represents an invisible anarchy suffering from lack of manpower, resources, information about offenders and policy guidance.

METHOD OF OPERATIONS

Let me describe a little bit about the method of operation of President Johnson's National Crime Commission. Appointed in July 1965, the members were afforded 18 months for the study. The first six months passed before an appropriation was forthcoming. A staff was formed during that time. So, we had 12 months left. With such limitations, many possible areas of study were omitted. This caused great disappointment among many people. The academics who have written reviews of the Commission Reports decry the fact that it does not talk principally about the appropriateness of the criminal sanction, about things such as legalized gambling, or consensual homosexuality among individuals in private or legalizing use of marihuana or other aspects of criminalization geared to controlling or enforcing individual and social morality. My own opinion is that if the commission had devoted a lot of time to these subjects (and they did devote some time and made some recommendations in these areas) a polarized situation would have developed; and I am not sure many of the other important recommendations would have been forthcoming from the Commission. I think that you need a separate commission to examine each of these problems. They concern such emotional issues and involve firm, deeply grounded opinions.

There were other aspects that did not receive prime emphasis. Everybody looked for commission positions on civilian review boards, on pornography and crime, on the mass media and violence, on perceived decline in religion and traditional morality, on the anatomy of riots. The Commission said something about all these things. Some of them they discarded as emotional cloud cover in the total picture of crime. For some, there was not enough information to say that this is the cause, or this is a small cause or a prime cause of crime. And I think others were disappointed because the Commission reports did not turn out to be a basically moral exhortation; they did not identify single-track causes of crime; they did not call for reassertion of a punishment philosophy. Although many look at one or more of those areas as quick answers to the crime problem, the Commission disagreed. What the Commission primarily concentrated upon was the measure of crime in our society today, the current responses thereto and the formulations of directions for change. The reports necessarily had to be geared to serve diverging interests and levels of knowledge. Public education considerations required documents attractive to, and comprehensible by, the layman. Reform considerations required a presentation that would be persuasive to public officials and practitioners alike. Requirements for research in the future dictated goals of servicing the academic community and creating a useful educational tool for students. Integrity required that matters should be presented as perceived despite what practical or political considerations might otherwise imply.

Now with all those goals, it was difficult to say in 1965 what the final document would look like, except to predict wryly that it would probably be useful to none of those people when one endeavors to do all those things at the same time. But the Commission realized that it was an impossible possibility and still felt that all these sectors of the community should be served by a Presidential Commission. And I believe they were correct.

The matters receiving greatest attention were urban crime and crime prevention. There was a fruitless search for ways to immediately reduce street crime. In a poll of 2200 police departments, the replies were astounding in the lack of ideas for tactical and other ways that would reduce street crime fmmediately and substantially. They were astounding at the time; but in retrospect, I think it is almost unfair to use that description. With the need to balance our society's competing values, such solutions do not exist.

DIFFICULTY OF CRIME PREVENTION

The most unmanageable problem was crime prevention because when you enter that field, you cover every social program and social service provided by government. You get into schools, jobs, welfare, family services, community service, and private service groups. Some asked: what is the expertise of a crime commission in all these matters? But the Commission still felt they had to examine those fields and in some degree of generality make recommendations to each. Extensive field studies were conducted in each area. Only a few can be mentioned here. In assessing the crime problem, the first national survey of unreported crime and a detailed three-city survey of law enforcement practices was completed. In the police task force, a survey of promising new procedures in 2200 police departments was initiated. A nationwide survey, and an intensive two-city study, of police-community relations were completed. A national survey of corrections was conducted by the National Council on Crime and Delinquency. Detailed observations of selected lower courts in various areas of the country were conducted. A national juvenile court survey was conducted by the Department of Health, Education and Welfare in

conjunction with the Commission. Information was collected from various agencies on organized crime, court processing of offenders, delinquency prevention programs, enforcement of drunk laws, and enforcement and other programs in the narcotics field. Federal departments made available extensive data. The science and technology study included the collection and analysis of data on the police apprehension process; the administration of court systems; police communications, command and control; programed learning in corrections; and various criminal justice information systems. The four hundred individual consultants and advisers produced facts as well as ideas.

The reports of the Commission reflect this literal mountain of data. But even so, in many areas the members and staff had to rely on initial samplings or traditional measuring devices as bases for conclusions. For example, there is much more crime than is reported to the police, but how accurate is a public sampling device for this purpose? If there are twenty instances of excessive use of force by police in 5,339 police-citizen encounters observed in three cities, what nationwide projections can be made as to the extent of such brutality? If an experimental community program in California for youth offenders reduced the rate of recidivism further than that of a prison control group, what general conclusions are justifiable in formulating a corrections philosophy? Is there any correlation between the number of convictions of organized crime figures and society's degree of control over the influence of organized crime? If police response time to calls in one city separates out as the crucial factor in eventual solution of crime there, does this afford a basis for prime emphasis in recommended improvements in police procedures? Again, these are merely examples of the data problems. The collection of data as to each face of crime and criminal justice was burdened by a fundamental lack of information, research and statistics.

Also to be met were the untested assumptions that the Commission either had to cast aside or accept or proclaim the need for research. An example is the assumption that a college-educated policeman is better than an uneducated one. That is an assumption. Is it valid? One assumes that police corruption has decreased considerably and that corruption is not a major problem in courts and corrections. Is this correct? One assumes that the degree of criminal activity in a society varies inversely in proportion to the strength and threat of apprehension. This is the assumption about deterrence. One assumes that more jobs and better schools will decrease crime rather than create new forms of criminality. One assumes that the F.B.I. crime index measures the most serious crimes rather than the ones about which information is most readily available. In some cases the commission accepted these assumptions. Others, they cast doubt upon.

GAP IN DATA

I think there was another serious gap in the report, a gap necessitated by the lack of data. There is no accounting as to the amount, and the economic and other costs, of criminality among the various classes of people who wield political, economic and moral power in America. Our society measures ghetto crime but we do not measure crime among those who control the exercise of power in society. And this is a gap in the National Crime Commission report.

The work of the Commission proceeded with individual task forces: police, courts, corrections, assessment of the crime problem, science and technology, juvenile delinquency, organized crime, narcotics and drug abuse, and drunkenness. Individual commission members worked with each task force. The work of the staff proceeded concurrently, by necessity, on both the General Report and the individual task force reports. Consultant papers were completed at various times and integrated into the staff work. Several leading scholars worked full-time as part of the staff during the summer of 1966. With a few notable exceptions, the writing of the reports was accomplished by the staff utilizing the assembled data and many ideas from the consultant papers. Drafts were submitted to Commission members prior to their meetings. They met a total of seven times, two or three days per session. Changes and ideas offered by Commission members at full sessions, in individual communication and in Task Force meetings were incorporated into the Reports. The members probably received for perusal over two and one-half million words of material. In addition to the nine Task Force reports, a general report of the National Crime Commission summarized all its conclusions and recommendations. I think this was the main difference between the Wickersham Commission and President Johnson's Commission. There was no such general report of the Wickersham Commission, and it is difficult to ascertain what that earlier Commission is saying as a whole about crime and law enforcement.

CONSENSUS REPORT CHOSEN

A common criticism of the National Crime Commission is that it produced a consensus report. I think this was a clear choice of the commission members. I think they decided that they were not going to present a polarized report to an already polarized society. Consensus approaches lead to a lot of criticism, because they combine the general and the particular, the idealistic and the practical. One detects all sorts of compromises, and clearly, compromises were made. I think that for those who formulate commissions or who are working on new commissions, this is a key decision. Are you going to be a commission who works towards a consensus or are you going to let every member go their own way, and bring out every view to the public, put every opinion on the public table, but fail to produce a unified core of recommendations. The National Crime Commission took the former course.

Now, quickly switching to implementation of the Commission's Reports, everybody knows how commission reports gather dust. Everybody working for the Commission was conscious of this probability, if not mere possibility, so as work proceeded, an effort was made to involve all the public media. I think that was a successful endeavor. Members and staff spoke throughout the country about crime and the Commission's study. Numerous articles appeared in the mass media. An unprecedented ninety-minute presentation of the network television show, "Meet the Press", featured five Commission members and the executive director of the staff immediately after the release of the General Report. Newspaper, television and magazine coverage of the Commission's reports was quite extensive from February through June 1967.

DISSEMINATING FINDINGS OF COMMISSION

Of course, this was merely an ephemeral phase of the implementation task. Through the course of the commission's work, many conferences were held in cooperation with other agencies and organizations not only to gather ideas but also to lay the groundwork for acceptance of the recommendations.

A symposium on science and criminal justice was sponsored to acquaint industry with law enforcement needs. A conference on legal manpower needs explored the implications for the bar in extending right to counsel to virtually every legal proceeding involving possible loss of freedom. In March, 1966, the Attorney General invited each Governor to establish a state criminal justice committee to cooperate with the national commission and to implement commission recommendations through statewide programs when the national commission had completed its work. A resolution of the National Governors' Conference urged each governor to create such a committee and at least twenty-five such bodies have been created. In October 1966, the President's Commission sponsored a conference for governors' representatives from each state; the work of the commission and the directions thereof were discussed. A massive federal aid program for criminal justice reform was formulated by the Commission and its staff, and became the basis for President Johnson's proposed Crime Control Act. The involvement of so many practitioners in the commission's study created a base of experts who understood and for the most part advocated the commission's recommendations. In March 1967, a two-day conference of 700 representatives from federal, state, local and private agencies, organizations and institutions served in part to explain and discuss the Commission's findings and recommendations.

Other aspects of implementation had to do with the distribution of the report. Including the task force reports, about 100,000 copies were distributed free to people not only in criminal justice but also to mayors, legislators, city councilmen, to community leaders and businessmen. I checked with the Government Printing Office a few weeks ago and they have sold about 180,000 additional copies, in addition to the 100,000 distributed free, and they said the demand is continuing.

Now I do not know if these reports are just lying on shelves or whether people are using them. However, as I talk to policemen, judges, probation officers and prosecutors, I find that some are using the reports as a basis for change, State crime committees are formulating programs and some mayors are setting up commissions in their cities to take the national crime commission reports and use them at least as a basis for discussion in formulating directions for change. Professional organizations are utilizing the reports to encourage reform. I think really that that is about all you can ask of a commission. It studies, it writes, it files, it goes home. Then, the public and those in the operational systems either take it or leave it. The commission can do some things as it goes along to generate some interest, but as it fades away the continuum has to be carried forward by the various branches of government.

There are discouraging factors: riots in over fifty cities last summer; the failure of Congress to pass federal aid legislation in the crime field; extreme public fright and panic that our society is beginning to crumble before riots and crime; a presidential campaign that promises to feature the simplistic "lawlessness" cries of 1928 and 1964. These kinds of fears and actions may indeed produce strong reactions that will certainly not take the course offered by the National Crime Commission.

Directions for the future hang in the balance. Anyone who appreciates the use of power realizes all too well that a commission is not a power device. The course of crime control lies with each public official's choice between expediency and responsibility in this time of great national crisis. Upon these factors also depends the epitaph that historians will convey upon the National Crime Commission's reports.

THE NARCOTICS PROBLEM

(Remarks of Mr. Irving Lang, Notre Dame Law School, February 12, 1968)

"This Commission has not and could not have undertaken to duplicate the complicated study and report on drug abuse so recently made by another presidential commission. Yet any study of law enforcement and administration of criminal justice must of necessity include some reference to drug abuse and its associated problems."

In this obviously apologetic fashion and

with a manifestation of some discomforture, the report of the Task Force On Narcotics And Drug Abuse was introduced. The Commission properly assumed that "drug abuse and drug traffic were growing and critical national concerns." It recognized that opiate addiction was widespread, particularly in our big city ghetto areas. It also recognized that these depressant, stimulant and hallucinogenic drugs were the subject of more and more abuse, particularly by students, and it mentioned the role of organized crime in narcotic traffic. It also attempted to discuss the relationship of drug abuse and other crimes.

RECOMMENDATION OF TASK FORCE

Structurally, the Commission broke down the report into drugs and their regulation, enforcement, drug abuse and crime, marijuana, treatment, civil commitment, medical practice and addiction and education. It submitted four recommendations in the field of enforcement and three in the field of research and education. In the enforcement area they recommended the increasing of staffs of the Bureau of Narcotics and the Bureau of Customs; the adoption of state drug abuse control legislation; the amendment of federal drug abuse control laws with respect to record keeping and the revision of sentencing laws to provide more flexibility.

In the area of research and education, the Commission recommended research with respect to the regulation of drugs, research by the National Institute of Mental Health on marijuana use and the development of educational materials. It is, indeed, quite difficult to quarrel with these recommendations.

But what is of a primary concern is what the Commission did not do—the questions to which they did not address themselves in any meaningful fashion, the lack of depth in the report, and particularly in the enforcement area, the failure to discuss the peculiar problems of drug enforcement in relation to the major issues facing law enforcement in general. I submit what the Commission failed to do in effect was to step back and look at this problem from the point of view of historical perspective.

MORE DEPTH NEEDED IN STUDY

Drug abuse is, indeed, more than a combination of police, medical, state and federal matters. Transcending this it is a philosophical and societal problem in the deepest sense, and it must be viewed not only in terms of the United States, but in terms of the rest of the world as well. And, perhaps, by analyzing it in this fashion we can understand how to overcome some of the discomfiture that we have, for example, with respect to the problems of civil commitment for narcotic addicts who have not yet been arrested or accused of a crime. We, in the United States, tend to like to look at the game of cops and robbers as one that should be played with set rules on both sides. The argument is often made, "Why don't we lock up the robber and compulsive gambler—*civilly* commit him—we know he's a robber or gambler." The Commission attempted to handle this by pointing out that it is obvious since the possession of drugs and the sale of drugs is a crime, narcotic addicts must inevitably become involved with the law. I think it is more than that.

Prohibitions against drug abuse are not found in the ten commandments. Nor was its possession and sale a common law crime. We must therefore ask ourselves these questions. What are the dangers of narcotic and drug abuse to society and the individual? In the light of those dangers, if any, does society have the right to regulate and control drug use and drug traffic to the point of imposing penal sanctions for failure to comply to such proscriptions? Does society have the right to treat narcotic addicts by means of compulsory commitment and treatment procedures in the absence of any evidence of specific violation of law?

John Stuart Mill, in his essay "On liberty," said, and I quote . . . "The sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self protection. That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him be happier, because in the opinions of others it would be wise, or even right. There are good reasons for remonstrating with him, or reasoning with him, or persuading him, or entreating him, but not for compelling him or *visiting* him any evil in case he does otherwise. To justify that the conduct from which it is desired to deter him must be calculated to produce evil to someone else. The only part of the conduct of anyone, for which he is amenable to society is that which concerns others. In the part which concerns merely himself, his independence is, of right, absolute. Over himself, over his own mind and body the individual is sovereign."

NARCOTICS AS THREAT TO SOCIETY

At first glance, it would seem that Mill's strictures would give solace to those who maintain that if narcotic addicts choose to destroy themselves by using drugs in a free society it is their own business—their "own thing." But the nature of narcotic addiction and history prove otherwise. Physiologically and emotionally, the drug process and the drug life create a situation counter to the exercise of free will and creates a dependency and enslavement which nullifies the principle of choice. As was pointed out by Dr. William Park in a study of narcotic addiction in China in 1899: "Opium is no respecter of persons. It enslaves everyone who comes under its influence, be he an Englishman or a Chinese, black or white, young or old, rich or poor, bond or free, whether he swallows it or smokes it, or injects it hypodermically and an overdose will kill the prince or the pauper."

As Mill himself says, and I quote, "But by selling himself for a slave he abdicates his liberty . . . he therefore defeats, in his own case, the very purpose which is the justification of allowing him to dispose of himself . . . the principle of freedom cannot require that he should be free not to be free."

Secondly, and perhaps more important in Mill's terms, is the fact that narcotic addiction does have ramifications beyond the self destruction of the addict. Narcotic addiction is the threat, not merely to the addict himself, but to the fabric of society in general. It is for this reason, primarily, that society must be concerned with drug dependency, and it is for this reason that society does have the right to institute measures such as compulsory civil commitment to protect itself.

Narcotic addiction is a contagion whose spread poses a grave societal hazard, apart from the question as to whether or not addicts commit crimes to support their habit. It becomes immaterial, therefore, whether, as Mr. Richard H. Blum points out in his consultant paper to the task force report, there are conflicting studies as to whether or not addicts were involved in criminal violations of the law before or after their addiction. (Actually there is no conflict at all. The studies from the 1930's indicate one pattern of opiate addiction in the United States of America and the post World War II period is a different pattern—a new and distinct pattern which has emerged.)

WARNING OF HISTORY

The lesson of history, I think, in this regard is clear and uncontradicted. In 1767 the East India Company, a predecessor to the Mafia in this business began exporting opium from India to China as a revenue raising device for her majesty's government. The use of opium became so widespread in China, the devastating effects on its population became so apparent, that in 1820 the Chinese authorities banned its importation. This lead to the tragic opium wars of the 1840's and the subsequent British victory opened again Chinese boundaries to narcotic traffic.

In the early 1800's a pharmacist's assistant separated a substance from opium and aptly termed it "Morphium" after Morphius, the god of dreams. During the Civil War in this country army doctors used morphine so frequently that many soldiers became addicted. So marked was the increase in addiction in the United States after the Civil War that it became known as the "army disease" or the "soldiers disease." The ready availability of opium in patent medicines without prescription, the introduction of the hypodermic needle shortly before the Civil War, the growth of opium smoking in the West, spread by Chinese who were brought in to help build railroads, created a situation of epidemic proportions by 1900. Most of the problem in this country was centered in the South, primarily involving whites and including a high percentage of women who were addicted to morphine.

I am sure many of you have read or seen Eugene O'Neill's play "Long Day's Journey Into Night," which graphically describes the effect of narcotic addiction on a family, on the family structure. The development of heroin which was originally proposed as a cure for morphine addiction, greatly added to the problem and by the turn of the century, it was estimated that there were more than 200,000 addicts in the United States. The spread of this contagion led to federal legislation, the Food and Drug Act of 1906 and the Harrison Act of 1914. Between 1914 and World War II, there was a marked decline in addiction despite a rapid population growth, and for the most part morphine was the drug of choice. It was after World War II that heroin addiction started to become prevalent in our urban areas.

Thus, we have two distinct patterns of opium addiction in this country. One addiction pattern, the one of gravest concern to us, is demonstrated by young heroin users who come from predominately large metropolitan centers and are often engaged in unlawful endeavors related to their addiction. The other pattern is typified by the middle-aged southern white who uses morphine and paragoric and often obtains drugs through quasi-legal means.

The point to be emphasized, however, is that pre World War II morphine noncriminal pattern and the post World War heroin criminal pattern are both and were both legitimate objects of societal concern and action.

This is also true in terms of race. Many people seem to think that our current day narcotic problem is basically an urban-ghetto-negro problem, But, obviously, it is more than that. According to the figures of the Federal Bureau of Narcotics, at the end of 1966, Negroes constituted just over 50% of all addicts in the United States. Significantly, there has been a steady decline in newly reported Negro addiction between 1955 and 1966 and a concomitant rise in white addiction.

In the under 21 group, today, according to the Federal Bureau of Narcotics, 25.2% are Negro and 74.6% are white. Of course, we must recognize, that these statistics are in no way complete and indeed one of the major endeavors in this area must be obtaining of greater accuracy and statistical reporting. I think, however, that the very fact that law enforcement efforts are of necessity centered in the minority group high crime rate areas indicates that teenage white addiction may be even greater. In New York City, for ex-

ample, in the Borough of Queens, whites constitute most of the addicts.

METHODS TO CURB NARCOTIC ABUSE

Accepting the premise then that society has the right and indeed the obligation to curb narcotic abuse, the question to be determined is what forms of intervention are most effective and are most humane. Clearly, penal sanctions for the possession and sale of narcotic drugs are within the purview of the police powers of the state. I am sure all of you are familiar with the language in *Robinson* v. *California* where the Supreme Court, in discussing this, pointed out: "Such regulation, it can be assumed could take a variety of valid forms; a state might impose criminal sanctions, for example, against the unauthorized manufacture, prescription, sale or possession of narcotics within its borders."

Indeed, the use of penal sanctions has been the primary method of regulation, by both the federal government and the states. Most persons who are apprehended in connection with the violation of narcotic laws are either users or small scale sellers, which has led to the somewhat anomalous situation of either short term periods of incarceration, return to the community, rearrest, return to prison for another short term—the revolving door problem, or, in many instances, inordinately long jail terms for users who are relatively low in the scale of culpability in narcotic traffic.

A new type of intervention which is currently emerging, relates to compulsory commitment for meaningful treatment instead of meaningless incarceration. The compulsory treatment approach is geared, not only to the arrested offender or the offender convicted of a crime, but also directed at the narcotic addict who is not the subject of criminal charges—involuntary civil commitment. The utilization of treatment procedures for convicted offenders and those arrested addicts who volunteer such handling has received general approbation except for the caveat that Professor Dennis Aronowitz points out in his Commission paper that the "treatment" sentence or any treatment period should be no longer than that allowed for the conviction of the crime itself. This outlook reflects a "time syndrome," i.e., any amount of societal control or management of the life of the individual is "doing time," whether it be straight jail time or a rehabilitative process.

The problem of involuntary civil commitment when no criminal charges are pending is the area of primary concern from civil liberties point of view and the Task Force did indeed address itself to the pros and cons of civil commitment and concluded, and I quote here, "The Commission believes that involuntary civil commitment offers sufficient promise to warrant a fair test but it must not become the civil equivalent of imprisonment." I have wondered why they put this in the text but not as part of official recommendation. In any event, the Commission points out, and I think quite properly, that the programs must offer the best possible treatment including new techniques as they become available and the duration of the commitment either within or outside of an institution must be no longer than is reasonably necessary.

This makes good sense. For even if in Mills terms, it has been established that narcotic addiction is a threat, not only to the addict, but to others, and that one could justify civil commitment on the basis of the threat of narcotic addicts to society and to others. But I think that a just and fair society cannot sanction this extreme remedy unless civil commitment programs are entirely geared to the rehabilitative process. In the *Robinson* case, Mr. Justice Stewart said, "In the interest of discouraging violation of such laws, or in the interest of the general health or welfare of its inhabitants, a state might establish a program of compulsory commitment for those addicted to narcotics," and Mr. Justice Douglas said, "The addict is a sick person. He may, of course, be confined for treatment or for the protection of society." I submit properly that both Mr. Justice Stewart and Mr. Justice Douglas should have insisted that protection of society and treatment of the addict are both essential ingredients of a constitutional feasible treatment program rather than alternative justifications. This obviously entails the utilization of flexible treatment milieus and programs geared to the determination of which types of programs benefit which types of addict. It should also mean a constant awareness on the parts of courts and the administrators of such programs of the nature and quality of the treatment offered. We like to think that the New York program to which Governor Rockefeller and the legislature have committed more than a quarter of a billion dollars has that degree of flexibility built within its statutory structure to have a meaningful impact.

NECESSARY TO DISTINGUISH AMONG DRUGS

The comments I have made with respect to narcotics, and I am referring specifically to the opiate and society's response to their use, cannot be transposed to other drugs plaguing America today. We know a great deal about opium despite the fact that there are many unknowns. Certainly in historical terms we know a great deal about the effect of opiate abuse on society. On the other hand, widespread abuse of amphetamines, hallucinogens, barbiturates, and tranquilizers is relatively new and requires much more understanding and poses fresh problems. It may be said that while opiates are drugs of retreat, hallucinogens and stimulates are drugs of rebellion. We need, as the Commission pointed out, much more data with respect to whether or not there is as much other criminality attendant to the use of soft drugs as is associated with heroin abuse. I suspect not. Unlike the case of heroin, there are millions of legitimate medical prescriptions issued every year for stimulants, depressants, and tranquilizers. Unlike the situation with respect to heroin, there is evidence to indicate that many people can function effectively on a sociably acceptable level despite use of these drugs, and unlike the opiate situation, it appears that soft drug abuse is often a phase, rather than a long term involvement. From the date we have, I don't think there is any question that dangerous drugs should be the subject of regulation and control. I think in the imposition of statutory guidelines in this area there needs to be a great deal more sophistication, selectivity and structure. President Johnson in his recent crime message indicated that the narcotic law and drug abuse laws of the federal government were a crazy patch-quilt, and that is the case throughout the United States.

I believe that New York's new revised penal law provides a proper framework for an effective statutory scheme. Article 220 of that law refers to dangerous drug offenses and divides these dangerous drugs into four categories; narcotic drugs, depressent, stimulant and hallucinogenic drugs. There are varying degress of penalties both for possession and sale of these dangerous drugs, but in general narcotic drug violations carry very high penalties and other dangerous drug violations carry more moderate penalties. Unfortunately, one of the problems that we have, and this is true in many states, is that the definition of a narcotic drug includes not only the true narcotics such as opium, and its derivates, but also marijuana. This creates a great many problems; not the least of which is the fact as concern mounts with respect to heroin abuse and penalties are increased marijuana penalties are increased concomitantly—an example of what I call "legislative overkill." This tends to be counter productive. Judges, district attorneys and law enforcement officials do recognize that marijuana violations do not contain the same measure of societal threat as heroin violations, and this of course is reflected in bargain pleas, suspended sentences and the like. I would think, therefore, that would be entirely appropriate in devising a regulatory scheme to place marijuana in the same category as LSD and other hallucinogens. And I think it also would have the beneficial effect of raising current level of dialogue on our campuses today where our students smugly point out that marijuana is not physically addictive as is heroin.

LEGISLATION AND NON-NARCOTIC DRUGS

Placing marijuana in the category of hallucinogens also seems logical in view of the fact that there is apparently a good deal of multi-habituation with respect to marijuana and other dangerous drugs. For example, marijuana is often used along with amphetamine, LSD and peyote. An arrest will often result not only in the seizure of marijuana but LSD and pep pills as well. There are very few instances, for example, in New York, where there are seizures of both heroin and marijuana. The combinations of marijuana are often with the other dangerous drugs.

Cocaine is also defined in federal and state laws on narcotic drug when, as the Commission points out, it is a stimulant. While cocaine is undoubtedly more dangerous than marijuana, I believe that this too should be removed from the narcotic category in terms of definition and placed in the category of stimulant drugs and I submit that this would not necessarily mean that one would have to cut the penalties for cocaine violations. It would merely require that within the stimulant drug category a legislative body would provide for special additional penalties with respect to that particular drug. I think the definitional problem is very important.

Sentencing for penal law violations is basically a function of legislative bodies, although few can quarrel with the Commission's recommendation that courts be given large enough measures of discretion to enable them to deal flexibly with violators rather than requiring them to be sentenced to mandatory terms of confinement. I think also that in singling out marijuana for special comment, the Commission did do a service. As we all know marijuana has become a focal point for student rebellion and protest against authority; it has created situations whereby college administrators are split between their obligations to helping students and cooperating with law enforcement; it has led to both cries of legalization and liberalization on the one hand to cries for expulsion and imposition of more stringent penal sanctions on the other. The protagonists of pot have, I believe, two basic contentions.

First, unlike heroin it does not produce physical dependence nor withdrawal, nor does it build up tolerance. The Commission recognizes this as true. Secondly, the protagonists maintain that not only is marijuana not comparable to heroin but even more important, it is less dangerous than alcohol which they maintain is a far greater threat to society. Often those who oppose legalization of marijuana in any form fall into the trap of attempting to prove that marijuana is indeed a far greater menace than alcohol. In view of the Commission's discussion on alcohol and its enormous detrimental impact on the nation this counter-argument is more hollow. A more meaningful response would be to point out that merely because over a long period of time a tradition has been established whereby consumption of a toxic substance has been sanctioned in varying degrees on a mass level does not logically lead to the conclusion that society should release another toxic sub-

stance for mass consumption. And, of course, we have to remember that alcohol is one of the most regulated drugs around. There are laws about manufacturing, age of consumption, where you can buy it, and public intoxication, and there are laws creating both penal and administrative penalties while driving under the influence of alcohol.

DIFFICULTIES OF ENFORCEMENT

The latter is, of course, a matter of extreme importance in terms of the death and injury toll on our highways. There is generally no quarrel by either side that one of the physiological effects of marijuana includes altered consciousness and disturbance of time and space perception. A person driving under the influence of marijuana is as dangerous as a person driving under the influence of alcohol. You might say then why don't we impose the same form of measured deterrence that we do with alcohol—making it a criminal offense to drive under its influence.

But, theoretically, the law does not do vain and foolish things. An uninforcible statute should not be passed. With respect to alcohol, it is rather easy to prove that a driver is driving under its influence. Alcohol on the breath, visual observation, blood alcohol test, breath test, makes successful prosecutions possible. The same cannot be said for marijuana. Accordingly, I think it might be properly argued that a measured response is possible in connection with alcohol but if such a limited response is not possible with respect to marijuana at this time, society has the right to ban its possession for all purposes.

I would like to conclude by discussing the last section of the report relating to law enforcement. I think that if there is one section of the report where it can be positively asserted that the Commission failed to come to grips in any meaningful fashion with a significant area is the section on law enforcement. If there is any one area in which recent court decisions relating to search and seizure informers, wiretapping, eavesdropping and confessions have particular importance, it is in the enforcement of narcotics and dangerous drug laws. Such vital areas also as the proliferation of agencies which deal with this problem, the cooperation or the lack of it among these agencies, the rivalry between and among these agencies, the need for coordination of criminal intelligence and problems of proof in this area were not mentioned at all or barely discussed. It is also a source of concern to me that the report of the Arthur D. Little Company, which surveyed the field of law enforcement was not included in the consultant papers.

This seems to me to be a grave omission. If one is to discuss law enforcement and the administration of justice in the area of narcotic and drug abuse these issues cannot be avoided. They are obviously easy of resolution. But problems do not disappear by refusing to acknowledge them. The failure to pose the questions and suggest possible alternatives, casts a pall over the Commission's report.

In conclusion I must say that the Presidential Commission's agonizing appraisal of the drug scene was based on two fundamental assumptions. The first assumption was that there was a great deal of misinformation and emotionalism involved with public information about drug abuse. The second assumption was that new approaches have to be made in society's handling of the problem. With respect to the second assumption the Commission was obviously unwilling or unable to analyze philosophical issues.

Thus, to me, it is not enough that there are many useful and informative matters brought to public attention by the task force report on narcotics and drugs abuse. The camel is a useful animal. However one definition of a camel is a horse built by commission. Thank you.

REMARKS OF PROF. LLOYD OHLIN, THE CRIME PROBLEM, NOTRE DAME LAW SCHOOL, FEBRUARY 12, 1968

As Professor Blakey has just told you the topic assigned to me for our symposium is "The Crime Problem." I suspect it might be more accurate and more in keeping with my remarks if it had been called "The Crime Problems In Our Society." During the work of the National Crime Commission we were especially conscious of the need to distinguish the different types of crime problems and to report them separately. In this way we hoped to acquire an accurate gauge of the volume and trend of these crimes and the nature of the different types of responses which criminal justice and law enforcement must make to them. The only thing in common with all crimes reflected in crime statistics is that criminal sanctions are attached to them. Otherwise, they differ greatly in the nature of the crimes involved. It is confusing to lump antitrust violations together with narcotic offenses, murder, robbery, auto theft, drunkenness, and a great variety of other offenses included in total crime rates. What do such aggregated figures mean?

The only reason, I suppose, for having a total crime figure of this sort is to maintain a moral barometer of where the society has been and where it is going. Yet when this measure of our nation's morality is made up of so many different types of crime it is very difficult to understand what a total crime rate means.

What people see as a crime problem depends very much on how they measure the costs of crime, what values they hold, where they live and work and what future plans they have. Unquestionably today, the public fear of crime is most aroused by crimes of violence that occur at the hands of strangers. The National Crime Commission, as Mr. Ruth has indicated, conducted surveys in three cities and throughout the nation of public attitudes toward crime. Crimes of violence, especially those at the hands of strangers, were the ones people were most fearful about. The proto-type of this type of crime according to the F.B.I. and police agencies is armed robbery. It is in the urban areas that robbery happens most often. Unlike aggravated assault, homicide and rape, robberies occur between strangers rather than among friends and acquaintances. So it may be that robbery is the bellwether to measure what is happening in the crime picture. Unfortunately, robberies are not officially reported so that one can differentiate those crimes committed by strangers or by acquaintances. It's only in the very severe crimes such as willful homicide, that we get any national picture of this differentiation.

Recently we have had an enormous increase in the reports of robberies. It is hard to tell from these statistics since they are not related to attitude studies, the extent to which the growing public fear of crime is directly related to this increase. National Crime Commission surveys did show that the fear of crime is greater in ghetto urban areas than elsewhere in the country and this is also where violent crimes most often take place. However, current police statistics show that though robberies are more concentrated in urban areas than elsewhere they are more evenly distributed throughout the city than crimes of homicide, rape and aggravated assault, which tend to be committed in the common neighborhood of the victim and the offender.

From the standpoint of business and industry, the most difficult crime problems are employee theft and shoplifting. Some two to three per cent of retail inventories are attributed to shoplifting and employee theft. Police security agents indicate that employee theft may be the greatest drain and a very difficult problem to cope with. This represents a hidden tax on the consumer, a cost we found it almost impossible to estimate during the work of the National Crime Commission.

From the standpoint of the federal government some of the most difficult crime problems are tax evasion, tax fraud, anti-trust violation and organized crime. These in turn contrast sharply with the major preoccupations of local law enforcement. On the local level, police and courts are spending an enormous amount of their resources, not on the most violent crimes, but on crimes of public order, i.e., arrests for drunkenness, disorderly conduct, and the vice crimes. These are the crimes that fill police blotters, and overload jails and courts at the lower level. They represent a highly disproportionate commitment of law enforcement and criminal justice resources.

From the correctional standpoint, the most difficult and costly problems are the habitual offenders who spend the longest time incarcerated in our expensive correctional institutions and show the highest rates of failure for reintegration into the community.

NEED FOR RELEVANT STATISTICS

It may be from the standpoint of consumers that the greatest crime cost is from white collar crimes. It proved almost impossible for the National Crime Commission to get any figures as to what these costs are in our society, how they are distributed, and on whom they bear most heavily. These costs represent a hidden tax that can perhaps be borne more easily because it is so widely distributed and has such low visibility. Furthermore we have no notion of the relative costs of such white collar crimes as compared to the crimes that people are most concerned about, e.g., the common crimes of larceny, burglary, robbery and those that occur in public places.

There are many types of crime problems, and there are different groups to whom some of these problems are important and others to whom they are not. We really need much more adequate data than we now have on the differential risk and impact of these different types of crime. For example, we need rates of victimization similar to the ones the National Crime Commission developed by asking citizens if they had been victimized by crime in the past year. These, of course, showed far more crime in the nation than is reported in police statistics. We also need rates and trends of crime by different areas, in cities and small towns, rural areas and regions of the country that are more accurate than we now have. We need figures for crime totals, crime rates, types of victims, victim-offender relationships, and places and times of occurrence of crimes. In many cities there are such statistics but they are not collected in a systematic way for interpretation of the national crime problem. We will really know the crime problems we face when we start to develop such data.

The most common question directed to the National Crime Commission was "How big a crime problem do we have?" The answer is that nobody really knows. I suppose, in fact, the question is not really important, except when we want to know if that problem is getting worse or better. An accurate figure on the total volume of crime probably would not help very much. What we really want to know is whether the volume of crime is going up or down and to which crimes this is happening. The reason nobody really knows, in fact, the root problem is that we possess no independent, objective measure of crime apart from what police agencies report to the F.B.I. about offenses that come to their attention and the arrest rates which reflect their response to the crime problem.

Yet National Crime Commission surveys

showed much non-reporting of crimes to the police. Frequently, victims do not report crimes to the police because they do think the police cannot do anything about it or they wish to treat it as a private affair. This is a common citizen response in cases of assaults between acquaintances and relatives. The reporting of crimes seems to vary from close to 10 per cent on such offenses as consumer fraud up to nearly full reporting on identifiable homicides. Still the big crime categories that account for 87 per cent of the Index figure for the Uniform Crime Report, i.e., burglary, robbery and larceny over $50 are reported only about half the time according to the citizens interviewed.

Thus, there exists a huge reservoir of unreported crime. As we increase the efficiency of our police organizations, adding more policemen and more effective operations, it is possible that we will dip deeper and deeper into this pool of unreported crime. This alone will result in higher crime rates known to the police and higher rates of arrest. The basic dilemma is that we use the reports of operating agencies to measure the effectiveness of their work while these same reports are also used to tell us what our crime problem is. The natural consequence is inadequate and defective reporting and a false picture of the crime problem.

CALL FOR INDEPENDENT TABULATION OF CRIME

I can think of no single undertaking in the field of crime statistics that would help us more than the development of an objective measure of the crime problem apart from what the agencies of criminal justice report it to be. This would, I think, take the police off the hook and out of this annual "numbers" game.

As it now stands any increase in efficiency and activity of law enforcement agencies can reflect unfavorably upon the way in which they are handling the problem by showing more crime. If we could show, instead, that this greater efficiency and activity results in fewer people being victimized by crime and delinquency, then we could decide better just how to support our police and they could be more certain about what works or does not work in the law enforcement field.

This, I believe, is the real value of the victim-survey that the Crime Commission undertook. The fact that it revealed 1½ to 10 times more crime in the community than police data report seems to me relatively unimportant. What we need is a base-line, some objective measure for routinely evaluating our crime problem against which we can test this effectiveness of law enforcement and criminal justice activity. Only then will we know where we are, where we are going, and whether what we are doing is making any sense.

We should also try to develop other independent measures of crime such as surveys of business and organizations. Very little of this crime toll is now reported. We should also check with security systems and private police whose encounters with crime often go unreported. We should also keep better track of insurance reports and change in evaluations of risk. All of this is designed to put together from these fragmentary sources an independent and objective picture of the crime in America that would let us know where we stand. Many of these recommendations were made in the National Crime Commission report and they have received considerable publicity, particularly the victim survey. Some states and metropolitan areas are now considering undertaking such surveys. Though this is a very wholesome development we also need national research programs that would promote these local efforts and assemble from them a national picture of the crime problems.

TRENDS IN CRIME

Perhaps an even more important question than how *much* crime do we have is the question, "What is the trend in crime?" If it is difficult for all the reasons I have just indicated to discover how *much* crime there really is in our society, it is even more difficult to find out where it is going. There is no question that the latest official statistics show that crimes of all types are increasing. As the Crime Commission noted, though I will not try to reproduce the whole analysis, it is possible to predict such increases on the basis of the increased proportion of youth in our population, the movement to urban areas where criminal influences are always greater, the increased affluence that makes more and higher priced goods available to be stolen even in the poorest ghetto communities than there were thirty years ago. Insurance against crime now included in comprehensive household policies may have encouraged, not only a greater laxity in the protection of goods but also better reporting by persons of thefts.

Police reporting has been getting much better under the guidance of the Uniformed Crime Reports of the F.B.I. Also there are some indications that there is better reporting of crimes to the police than ever before, particularly in the ghetto communities of large cities. Ghetto residents are beginning to expect better police protection and therefore tend to involve police by reporting more of the crimes which occur. These attitudes were clearly apparent in the surveys by the Crime Commission though there was also some ambivalence toward the police.

On the one hand, ghetto residents see policemen committing acts that they describe as undignified treatment of citizens, and sometimes brutality. On the other hand they want and demand more police protection than residents in other areas of the city and suburban communities. To this end they are ready to support higher pay and better training for the police. Finally, it should be noted that a higher proportion of low income people live within the boundaries of our cities than ever before, and these are the groups which traditionally have contributed most to street crimes of theft and violence.

CONTINUED RISE IN CRIME RATE

All of these factors taken together should lead us to expect a steady rise in crime through the 1960's as well as the 1970's before a leveling off in the crime rates might occur. However, this does not mean that people are getting less moral than they used to be. Recent studies in individual cities, such as Buffalo and Boston, have traced the history of recorded crime rate back to the early years of the 19th century. These trend lines show that crime rates were far higher a hundred years ago than they are today. The drop in crime rates, particularly in violent crimes, was steady throughout the last part of the 19th century through the depression years of the 1930's when they seemed to hit rock bottom. Since then, particularly since World War II, we have had a gradual and uncertain rise since the 50's and in the 60's we are moving up more swiftly again. This is the long range picture. Some of the quotations which Mr. Ruth cited about the problem of crime in the 19th century could be duplicated over and over again in the reports of law enforcement officials in our own time. Nevertheless, many of the factors indicating a rise in rates today should also lead us to expect a leveling off as the full impact of their push on the crime rates is reached.

I don't want to leave the problem of crime trends there, however. We have had some very remarkable recent jumps in recently reported crime rates. The most recent statement of the Uniform Crime Reports shows that the first nine months of 1967 as compared with the first nine months of 1966 saw a general increase in Index crimes—i.e., the crimes of willful homicide, forcible rape, aggravated assault, robbery, burglary, larceny over $50, and auto theft. These increased 16% in 1967 over 1966. Robbery was up 27% in this two year period. Robberies of residences were up 27%, armed robberies of stores up 39%, armed robberies of service stations up 26%, armed robberies of banks, mostly branch banks, up 60%. If we accept the idea that robbery is the bellwether crime, it is clear that some important, unidentified forces are at work which were not observable by the Crime Commission at the time it made its study. At that time we had only the 1965 rates to go on. Since then, we have had this remarkable upward push in the crime rates.

I have talked with police officials about this. They suggest that around the country there is a greater willingness today, because of the public concern about crime, to report the crime picture as it really is. I have also talked with law enforcement officials about the effect of the Supreme Court decisions. As you know, they are widely opposed to these decisions and regard them as handicapping crime. To some extent this may have shifted their sense of responsibility for the crime rates and encouraged higher reporting. Nevertheless, the increases in armed robbery, the prototype crime of attack by a stranger, are so great that some of this must reflect a greater willingness to use violence.

Thus, after a careful examination of crime volume and rates, one is lead to believe that much can be explained but some of the unexplained increase may reflect a true rise in the actual crime rates. However, a more important conclusion is that in this area our basic problem is our ignorance. We have not invested enough in finding out what the crime problem is, what effect our actions are having and what we ought to do.

STUDY CHANGING NATURE OF CRIME

Of course, it's not just the volume and trends of crime that are important to study. We need to know much more about other aspects of the crime problem as well. For example, the Crime Commission launched a brief study of professional criminality. Investigators talked to professional criminals in jail and in the free community. They talked with police agents in special crime squads as well as prosecutors in four large cities. It proved very difficult to find out whether the professional criminal who represented an important figure in crime 30 or 40 years ago is still contributing as much to our crime problem or is dying out. There has surely been a shift from professional pickpocketing, safe-blowing and burglary to safer crimes. Instead of check writing and forgery professionals are utilizing stolen credit cards. It is also difficult to tell how much of the great increase in shoplifting is due to the professional rather than the amateur shoplifter. It is probably not improper to assume, however, that the professional offender who makes his living out of crime accounts for a highly disproportionate part of our crime problem. We should know more about what he is doing and how he is operating.

We also do not know how much crime is attributable to narcotics addicts in search of funds for purchase of drugs. Assertions are made by the New York City Police Department that a major portion of their crime problem is attributable to this source. The supporting data however are very inadequate. The effort on the part of the National Crime Commission to study this problem yielded no sound data on which to draw definite conclusions.

There are also many other problems about which we lack knowledge to a dangerous and intolerable degree. We really do not know the scope and pervasiveness of organized crime such as the extent of its invasion of legitimate business. We do not know whether minority group crime rates are really increasing in rate as well as in volume. We do not know to what extent there are more interracial victimizations in the field of crime than there used to be. We do not know much about the costs of white-collar crimes and

how they are distributed. We do not know what are the preventive and control effects of various police and criminal justice policies and programs on different crime problems. Today, there is a new interest in middle-class drug-use and its effect on the youthful careers of being arrested for possession or sale of marijuana. Much of the problem is still underground and we are only beginning to uncover its penetration into suburban areas. Furthermore, we do not really know how much the fear of crime today is a camouflage for fears about Negro demands for equal opportunity in our society.

If we really want to know what is happening we must change in our willingness to invest in short-term and long-range research on these problems. We need to develop centers where continuing investigations are pursued rather than relying on the sporadic interest and effort of isolated scholars. We need to build a better data base about our crime problems, law enforcement operations, and criminal justice procedures, so that we can undertake operational research on the relative effectiveness of new programs and policies that we may develop. This will require a new partnership between the universities and the practicing agencies in this field. In no other major social problem have we relied so little on such cooperative endeavors. In public health, mental health and medicine generally, we have achieved enormous advances by forming teams of persons with different academic and practical capabilities and interests. We desperately need comparable knowledge gathered and analyzed systematically by such teams in the area of crime. Perhaps, some of the miraculous advances we have already achieved in safeguarding the health of citizens throughout the country can be duplicated with regard to their safety from crimes of violence, stealth and public disorder.

Hawaii's Federal Woman of the Year Nomination Goes to Mrs. Wilfred L. Lee

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. MATSUNAGA. Mr. Speaker, American women are filling increasingly important roles in government, business, education, and other fields of endeavor. One who has filled just such a role is Mrs. Wilfred L. Lee, of Hawaii. Mrs. Lee has been nominated as "Federal Woman of the Year" from the Island State.

An excellent article about Mrs. Lee was written for the Sunday Star-Bulletin and Advertiser of April 21, 1968, by Honolulu Advertiser women's writer Patsy Matsuura. The article outlined Mrs. Lee's accomplishments which led to her nomination.

In her capacity as senior action officer with the Services Division, G–1 Headquarters, U.S. Army, Hawaii, Mrs. Lee develops the policy that affects morale and welfare of Army personnel and their dependents. She reviews all staff actions and regulations, procedures, opinions, and policy statements that are initiated or sent through the Services Division.

In recommending Mrs. Lee as "Federal Woman of the Year," Col. Burl C. Lewis, assistant chief of staff of personnel, U.S. Army, Hawaii, said:

She has continuously demonstrated her outstanding ability to supervise and manage the personnel and resources of the Services Division.

In addition to her regular duties, Mrs. Lee also rendered invaluable service in last year's highly successful Honolulu Area Combined Federal Campaign. Mrs. Lee served as executive assistant to the chairman of the joint work group, and was the only woman actively involved in the campaign which helped raise $872,283 for 51 agencies.

In 1944, Mrs. Lee enlisted in the Women's Army Corps, and it is interesting to note that she was the first woman of Chinese ancestry from Hawaii to enlist in the WAC. She has served continuously with the Department of the Army in a number of responsible positions since that time.

Mrs. Lee truly embodies the ideal of the dedicated and capable woman who has put all her talent to use for the benefit of her community, the State, and the Nation.

I know that my colleagues would wish to join me in extending warmest congratulations to Mrs. Alma Lee, Hawaii's "Federal Woman of the Year."

I am pleased to submit the article on Mrs. Lee for inclusion in the CONGRESSIONAL RECORD:

FEDERAL WOMAN OF THE YEAR NOMINEE—SENIOR ACTION OFFICER IS VERSATILE

(By Patsy Matsuura)

Because she enjoys her job so much Mrs. Wilfred L. (Alma) Lee said she doesn't mind commuting from Kailua to Schofield Barracks five days a week.

"I've been doing it for the past 10 years," said the senior action officer with the Services Division, G–1 Headquarters, U.S. Army, Hawaii.

One of 15 women competing for the title of "Federal Woman of the Year," Mrs. Lee's name was submitted by Col. Burl C. Lewis, assistant chief of staff for personnel, U.S. Army, Hawaii.

"It takes about an hour to get to Schofield," she explained. "Although I start working at 8, I leave the house at 6:20 so I can have breakfast along the way.

"I don't mind driving all that distance because my job is so interesting. It's a challenge . . . no two days are alike . . . and I'm not confronted with routine problems."

As senior action officer, Mrs. Lee develops the policy that affects morale and welfare of army personnel and their dependents. She reviews all staff actions and regulations, procedures, opinions and policy statements that are initiated or sent through the Services Division.

In recommending Mrs. Lee, Colonel Lewis said, "She has continuously demonstrated her outstanding ability to supervise and manage the personnel and resources of the Services Division."

Another big factor that led to her nomination was her "invaluable" service to the Honolulu Area Combined Federal Campaign (CFC) last year.

An annual event, the campaign helped raise $872,283, the money to be distributed among 51 agencies—the 44 Aloha United Fund agencies, the four health national agencies and the three international service agencies.

Mrs. Lee, the only woman actively involved in the campaign, served as executive assistant to the chairman of the Joint Work Group comprised of representatives from the Uniformed Services and Federal Civilian Agencies. This undertaking was in addition to her regular duties.

The CFC included more than 50 Federal agencies throughout the islands of Oahu, Midway, Wake, Kwajalein and Eniwetok. It involved on-the-job solicitation of some 83,000 military and Federal civilian personnel.

"If one individual person can be singled out as being most responsible for the overall success of the campaign, that person has to be Alma Lee," said Colonel Lewis.

A Federal employe since 1941, Mrs. Lee was assistant chief clerk with the Selective Service System in Honolulu until her enlistment in the Women's Army Corps in 1944. She served as a clerk-stenographer with the Strategic Services in Washington, D.C.

"I was the first Chinese woman from Hawaii to enlist in the WAC," she recalled. "It was an interesting experience and I benefited from it."

Mrs. Lee has been continuously employed by the U.S. Army in Guam and in Hawaii. Before her promotion to senior action officer, she was morale and services assistant. Last year she also won the U.S. Army, Hawaii, nomination for "Federal Woman of the Year for 1966."

Her husband Wilfred is with the City and County planning department.

"I do all my own housework and cooking," said Mrs. Lee. "We don't have children, but we have two German shepherd dogs—Duke and Duchess. My husband walks the dogs every morning and I join him in the evenings."

Conquest of Inner Space

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. QUILLEN. Mr. Speaker, at the recent National School Boards Association's 28th annual convention in Detroit, one of the highlights of the convention was a presentation of a paper on "New Ideas in School Building." It was presented by Dr. Homer Mincy, who is Superintendent of Schools of Greeneville, Tenn. For the interest of our colleagues and other readers of the RECORD, I insert Dr. Mincy's presentation at this point:

CONQUEST OF INNER SPACE

Horace Mann wrote in 1838: "When it is considered that more than five-sixths of all the children in the state spend a considerable portion of their lives in the schoolhouse, the general condition of those buildings and their influence on the young stand forth at once as topics of prominence and magnitude. The construction of a schoolhouse connects itself closely with the love of study, with proficiency, health, anatomical formation, and length of life." The only change to be made in Mann's observations as applied to 1968 would be that *all* of the children spend a considerable portion of their lives in the classroom. In some instances, one might also compare some of our present conditions with Mann's charge of 130 years ago that "from the bad construction of our schoolhouses there is more physical suffering endured by our children in them than by prisoners in our jails and prisons."

Any school building must realize one major purpose—the facilitation of the educational program and the architect's primary responsibility becomes the creation of a physical environment which will contribute to and facilitate the performance of the many educational tasks and functions defined. That the need for flexibility and adoptability to be built into every building is essential is obvious when one considers that educational theory is in such a constant state of growth

and we live in an unsurpassed era of technological advancement.

In assessing existing or projected school buildings one must observe that school construction is moving away from puritan austerity—the guilt complex about comfort is no longer prevalent. Children are winning a new right: the right to be comfortable. Comfort, according to some who have worked in the field of establishing a satisfactory physical environment, can make as much as 15 per cent difference in the productivity of children and teachers.

Within the framework I have indicated, it would seem appropriate to entitle my remarks, "Conquest of Inner Space." It is within the interiors of school buildings that new ideas in school buildings are being effected.

Nearly ten years ago, Educational Facilities Laboratory in The Cost of a Schoolhouse projected nine concepts of school buildings of the future, prime considerations for school planners in 1968. Four concepts drawn from the original nine tell how inner space of school facilities is being conquered.

(The remaining portion of the presentation will involve the showing of approximately sixty (60) slides which are descriptive of the concepts: (1) new forms and surfaces; (2) flexibility; (3) children learn from teachers and machines; and (4) the learning environment. The concepts to be established could be summarized as follows:

1. New Forms and Surfaces—The slides will explore the thesis that new exterior forms and materials are being utilized today that enable the architect to spend less money on the exterior of the building in order that interior space may more adequately enhance the learning situation.

2. Flexibility—These slides will show how open or divisible spaces can provide for a more functional program.

3. Children Learn from Teachers and Machines—Slides will indicate changes that are taking place through provision for a more highly integrated use of all teaching media.

4. The Learning Environment—Accent will be on the visual environment, the thermal environment, the acoustical environment, and furniture and equipment.)

Dr. Martin Luther King, Jr.

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. MATSUNAGA. Mr. Speaker, a very moving poem which underscores the sadness felt throughout the Nation over the loss of Dr. Martin Luther King, Jr., has been written by a former Hawaii circuit court judge, the Honorable Maurice Sapienza, now a distinguished Milwaukee attorney.

In the confidence that it will be appreciated by my colleagues and readers of the CONGRESSIONAL RECORD, I insert Mr. Sapienza's poem at this point in the RECORD:

DR. MARTIN LUTHER KING, JR.

(By Maurice Sapienza)

I had a dream . . .
And though I shall dream no more,
Will you dream
Of racism gone, of war no more?

I had a dream . . .
Of dying before life should have ended;
Of falling before I had finished standing;
Of silence before I had finished talking.
Will you dream
Of living where rights could be ended?
Of shouting where voices have not been heard?
Of moving where no one had yet been stirred?

I had a dream
That you will dream
What I no longer dream.

Parity in Civil Service Retirement Annuities

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. SCHWENGEL. Mr. Speaker, I am introducing a bill to establish the principle of parity in civil service retirement annuities. It is introduced to correct the present inequities in such annuities as the result of different retirement formulas over the past years which have in no means been compensated by small across-the-board percentage increases and recent adjustments in line with percentage increases in the Consumer Price Index.

The administration and the respective committees concerned have been unquestionably influenced by the joint report of the Bureau of the Budget, the Civil Service Commission, and the Cabinet Committee on Federal Staff Retirement Systems, House Document 42, 89th Congress, which while admitting that "it is the responsibility of the Government to maintain the annuities of its retirees and survivors at a living comparable to what they had, and rightfully expected to have at the time of retirement," maintains that "the present method of making adjustments based on increases in the Consumer Price Index serves this purpose well and should be maintained." This contention is refuted by statements by the U.S. Department of Labor in its recent publication entitled "The Consumer Price Index—A Short Description, 1967," which asserts that the index applies to wage earners with annual pay of $8,000 or more and is "not directly applicable to any other occupational group" such as the civil retirees who include professional, technical, engineers, managers, and salary employees in general whose annuities today average the pitiful sum of $224 per month—less than the U.S. Government-established poverty level. Yet the Congress has not hesitated to grant funds and increases to various antipoverty programs and social security recipients and Federal employees, which has further increased living costs and turned the screw harder on the retirees.

Full comparability or parity which the Commission agrees is the retirees' due, has in turn owed these civil retirees ever since they retired from the loyal service they gave their Government.

One of their number has submitted a report dated October 2, 1967, and another on March 21, 1968, which conclusively shows that parity is owed there now by their former employer, the U.S. Government. The bill being introduced is in line with the proposed draft furnished all members of both committees and certain other Members of the Congress. It is a fair compromise in not requiring parity immediately but providing that parity for annuities of less than $675 per month would be attained in four successive steps at 6-month intervals, with lesser adjustments to none receiving hi-excess of that amount.

This bill will not only give these civil retirees the annuities owed them by the Government and long overdue, but greatly enhance civil service itself and attract the desirable employees necessary in normal times and emergencies.

The initial cost would be approximately $250 to $290 million, small in comparison to the benefits other Federal employees have received.

Come Let Us Reason Together

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. RARICK. Mr. Speaker, Rhodesia's Prime Minister, Ian D. Smith, finds that neither the British nor we in the United States are susceptible to reason so long as his country can be used as a political checker on the international board. All facts, decency, and settlement are irrelevant so long as the U.N. and its controlling minority need a whipping boy.

In the United States, our presidential aspirants plead to sit at a peace table with Communists, but as to Rhodesia, oppose even letting Prime Minister Smith enter the United States to defend his position under the Anglo-Saxon concept of free speech and fairness.

By de facto Executive order, admitting our subservience to the U.N. tribal chieftains, we boycott Rhodesian chrome mines owned by Americans so we can buy from the Russian Bolsheviks.

The American people wonder just who is controlling the direction of our Government because the gobbledygook does not represent the wishes of the majority of our people.

Have we become a puppet of the U.N. or a satellite of Russia? What is the difference?

I include Prime Minister I. D. Smith's speech before Rhodesian Parliament February 1, 1968, following my remarks. Some of our press, quick to quote the Communists' every word, cannot find space for leaders of responsible government.

SETTLEMENT OF CONSTITUTIONAL ISSUE

(Report of a statement in the Rhodesian Parliament on February 1, 1968, by Prime Minister I. D. Smith)

The PRIME MINISTER: It is my intention this afternoon to deal with the main issue which is before this House and that is the suggestion that it is the Rhodesian Government which is responsible for the break which has taken place in talks between ourselves and the British Government.

THE CHIEFS

In order to support his case the mover put forward various arguments. The first one concerned the chiefs and here the hon. member's argument, I believe, was based on

a facile legal argument in which he suggested that chiefs could not be equated to members of Parliament but with civil servants because, as he asserted, they were appointed and dismissed in terms of the African Affairs Act. This Act, as hon. members know, gives effect to the recognition of the appointment of the chiefs according to customary law and this, of course, is nothing new in Rhodesia.

He says that members of Parliament are paid by the state; I wonder then who pays the chiefs and the judges, who makes the finance available? It is only through the authority of this House. There can be no distinction between the source from which these various funds are derived. The chiefs derive their position not from election nor from appointment, but from hereditary rights in accordance with the laws and customs of each tribe which determines the rule of succession. There are various complicated procedures that have to be followed and spiritual approval secured before selection and before appointment.

These are the factors that are involved in the formal confirmation of approval; exemplifying the fact that there is no question of arbitrary appointment by Government—but only in accordance with the customs and habits of the people—is the situation that obtained recently in the Darwin district, where it was 15 years before a chief was selected, simply and solely because the spirits had not spoken. It should be known that the chiefs are spokesmen for, and representatives of, their people and they are as conscious of their duty towards their people as hon. members opposite, many of whom have the support of no more than a couple of dozen voters on the voters' roll. The votes in elections have no mystic qualities to make this particular system superior to any other.

I would like to quote from the report of Dr. Paterson, 1962, and here was an unbiased gentleman who came from Britain to carry out an investigation in our country, and he said this at one stage in his report: "A chief cannot be fitted into any European political or administrative arrangement without great difficulty because he is a figure unknown to European conception. He is a compound of father in a widespread kinship system of remarkable endurance, of priest in a focus on occasions of deep feeling of ritual or mystical nature, of judge responsible for articulating the norms and standards of the tribe, as well as holding its members together in harmonious relations, a figurehead personifying the tribe, its sense of well-being, unity and security, and the emblem of the ancient past. Yet no chief is all of this and each is different from the other."

I would like to refer for a moment to the Blue Book which was produced by this Government after the Tiger talks, which indicates very clearly, I would say, how the British Government knew the position. Perhaps before dealing with that I should spend a moment or two dealing with the contribution on chiefs by the Leader of the Opposition, because I think the two go together. He said: "I would like to say this, that the chiefs, much as we respect them as Africans, we have more than once, in fact we have always, said that their role is not that of a politician, their role is in the Tribal Trust Lands". He claims their role is to look after their tribesmen. That is indeed correct and, in fact, it confirms two points which I have made, the first of which I made to the Prime Minister of Britain when I pointed out to him that chiefs were Africans. He did not seem to believe this. It seems to be quite clear from the statement of the Leader of the Opposition that they are. It also supports the stand that we have consistently taken as far as chiefs are concerned, because we believe they are not politicians and that they should be aloof from the hurly-burly of politics and we believe that their place should be in the Senate. We have consistently said that, and if one follows the statement of the Leader of the Opposition to its logical conclusion, then this is the obvious place for them.

The hon. member goes on to say that by having chiefs in the Senate Government would then pass legislation that would discriminate against Africans and possibly would still have the support of the chiefs. Once again, I regret to have to point out to the Leader of the Opposition that if he would take the trouble of reading his own speech through he would see that he himself contradicts this statement a little later. With one voice he says that if the chiefs were in in Senate he believes they would support Government and vote with us; the insinuation was that they would act like stooges. Then, when it suited him a few minutes later he says that we, the Government, are chancing our arms if we believe the chiefs support us.

Then the Leader of the Opposition makes a second point where he deals with the appointment of chiefs and their deposition, and says that once a chief had been elected a hereditary leader of these particular tribesmen he was never deposed, he only relinquished his position by death, and this was the custom. He said the Rhodesian Front Government is doing something contrary to African custom. I would like to point out that although it is a fact that since the Rhodesian Front Government has been in power there have been two occasions on which chiefs have been deposed, there were many more occasions when this took place before the Rhodesian Front came into power. This is nothing new, and is not something that has been introduced by this Government. On the occasions when they were deposed they were guilty of crimes for which they had been convicted in the courts of this country. I am surprised that there are hon. members opposite who evidently have such standards that they believe that people who have been convicted of perjury are fit and proper people to go on leading them. This is not the view of the chiefs, I am pleased to say.

Nevertheless, even if we assume the correctness of this statement that chiefs were only removed by death, one would have thought that we had advanced since those days and I assume that the hon. member is referring to natural death. I would like to tell him that the record proves that in the days before the European came, if ever a chief did something comparable to the crimes that I have mentioned and lost the respect of the other members of the tribe, then he also met his death by unnatural means. We are a little more civilized and we do not believe in people taking the law into their own hands. Moreover, there are occasions in history where perhaps a chief was put, not to death, but where the elders of the tribe made it clear to him that in the interests of his life he should move and accordingly he moved, and this was tantamount to banishment.

The third point raised by the Leader of the Opposition concerns Government policy in regard to education, and here it is a fact which we do not deny that the chiefs have shown some concern about education facilities. However, I must say that they are practical people and they have accepted Government's point that where certain children are not all that bright the best thing to do with them is to give them some sort of practical education. This they have accepted, and I am confident that when this phase of Government's educational programme becomes functional the existing disappointment which has been voiced by the chiefs and others will be relieved. I would say that in the interim the malicious interpretations that have been placed on Government's policy as far as Africans are concerned certainly will not assist us in solving the problem. It does seem to me that the chiefs have moved with the times. Hon. members opposite believe that they have no place in politics, but if one goes back far enough I think hon. members opposite will agree with me when I say that no Africans had any place in politics. The chiefs were the heads and there were no politics in this country before the European came. The chiefs have accepted that as far as the average African is concerned they have to accept progress, and they have accepted that Africans should come into politics. They have shown a breadth of mind in conceding this.

I wish to turn to the Blue Book on the negotiations between the Rhodesian and British Governments in order to prove that as far as the British Government is concerned they are completely in the picture as to our stand on the chiefs. I quote here from page 85: "Rhodesia Government Note delivered to the head of the British High Commission"—and this was to be transferred to the Secretary of State. "Question (1) It is proposed that, as regards their removal from office, all chiefs should be protected by entrenched clauses in the Constitution. Should the Government or the tribe, for good reason, wish to remove a chief from office, the proposal would be referred to an impartial tribunal. No chief could be removed from office except on a recommendation of the tribunal."

Although we were completely satisfied that no such protection was needed, that there was no political interference and that there never has been, we agreed to give this additional safeguard, and here the thing is and it has been stated in public on a number of occasions.

A little later in the same document on page 91 the Secretary of State says: "On the question of the role to be played by the chiefs in the Senate he noted the latest Rhodesian proposal for the entrenchment of the position of the chiefs." That is not the real point I was looking for, however it is significant.

On page 92, this is the British Prime Minister, and it goes thus in the second paragraph near the top of the page: "In this connexion the British Prime Minister stated that from his point of view it was not that the chiefs were not properly appointed, nor that they would be interfered with by Government, but their political thinking appeared to lie in one direction, i.e. they tended to hold reactionary views." So even the British do not believe according to the words of their Prime Minister, that we would in any way interfere with the chiefs.

THE SECOND ROAD

The next point the hon. member asked about was what if there is no settlement. Again, I would say the hon. member knows the answer to this as well as I do. I made my first pronouncement on this question and in this House, I think it was about the middle of last year and I repeated this again and again. The last time I spoke of this in public was in my New Year's broadcast on the first day of this year, when I said there that it was doubtful as to whether we were going to arrive at our destination through the road that we had been following, that of negotiation. So we decided and we set up our commission on the 1st March last year to look into a new constitution for Rhodesia, and this was the second road that we were preparing on our way towards world recognition. I did use the simile, the analogy, one that was given to me by a visitor from overseas, where he said that as far as he could see there were only two horses in the race and both of them came from my stable.

I have a feeling that the United Kingdom are going to repeat their mistake again now, the one that they did at the time of our Declaration of Independence. They did not learn their lesson then and I have a feeling that they have not learnt their lesson yet after everything that has gone on.

RECOGNITION

The third point: the mover said that the acid test before us was that of recognition. He did not think we would get anywhere without, first of all, obtaining recognition. Well now, Mr. Speaker, I and my colleagues have never denied that this was the thing we were aiming for and that the first object was to try to get recognition from the British Government, but to say that this is the acid test and that everything depends on this, I think is stretching a long-bow, if I may say so. One only has to look through history to see the many precedents where one cannot state this particular claim with any justification. One looks, for example, even at the United States of America. Six years elapsed before they were recognized by Britain, but that is going back in history and maybe times have changed as one hon. member said. So, let us bring ourselves more up to date; let us look at the case of Communist China, Mr. Speaker. They became a state as long ago as 1949, nearly 20 years ago, but to this day the United States of America have not recognized Red China nor has Canada, nor Australia, nor New Zealand, among other nations. I do not notice that Communist China, though I have not much time for it, seems to be collapsing or getting weaker as each day passes. Again, in conflict with what I have just said, or rather in a different approach, let us look at the case of Cuba. Here we have a case where the United States have always acknowledged Cuba, even since they have had trouble with them over the last few years. In spite of that there does not seem to be much currency crossing between Cuba and America. So, this does seem to me to be quite an incredible statement by the hon. member, when he thinks that the be-all and end-all of our future in this country depends on obtaining recognition. This is what he said, and I am not trying to exaggerate, but there are these many other precedents which I pointed to of where countries do trade and deal with a country that is not recognized while, on the other hand, they do not trade and deal with a country that they do recognize. As far as we are concerned, this does not worry us all that much. Mr. Speaker, we are satisfied that although, as I have said, our first wish is to obtain this recognition, if it does not come our way it will take us a little longer but in the end we will get there.

ECONOMIC PESSIMISM

There is one other point I would like to touch on before coming to the Constitution proper, and that is to refer to the economic picture which the mover painted, dealing with our economy, and here he certainly allowed his pessimism to run away with him. We have never attempted to deny that sanctions were harming the economy. We have conceded this and said this time and time again. This is one of the prices we have to pay for our independence. We have made up our minds and we are getting on with it. We are fortunate though, that it has affected the economy less than we had anticipated, and even the mover of the motion conceded that as far as he was concerned this was also the position.

BREAK IN TALKS

I will deal with the question of the break in the talks. The first thing that Mr. Thomson said, when he came to this country at the end of last year, to talk to me was this; this was after refusing my invitation to join in our independence celebrations; but after this he confessed that he was new to his job, that he knew little about it, and therefore he was not in a position to come to any conclusion. He had no mandate to negotiate. In fact, he had come here to assess the position. This was fair. I certainly did not voice any criticism about this. This was the truth; he was new to the position and, in all honesty, I would like to pay him a compliment and say that he knew more about his portfolio than I expected, but he did not know all the answers and had to lean on his advisers on a number of occasions.

Then he came to see me at my residence on the eve of his departure, the talks having taken place, and here he expressed his disappointment over what he believed was the position, namely, that we were further apart than he expected. However, he told me that he was dedicated to finding a solution to this problem and he would now return to Britain and discuss with his colleagues and then communicate with me. I made two points. Firstly, I regretted his view, feeling that we were further apart. However, I said that if this was so it should be no surprise because we had issued many, many warnings to the British Government and after the behaviour that we had received from the British Government, subsequent to the Tiger talks, I thought that this was the sort of thing that could be expected. Clearly the fault lay at the hands of his own Government.

Secondly, I welcomed his sincere dedication to solving the problem, or so it seemed at that time. I said that I hoped there would be no repeat of the farcical and tragic behaviour which followed the Tiger talks, where this Government was given a matter of hours to make up its mind in spite of the fact that there were a number of inaccuracies in the document, and that once we had given our answer without further ado their Prime Minister threw his hands in the air in desperation and went straight to the United Nations.

I said as far as I was concerned I was prepared to go on talking as long as I was satisfied that these talks were going to be constructive. Mr. Thomson agreed that it was desirable that we avoid rash actions and he said that he would continue to the bitter end. Those were his exact words; I remembered them. In fact, they are included in the minute I wrote in my office the next morning—to the bitter end he was prepared to continue. He said that after discussing our proposals with his colleagues he would at least communicate with me but if he had his own way, he, personally, would return to Rhodesia and discuss the problem with me again.

In addition, of course, let me repeat what I have said before, that we made a firm and positive decision, and this is always the normal practice as far as high level talks are concerned, that there would be no public disclosure until we had come to the bitter end, and even then it would only be through mutual agreement. Well, after all of these promises I have not had one word of communication from this man, so I wonder how hon. members opposite can claim that I and my colleagues are responsible for the break in the talks, and especially when one looks at the past record and sees how consistent this has been.

WHO SLAMMED THE DOOR?

In the first place, after our Declaration of Independence who was it who slammed the door? It was the British Prime Minister, for a period that went on for nearly a year before he decided to approach us. Then we had the Tiger talks, and who was responsible for stopping the talks thereafter? It was the British Prime Minister, quite clearly. I do not think anybody would try to suggest otherwise.

Now we have this most recent third occassion of what has happened, of how after a promise to communicate with me or to come back in person we have had not one single word from the British Government. After this third break I made a public statement on the 20th December last year giving the story as I saw it. I ended up by saying "I doubt whether they had any intention of coming to any settlement at all". I believe that this was the only logical conclusion. I believe that no one other than a mad, incurable optimist could come to any other conclusion, but it is suggested that because I voiced this opinion I am responsible for stopping the talks. What a mischievous and deceitful distortion of the truth. I would say, and coming from people who claim that they are trying to assist us in solving this problem. I would suggest that there is a question mark behind their behaviour.

FELLOW TRAVELLERS?

My information, for what it is worth—this comes straight from the horse's mouth over the other side in Britain—is that Mr. Thomson did not wish to make the statement which he made in Parliament disclosing what had happened here, but that Mr. Wilson insisted that he should do so. He had changed his mind because only a few days previously he had made a statement in the House of Commons that they were unable to divulge what had taken place. My information tells me that he was forced to change his mind by the left wing extremists in his party. This is a new development and it means that Mr. Wilson is without any question a prisoner now of his extreme left wing.

When one looks at these people, and when one hears the sort of things they say, I must in all honesty concede that I find it very difficult to differentiate between them, judging them on their statements, and the statements which are made by committed fellow-travellers—communists. I would just like to quote this in case I still have to convince some hon. members opposite that the fault lies with Britain and not with us and I do not want to resort to any unnecessarily extravagant language on behalf of myself. I would not say this if this was original and coming from me, but this is a repeat of something that was said by Lord Shawcross, a former Labour Party Attorney General—in other words a disciple of Mr. Wilson's. This has already been said an has already been published so I do not believe I will be stirring things up too much by simply reiterating it for the edification of hon. members opposite, because I feel they still need to be convinced. This gentleman, recently, on the 21st of last month, after returning from the United States and Canada said: "The leadership of Britain is utterly discredited. Almost every pledge the Prime Minister has made has been broken. The feeling of distrust of the Government was now felt throughout the country and abroad. The best service the Prime Minister could render the country would be to leave it."

OUR POSITION UNCHANGED

Then the mover of the motion asked what is the position now. I can only answer for Rhodesia and as far as we are concerned there is no change in the position we have held for the last few years. I am always prepared to talk to anyone, at any time, as long as I am satisfied that the talks are going to be constructive. If the gentleman, Mr. Thomson, who was here at the end of last year has the courtesy to reply to my message or, as he suggested, visit this country, then maybe we can make some headway, but unfortunately this is something over which I have no control at the moment; so what do we do meanwhile? We do not sit and stew in our own juice; we get on and we run the country. We make decisions that are necessary for the good government of our country and, if the British do not like it, who is to blame? Surely they; it is their fault, no one else's as I see it, for sitting, sulking and refusing to talk to us and this has gone on for a long time.

UNITED KINGDOM BUNGLING

I would say that this whole incident of Rhodesian independence is going to go down in history as one of the classical examples of United Kingdom bungling, mistiming and arrogance and these are fair words; I have chosen them very carefully. First of all, there was their complete miscalculation as far as our desire for independence was concerned—and independence anywhere in the

world is one of the strongest and one of the most irresistible forces; anybody who knows anything about life should know this.

Then there was the parade through Africa, telling everyone that Rhodesia would be on its knees within weeks, not months. Then there was the drama-filled meeting on the battleship on the high seas, where again this was held in the misguided belief that Rhodesians were prepared to compromise, that they were weakening. Then there was the jamboree at the United Nations where the people there were recklessly offered NIBMAR and then this most recent episode, where it would seem that they acted more in desperation and panic than for any other reason. What do we find in Rhodesia? Meanwhile this country goes on as a model of peace and composure following our carefully charted course, geting nearer and nearer to our goal as each day passes.

THE SO-CALLED PRINCIPLES

The mover of the motion next dealt with the six principles and, in particular, he referred to the first principle, that of unimpeded progress to majority rule. I must reaffirm what I have said before in this House, and I have said this on more than one occasion, that I have no intention of carrying out my negotiations with the British Government in public. I have no intention of laying my cards down on the table unless the other side is prepared to do likewise. However, there are one or two things which I can say, and which I hope will help hon. members in visualizing the position as we find it at the moment. I believe that the discussions which we have had so far, which have gone on for a number of years, have proved the futility of trying to solve this problem through the medium of the six principles. I would like to illustrate this, if I may, by referring to the first principle which the mover mentioned in particular, that of unimpeded progress to majority rule.

The first time we met the British Prime Minister was at a meeting in London, where I was there with some of my colleagues who are sitting here with me today. It was made clear to us there that as far as the British Government were concerned they wished for this magic thing called majority rule to take place by the next election. "In other words," I said, "do you mean within five years?"; and the answer was "That seems a reasonable time." That was the first estimate. Even Mr. Wilson has changed his mind. I think it was very soon apparent that this was an incredibly stupid assessment of time even to extreme left wingers and now today, what is it? Five years after that meeting we had with Mr. Wilson even he now talks of 10 to 15 years, so this shows you how, even in the mind of one man, this unimpeded progress to majority rule can stretch from five to 15 years.

I know people who say to me "maybe in 100 years we can think about this sort of thing." But I have also met people who say to me—do not ask us to discuss this at all if it is anything less than 1,000 years. This is the incredible position in which we find ourselves that anything from five years to 1,000 years can be made to fit in with the definition of unimpeded progress to majority rule, so it does not get you anywhere if you try to work on a bald principle like that.

Moreover, this principle conflicts with a statement which Mr. Wilson made himself. I think all people who take an interest in the politics of this country will remember that, when he was out here on the memorable but fruitless trip of his, he said, as far as he was concerned, the peace of advancement should be determined by achievement and not the clock. Let us accept that and let us assume—quite a normal happening—that as far as this achievement is concerned, at some time in our history this has to be held in abeyance.

It is even possible that there might have to be retrogression rather than advancement among certain sections of the people. Let us not be as hard as that and consider a position where there was a standstill. If this did happen then according to the maxim of advance by achievement and not by the clock, there should be no progress. So the first principle is in conflict with this maxim because under the first principle you are not allowed to impede progress to majority rule under any circumstances. The situation which I have envisaged is one which is very definitely within the realms of possibility. So there is no doubt, as far as we are concerned, that in the negotiations that have taken place, it has been proved—and proved conclusively, and this goes for all the principles—that no facile arguments dealing with principles, principles which can be interpreted in a dozen different ways, are of any real consequence.

MAJORITY GOVERNMENT

Let me add that I have always claimed and I have always said, in this House, that as far as I am concerned I believe that we have to-day, and we have always had, a majority Government in this country. This depends, of course, on what your belief is, if you are someone who thinks like a sheep and believes in that sort of thing, there is no qualification, but if you are somebody who believes in civilized standards there is a qualification, but it is still majority rule, and I do not think this can be denied.

I would like again to refer to this final statement of Mr. Wilson, and I repeat, where he said: "The British Prime Minister's statement that from his point of view it was not that the chiefs were not properly appointed, nor that they would be interfered with by Government, but their political thinking was in the wrong direction". So, as far as the British Government is concerned, it is not only one man, one vote, or majority Government. They want to insist that this Government shall be in the hands of people who think socialist thinking and nothing else.

MANDATE

Next, the hon. member dealt at length with the fact that he believed we had no mandate for introducing a new constitution which was not based on the 1961 Constitution. Again I would say to him that he knows the answer to this question and he knows it very well indeed, because as long ago as the 19th September, 1966, on a motion for the adjournment of this House the question was raised by the Leader of the Opposition. He said: "I rise to raise a certain question with the Prime Minister with regard to the rumour going round the country that, in a matter of months when it is considered the right time, the Prime Minister and his Government may take a further step in declaring Rhodesia a republic". I replied to this and said that the Leader of the Opposition talked about the next step. I said: "I admit that we have no mandate from the country to declare a republic and under these circumstances I would not be a party to doing this because I believe it would be deceitful. I have no compunction whatsover in giving an undertaking to this House that we would never resort to such a thing without a full-scale debate, for example, in this House". Later I said "a prerequisite would be that we would have to put this to the country" and I went on "the correct procedure would be to get this somehow or other, perhaps through a referendum, from the people of Rhodesia". I will not quote any more. This is in *Hansard,* this is not in any fairy book.

Then I would like to quote again from *Hansard* of the 21st February, 1967, column 1857, and here I am speaking and I say: "The hon. member for Highfield . . ."—this is the hon. member I am referring to—". . . also referred to the question of the introduction of a republican constitution and wanted to know whether this would make any difference to the position of our recognition by other nations . . . The hon. member asked if the new constitution would be tested to find out if it was acceptable to the Rhodesian people as a whole by an independent and important commission". I think this is a misprint, I think "important" is supposed to be "impartial". "I would simply comment, what could be more independent and impartial than the electorate of Rhodesia?" Then, by interjection, Dr. Palley asked: "That means a general election or referendum?" I replied: "I would say this is a fair assessment". This is very clear, right to the point, and it cannot leave any doubt or ambiguity in anybody's mind. Then another one on the 30th April, last year, less than a year ago, and I quote here from *The Sunday Mail*—the headline is "Smith pledged test public opinion before taking action. There will be no republic in Rhodesia in 1967 and there will definitely be a test of public opinion before any move is taken".

CONSTITUTIONAL COMMISSION

I believe hon. members would wish me, at this stage, to outline once more briefly the procedure as I envisage it following the report of our Constitutional Commission. I am informed that they still expect to report this month. I think I have been told the main work is over and that they are now crossing the "t's" and dotting the "i's"—that sort of thing. However, I want to make it clear that I am not giving any undertaking and I, personally, have told the chairman that as far as I am concerned time is not of the essence—a good job is what we want. Therefore if this does spill over into the next month I certainly shall not complain. However, at the moment I am told they believe they will be reporting this month, I should think towards the end of the month. Now, once this report is in our hands we will study it and, of course, the public will have an opportunity to study it, and Government will decide whether they wish to implement it or not. If we decide to implement it, or whatever the constitution we decide to implement as a result of this report, as I see it we will produce the constitution in the form of a white paper and we will then put that to the country in a referendum and ask the electorate whether they accept it or not. If they accept it I believe we will have a mandate to go on and we will introduce a Bill to this House bringing in a new constitution. When that has been brought in then we will have an election on that constitution. This is the way I envisage it happening, but I want to make it clear that we have not firmly made up our minds and there is no set plan, although this does seem to me to be the most logical procedure of dealing with the report when it is produced.

DIFFICULTY OF NEGOTIATIONS

Finally, the mover of the motion asked what I thought the prospects were for future negotiation. Well, I would say to him: why ask me? I would like to repeat that Mr. Thomson, when he was out here, told me, that he would take our proposals back, consult with his colleagues and then give me the answer—never mind the personal visit which was suggested, but even an answer. His Prime Minister, Mr. Wilson, has stopped him from doing this and so I would say to the mover of this motion that he should direct his question to Mr. Wilson. I have a feeling that if he managed to get his question through this is the sort of reply he would get from Mr. Wilson: I think he would be told to ask the left-wing extremists who now give Mr. Wilson his orders on the Rhodesian issue. I believe that if the hon. member then could get his question through to this particular lobby of the Labour Party they would reply to him: "Don't ask us, ask the Afro-Asian Commonwealth Prime Ministers because we take our orders from them".

WHO CALLS THE TUNE?

As hon. members know, there has been some doubt as to whether there will be a meeting of the Commonwealth Prime Ministers this year and where the venue will be. There have been some suggestions that it might be in Canada or somewhere else. However, I am told that the dispute, the argument, is over now. The decision was made a few weeks ago, it is now going to be held in Moscow. Well, as far as I am concerned, that is quite all right, that is the business of the British Government and the other people concerned. What they do is their business; we have no wish to interfere with them, we only wish to be left alone to get on and run our own business in our own country. It is quite clear that wherever it is to be held and whatever decisions are made, Britain will not take those decisions, others will make them. There used to be a British saying—well, there still is but it used to be practised in Britain—a saying that he who pays the piper calls the tune. This obviously does not apply as far as the present sanctions battle is concerned. There is no doubt who is paying for this—the British—and they are certainly paying through the nose, but it is the rest who are calling the tune. There have been a few reports in newspapers recently and I need only refer to two. The one referred to the Americans, stating that they were making millions and millions of extra pounds this year selling their tobacco to Britain instead of Rhodesian tobacco. So they are doing fine. The British taxpayer is paying for it and, of course, the British consumer of cigarettes and tobacco. Then, after that, another statement that Canada is making millions of pounds through enhanced asbestos sales to Britain in lieu of the asbestos which used to go from Rhodesia to Britain. The British are suffering; not only are the taxpayers paying for it, but the people who deal with this product are having incredible problems because their machinery is adapted to Rhodesian fibre and cannot deal with any other fibre. There are many other cases that come to mind but I will not mention them because so many of these people are assisting us in the battle of sanctions and assisting us very well indeed. Part of the game is to try to keep what they are doing away from public eyes and ears.

A TEST OF PUBLIC OPINION

In conclusion, if I may, I would like to give a little bit of advice to anyone who is still on talking terms with the British Government, who has not had the door slammed in his face. There are two points worth making. Firstly, why, when the only real argument—and this according to the British Government—existing between us today is one dealing with numbers and details and not colour, because there are no "white" chiefs in Rhodesia, do the British Government not accept our offer to them to test public opinion in Rhodesia? We have always agreed that they can do this. Surely this is the only fair way of dealing with anything affecting Rhodesians—that is if you believe in democracy, not of course if you believe in communism and dictatorship . . . Surely, if they are not prepared to do this I can very fairly throw back in their faces something that they have so often thrown at me, and say to them, that they do not believe in majority rule because they are not prepared to put it to the test.

INSULAR ARROGANCE

The second point, that I believe would be well taken up, is to inform the British that if they wish any talks to succeed there is one thing that they must do right from the inception, and this is that they must abandon their insular arrogance and threatening attitude. You do not have to be a student of psychology to understand this. Anybody with a little bit of common sense realizes that even when you are dealing with a youngster who has just left school you cannot drive him, you must lead. When you are dealing with mature people, how much more important is this. As I have said before, we reached our majority over 40 years ago, in 1923, when the British Government gave us responsible government and said: "You are old enough and capable enough to run your own affairs". Now, over 40 years have passed. So, not only are we now in a different category, not only are we completely independent now, but we are in the prime of our health, strength and mental capacity.

We are always happy and ready to try and reason out any problem and this has been the hallmark of the discussions, the negotiations that have taken place over the last few years. We have no wish in this country to make enemies with anybody and the record proves this. Anybody can see it for himself. The only thing we ask for is to be left alone to build up this wounderful country of ours and to live in peace, all of us together, and no constitution imposed by Britain, no piece of paper, is going to create the necessary conditions. We all have enough sense to realize that. We have to get together in this country and we have to work out a solution amongst ourselves, one which will involve trust between the people. If we cannot do that we will have something that is artificial, something that is not worth having. Any attempt by the British to try to throw their weight about will never bring us nearer. Again, history proves this; it only makes us move further apart, and even a child should be able to understand this. So, if the United Kingdom have no wish to solve this problem, that is over to them. We will go on as we have for some time now paddling our own canoe, regrettably, until we find somebody else who is prepared to offer us a hand of friendship. This is not what we want, we have said it before, I personally have and I repeat it. However, on the other hand, if they do wish for a solution, then I would say let them show their bona fides and, as the record shows, very consistently and very conclusively, if they do that I am convinced that they will not find us lacking.

[From the Rhodesian Commentary, Mar. 18, 1968]

U.S. CHROME INTERESTS IN RHODESIA

A warning that the closing of certain American-owned chrome mines in Rhodesia would be to the detriment of the United States, was issued by the Deputy Minister of Mines, Mr. Ian Dillon.

The move had forced the United States to buy chrome from Russia at a higher price.

This was having a detrimental effect on the United States balance of payments problem and she could find herself "in something of a spot" in Russia suddenly decided to withhold supplies or further increase the price.

Apart from this, the situation had reached comic opera proportions, Mr. Dillon said. It was ironical that the United States was buying Russian chrome, turning it into American bombs and then dropping them on the Communists in Vietnam.

[From the Rhodesian Quarterly, Mar. 18, 1968]

STILL HIGHER LEVELS IN THE ECONOMY

The latest Quarterly Statistical Summary, although not in all respects rounding off activities for 1967, reveals again that Rhodesia moved on to higher levels in its economy.

Industry: The index of industrial production was 117.9, seven per cent. up on 1966 and less than 1 per cent. below the 1965 figure.

Electricity: Electricity distributed totaled 2,325,000 Kw hours, about 5 per cent. up on the consumption in both 1965 and 1966.

Building: The value of building plans passed in the main centres last year totalled £12.000,000, just under the combined figures for 1965 and 1966.

The value of construction output in the first nine months of the year was £26,300,000, compared with £23,800,000 in the same period of 1966.

Population: The total population of Rhodesia rose to a record 4,585,000—4,330,000 Africans, 232,000 Europeans, 14,400 Coloureds and 8,400 Asians.

The natural increase in the European population was 2,494 and the increase through immigration 4,142, compared with a net loss through migration of less than 1,000 in 1966 and in increase of 4,000 in 1965.

Employment: In the third quarter Europeans, Asians and Coloureds in employment totaled 91,000, compared with 88,900 in the third quarter of 1966. Africans in employment was also up, from 587,000 in the third quarter of 1966 to 589,000 last year.

Schools: There was also a record number of pupils at school. In the third quarter there were 61,600 European, Coloured and Asian pupils at school, compared with 60,500 in the third quarter of 1966, and in the first quarter of 1967 there were 686,600 African pupils, compared with 664,400 in the first quarter of 1966.

Financial: In the financial field, the year-end deposits held by the commercial banks totalled £55,800,000, compared with £51,800,000 at the end of 1966.

Fixed and savings deposits totalled £41,700,000 against £36,500,000 and advances totalled £40,900,000 compared with £36,300,000.

Mortgage advances and loans made by the building societies at the end of the year totalled £43,800,000 against £37,300,000.

The number of bonds registered in the course of the year was 6,377, worth £26,290,000, compared with 4,487, worth £19,815,000 in 1966.

Property: Property sales totalled £24,721,000 against £16,607,000 and 736 new companies were registered compared with 608 in 1966.

Roots of American Greatness, and How To Preserve Them

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. BROCK. Mr. Speaker, at a time when our Nation is beset with so many grave problems, an examination of some of our spiritual ills, and fundamental spiritual strengths, serves a very worthwhile purpose. A brief series of essays by the Reverend John R. Andrus, of the Church of the Nazarene in Chattanooga, does just this. I include these essays, which originally appeared in the "Nazarene Evangel," in the Extensions of Remarks:

A NATION CALLED AMERICA

(By John R. Andrus)

America is the greatest nation in the world, made that way by certain principles that have been a vital part of our way of life. I thrill at the singing of our national hymns and anthems:

"Oh thus be it ever when free men shall stand
Between their loved homes and the war's desolation;
Blest with vict'ry and peace, may the Heaven-rescued land
Praise the power that had made and preserved us a Nation.
Then conquer we must, when our cause it is just;
And this be our motto: 'In God is our Trust!' "

A lump rises in my throat when I see Old Glory take the breeze. History of America in those early days and since challenges the best in me. The heroes of the American road are inspiration to me. But I am conscious of the fact that in these days we face a crisis and we need to heed the message of the Word of God and realize that in Psalms *19:17*, it says, "the wicked shall be turned into hell and all the nations that forget God." I believe that we need to take a threefold look at ourselves: First, where have we been; second, Where we are; third, Where we are going as a nation.

We begin with question number one, What is our heritage . . . Americans? It is seen on our foundation stones. Let us begin on September 20, 1620, when our pilgrim fathers left England and sailed into unknown seas. Continue it as they stepped off the ship onto Plymouth Rock in a virgin, hostile wilderness. Continue further into that first winter when half of the one hundred and two of their original group died, and the ground was so solidly frozen that they were unable to bury their loved ones. Twenty of the twenty-four households lost from one to four in that first winter. Continue with us as the Mayflower left for England that following Spring, but not one of the fifty-one remaining returned home and to native land.

Seen also in the lives of red-blooded Americans like Patrick Henry who made that immortal statement, "Give me liberty or give me death." Seen in those who died on the green at Lexington and in the snow at Valley Forge. Those who gave their life's blood in the shadow of the Argonne Forest, on the beachheads of Normandy, and in the valley of the river Rhine. Those who gave all on Iwo Jima, Guadalcanal, Corregidor, Pearl Harbor, Korea and at present in the tangled forests of Vietnam. We have been in our history, a great nation under God and no one has come close to our equal in history.

Our heritage is also seen in our past national leadership. Those colonial leaders that knelt on that first Thanksgiving Day and their tears of gratitude mixed with the falling snow. Further, it is seen in the life of our first president during those days of a struggling republic, as he knelt in the snows of Valley Forge to seek divine guidance against overwhelming odds. Seen further in the days of civil breakdown when Lincoln made the statement that many times he was driven to his knees when he was faced with the overwhelming realization that he had no where else to go.

It is also seen in our three national institutions on which our strength has been built. Our first institution has always been our homes. A place where discipline has been taught; where work has been honorable; where morals have been instilled in the lives of our youth from generation to generation; where respect for God has always been a part of throughout our history. The second institution that our great nation has been built upon is our schools, where there has been more opportunity for learning than in any nation in the world; where God has been recognized; where patriotism has been promoted and respect for the things that have made us great has been a vital part of this institution. The third institution upon which our foundation has been resting is our churches, where man has been free to worship according to the dictates of his own conscience; where worship was the center of the social structure of society. The center of life for our founding fathers was a place where they could find "freedom to worship God."

Also, it is seen in the very wording of the great national documents that send a thrill and chill up the spine of any true American.

The third part of this discussion is: What is our here and now . . . Americans? Are we still in the line of greatness and blessing as a nation as we studied in last week's Evangel? Just a few observations should stir us.

What about the conditions in the great institutions that have made America great? First, What about our schools? Our centers of higher education have become centers of immorality and sin. The respect for authority has all but vanished as our youth parade in open rebellion. We can no longer put God in His rightful place because of our court action. We are forbidden to teach Biblical truths in many areas, but we can teach evolution and anti-Godism without much of any hindrance.

What about the foundation of Americanism as was taught in our homes? As some one has said, there is "too much concern for personal pleasure. The cocktail lounge, the bridge party, athletic contests, clubs, and lodges are more important and more thrilling than family life. Too many wives are working and too many husbands are moonlighting in order to secure more almighty dollars to buy more liquor, more tobacco, better cars, and more entertainments, while the children are left to run the streets without the training and guidance of parents." Divorce is on the increase. Illegitimate births are increasing year after year. Separations and broken homes are the order of the day in twentieth century America.

What about our churches? In many places the Scriptures are no longer considered infallible. The Bible is no more inspired than Shakespeare or Emerson. Jesus Christ is denied. The Virgin Birth is made light of. The death of Christ as a sacrifice for sin is ridiculed. The miracles in the Bible are either placed in the fairy tale class or attempts are made to explain them from the purely natural. The social Gospel has eliminated personal Gospel, and entertainment, rather than evangelism has seemingly become a primary motive of the church. In the church, there is still no substitute for a life radically transformed in a new birth experience. There is still no substitute for the mighty sin-cleansing experience of the Baptism of the Holy Ghost, and a church that prays and fasts until the course of history is changed.

Our very way of life is threatened in America. Our society is rotten at the core. Book stands are frought with sex. Television has eaten the heart out of morals and decency. The past twenty year's population has increased 34% while crime has increased 228%. We must take a long, hard look at the here and now of America. Are we as concerned as Christians as we ought to be?

The final aspect in this little series in our midweek Evangel is the third question; What Is Our Hope. . . . Americans? Our salvation is not in our wealth of materialistic and scientific progress. Neither is it giving to be in our made scramble for educational achievement or intellectual advancement. We will not find it in our political parties or in the brains of our military geniuses. It will not be found in the entertainment world in an effort to deaden our thinking to the ills that face us. It will not be found in a resorting to LSD or pep pills or tranquilizers.

Any restoration that will be a salvation to this great land of America must come from another world as a supernatural visitation. God must have His way in our hearts. God will then have His way in our homes. God will have His way in our churches if He has His way in our hearts and homes. Then, and then alone, will God have His way once more in our America.

We must return to the Pentecostal plan and power of the New Testament church era. What is the church that the gates of hell shall not prevail against? We realize that it was the church that was birth-dated at Pentecost. The church that penetrated into Caesar's household in the Roman era. The church that has spread by the blood of the martyrs down across the long ages. The mighty Holy Ghost anointed fire-baptized force that we read of in the New Testament. It will be the powerful fulfillment of *Acts 1:8*. The one that came into existence by Holy Ghost anointing like under the sound of a mighty rushing wind that we read about in *Acts 2*.

What was the power that characterized this church? It was the fulfilment of Holy Ghost Power. It manifested itself in the power of utterance, they all began to speak. In the power of conviction, hearers were pricked to the heart. In the power of addition, the Lord added to their group such as were being saved. The power of continuance, they continued steadfastly in the Apostle's doctrine. In the power of love, they had all things common. In the power of consecration, they parted with their wordly possessions to further the cause. In the power of unity, they were of one accord. In the power of contentment, they ate their meat with gladness. In the power of cleansing, they were characterized by singleness of heart. In the power of worship, they were continually praising God.

If we are going to help re-channel America back to the old paths, we must do it through a God-anointed, Holy Ghost filled Church. This is our hope, Americans! May God help us here at our church to accept the challenge of the twentieth century and do our part to strengthen the nation that we call America.

Royal Oak: An All America City

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. BROOMFIELD. Mr. Speaker, one of my most difficult and frustrating tasks is to answer those who are seeking quick, easy solutions to the vast problems of crime and lawlessness. There are, of course, no such simple solutions.

"Crime and lawlessness" is a generalization behind which lurks a multitude of complex, individual problems. They can be dealt with successfully only on an individual basis. That is why, for example, the blanket, impersonal approach of many Federal programs has failed so dramatically in solving these problems.

During the last 9 years, a remarkable example of the success of the individual, person-to-person approach manifested itself in the city of Royal Oak, Mich., the largest community in my congressional district.

Conceived and pioneered by Municipal Judge Keith J. Leenhouts, a dedicated and far-sighted public servant, the court's unique rehabilitative probation program has helped thousands of young offenders and already has become a model for 58 cities with similar programs throughout the United States.

The program has been cited in a number of national magazines including the Reader's Digest and Look.

The special nature of the program has brought it two other unique awards. The first was a 4-year, $120,000 grant from the National Institutes of Mental Health to provide scientific proof of the effectiveness of the program. The study is scheduled to be completed in the spring of 1969. But preliminary data already indicates the program's overwhelming success in comparison with traditional probationary programs.

The second award was a $24,000 grant

from the National Board of the Methodist Church to encourage other courts and communities throughout the country to emulate the Royal Oak program.

On Saturday, April 27, the city of Royal Oak and Judge Leenhouts will be honored with an All America Cities Award presented by the National Municipal League and Look magazine for this outstanding program.

The growth and development of the program provides many useful and interesting insights for all of us in our search for answers to similar problems.

The story began in August 1959 with a 17-year-old boy who came before Judge Leenhouts charged with armed robbery.

The boy was alone without attorney, friends, or parents.

When the preliminary examination was concluded Judge Leenhouts asked the boy about his parents. He learned that the boy's mother had died when he was 9 and his father had "left before her funeral was over."

The judge asked the boy where he had been living.

Well, I lived with my grandmother for a while but she died. Then I lived with an aunt and uncle, but they were divorced and neither wanted me. I have just lived here and there since.

Several weeks later nine men sat around a table discussing the case. As Judge Leenhouts recalls:

We could do nothing for that boy. He was now before the higher courts awaiting trial and probable sentencing. But how about the others who would follow? Were we equally helpless?

The group included two Protestant ministers, a Catholic priest, a psychiatrist, a psychologist, a former professional youth worker, two junior high school assistant principals, and the judge. All except one were close personal friends of Judge Leenhouts. They decided they would try and do something for the young person in trouble.

On April 15, 1960, Judge Leenhouts received sanction of the Michigan Corrections Commission to institute a new type of probation program. The plan worked this way:

Each of eight "counselors" would volunteer a maximum of 5 hours per month to a maximum of five probationers each. They would receive no pay.

An assistant junior high school principal was appointed chief probation officer. He agreed to work additional hours to coordinate the program, also without pay.

As Judge Leenhouts recalls:

Their goal was to "establish an inspirational relationship of trust, confidence and admiration between the probationer and an adult in the community who had both the zeal of the volunteer and the training, education, and experience of the expert in a phase of counseling.

Whatever else might be said, at least we were not lacking in dedication, enthusiasm and counseling experience. Incidentally, this is perhaps one of our most unique features. The volunteer usually is an expert. We anticipated that the program would continue as originally begun, supplemented only by more counselors. How wrong we were.

In June of 1960, about 2 months after the program got underway, it became apparent that the chief probation officer was working many more hours than a volunteer should.

The group talked to a businessman who agreed to make a $50 donation to the probation department. He was the program's first financial contributor. Toward the end of June, two other businessmen agreed to pay $25 a month each until the end of the year. They were the program's first permanent contributors.

The program was now on a reasonably solid financial foundation, at least for 6 months. And, the program now had its first paid professional, the chief probation officer.

Toward the end of 1961, several more volunteer counselors were added and the chief probation officer's caseload was getting extremely heavy. It had reached the point where he was rapidly becoming an administrator only. The group decided to hire a "staff assistant" who would reduce the chief probation officer's administrative workload. For the job, the group drew on one of its original members, an assistant junior high school principal who agreed to work 25 hours a month.

To hire him, it was necessary to raise more money. Four of the community's largest businesses agreed to contribute $25 per month each. The program had now grown to two part-time employees who worked 25 hours a month each, approximately 35 volunteer counselors and an income of $100 a month.

Judge Leenhouts said:

We were sure that we had reached our peak and that the challenge would be met. Again, we were badly mistaken.

In May of 1961, the city of Royal Oak gave the program $2,200. It was an unsolicited gift. The city, aware of the program's success, had decided to help out. The city's participation has grown over the years to the point where it now finances about 75 percent of the program.

As the program's caseload continued to grow, the problems of administration became more and more time consuming. For example, notices of monthly meetings once had been simply a matter of letting a few friends know about a get-together. Suddenly, it involved mailing 35 notices.

Up to this point most of the administration had been done by Judge Leenhouts. But by early 1961, he found himself involved in some 15 to 20 hours per week with the probation department in addition to the 40 or so hours required by regular court activities.

Judge Leenhouts says:

We seriously considered the possibility of being more selective and taking only those violators who presented the gravest need. While this sounds good on paper, it doesn't work out that way. We decided that we couldn't turn our backs on anyone in real need of help.

About that time, a friend of the judge volunteered his services. A retired business executive, he had a fine sensitivity to the needs of others and particularly to the needs of young probationers.

He offered to donate 15 hours a week to the program without pay. But within a few months additional contributors had been found and he began to work full-time in the program.

Due to the limitations of social security his maximum pay was only $100 a month or about 60 cents an hour. He spent nearly all of his time in the administration of the program.

In addition, to other duties, he contacted each volunteer counselor at least once a month for progress reports. He met at least once a week with staff counselors. He also sent out notices of monthly meetings, wrote letters for the chief probation officer and the chief counselors, prepared probation orders, typed bench warrants, contacted the psychiatrists, and performed countless other tasks.

Most important, he freed counselors from administrative details and duties. Without him, Judge Leenhouts believes, the program would not have continued long after the first year. An assistant was later added to help in administration and a third person has now been hired to keep pace with growth. All three are retired senior citizens.

For the last 4 years several women in the community have donated their time to perform secretarial and clerical services. Much of the letterwriting and typing has been done by them.

The program grew and expanded in relation to the needs of the court and the probationers.

The judge noted, for example, that a presentence investigation department was needed to gather factual background information and couple it with psychological testing and psychiatric evaluations.

The judge located a minister with training in criminology who took on the job. Eventually it grew to the point where some 25 volunteer psychiatrists, 10 volunteer psychologists, two staff psychiatrists, and five psychological and psychiatric clinics were assisting. All except the presentence investigator and the staff psychiatrists served without pay. Even those receiving some pay was vastly underpaid and so, quasi-volunteers.

Next the court heard about group psychotherapy and thought it might help in the probation program. Judge Leenhouts contacted some more of his business friends who donated enough money to hire a psychiatrist. The psychiatrist although paid, agree to work at less than half the going professional fee.

From experience, the group learned that some defendants could be better helped by individual psychiatric treatment. Gradually, the court found some 30 psychiatrists who agreed to voluntarily treat persons who could not afford to pay for such services.

As the program grew, two associate staff psychiatrists were added to administer and coordinate the program.

Additional professional counseling was needed both directly with the probationer and to better supervise volunteer counselors. The program now has 11 such professional staff counselors who perform both functions.

Basically, those four areas—professional counseling, presentence investigation, administration and psychiatric counseling—form the foundation of the program. In each area, the same formula has proven successful. First, a dedicated professional was found who was willing to work as a volunteer or quasi-volunteer. Then, as many volunteers as possible were located to assist him. Working side

by side the professional and the volunteer have succeeded beyond all expectations.

Other aspects of the program followed a different pattern. In the development of Alcoholics Anonymous, volunteer sponsors, employment counseling, nonsupport enforcement, church-referral, optometrists, lawyers and doctor referral programs, a volunteer or group of volunteers began and maintained them without professional assistance.

Judge Leenhouts sums up the history and growth of the program this way:

A need would manifest itself. The court had no ability to supply that need. The court would then ask the community to voluntarily supply sufficient money to hire an extremely competent but underpaid, dedicated professional and many volunteers to work with him to solve the problem presented by the probationer, or the court asked for volunteers alone to supply the needed service.

The community and its citizens have been magnificent. They have truly fulfilled the Biblical quotation: "Ask, and it shall be given you; seek and ye shall find; knock, and it shall be opened unto you."

The historical development of this program has been thrilling and gratifying. For every task to be performed, 10 hands stretch forward to help. We are rarely disappointed.

It has been said that all that is necessary for evil to triumph is for men of good will to do nothing. We are satisfied that the opposite is also true. All that is necessary for good to prevail is for men and women of good will to do everything. For the past 6 years we have seen them do so. The experience has been exciting and memorable.

It would seem to us that for every need there is a person who can and will supply that need on a volunteer or semi-volunteer basis. There seems to be no limit to what people of the Judeo-Christian concern will do as volunteers, quasi-volunteers, or voluntary financial contributors.

Help came from outside Royal Oak as well.

The Board of Christian Social Concerns of the Methodist Church was so impressed with the program it provided $24,000 last year to help spread the concept to municipal courts in cities throughout the country.

To date, lower "misdemeanor" courts in 58 cities who handle nearly 8 million offenders each year have instituted similar programs.

Many more courts are in the process of developing the same sort of programs. The courts range from New Jersey to California and from Minnesota to Oklahoma.

Judge Leenhouts estimates that by 1969 at least 100 courts will have a similar program in operation.

Called Project Misdemeanant, the church grant is predicated on the belief that lawbreakers can be prevented from becoming serious criminals if they are caught and helped early.

Ironically, until the Royal Oak program was developed a few lower or municipal courts, the courts that handle persons guilty of misdemeanors or minor crimes, had probation programs. The rehabilitative programs were confined to the higher courts and prisons which dealt mostly with persons whose criminal attitudes were much more firmly developed.

The Methodist Church saw in the Royal Oak program a comparison with the small community church. It noted, for example, that the Royal Oak probation program provides the community with an estimated $100,000 worth of services each year on a $17,000 a year budget from the city. It accomplishes this through the use of more than 500 volunteers. In its endorsement of the Royal Oak program, the Methodist Church explained its interest and involvement this way:

Even as a small church operates a $250,000 a year program of services to its community on a budget of $25,000 a year, so can the court. Both can rely on the volunteer whom the church calls Sunday school teachers, finance committee members and other titles. The courts call them volunteer counselors, professional counselors, administrators, and so forth. We can meet the challenge in our misdemeanant courts if, and only if, we go to our citizens and ask for their help. They will respond magnificently for, after all, they are citizens of a Jewish-Christian city, State and Nation.

The church's program provides free assistance to communities interested in launching similar kinds of probation programs. Assistance takes the shape of two films illustrating the operation of the Royal Oak program, ample literature, speakers, and consultants.

The church offers interested communities this advice:

First, start small and build spirit. A probation program featuring citizen participation will succeed only if it has fine spirit.

Secondly, no one has all of the answers. We learn from each other. Each community should assess its own needs and its own resources. Do not try to copy any other community. Each community should decide for itself what kind of program it should start.

The central questions raised about rehabilitative programs of this sort are: Do they work and, how do you know they work?

In an effort to provide documented answers to those questions, the National Institutes of Mental Health in April of 1965 provided $120,000 for a 4-year study of the program.

The study, scheduled to be complete in 1969, is based on a comparison of offenders who go through the Royal Oak probation program and those processed through a comparable court in a city without extensive probationary services.

Mr. Thomas E. Koschtial, M.A., research director of the project, explains its operation this way:

We tested the defendants who appeared before the Royal Oak Court and another court, which we will call court A. The defendants in each court received a series of tests to study their hostility, aggressiveness, belligerence, and antisocial attitudes. One of the tests used was the Minnesota Multi-Phasic Inventory.

At the end of 18 months, the same defendants were tested again. If their attitudes and behavioral concepts had changed about the same amount in both courts, then intensive probation would make no difference.

We are now more than half-way through the testing and retesting program and can evaluate our results at the halfway mark. The results have been most gratifying from the standpoint of the Royal Oak Municipal Court and the use of extensive probation.

In Royal Oak, of the 67 youthful offenders tested, all being between the ages of 17 and 25 and all being white males, 7 tested normal both before and after the testing program and were eliminated. Of the remaining 40, 31 showed definite improvement, 6 showed no change, and four regressed. This means that 77.5 percent improved, 12.5 percent showed no change, and 10 percent regressed."

In court A, 5 were eliminated because they tested normal both before and after. Of the 42 remaining, 10 improved, 12 showed no change, and 20 regressed. This means that 23.8 percent improved, 28.5 percent showed no change, and 47.6 percent regressed. Thus, more than 3 out of 4 showed improvement in Royal Oak. Less than 1 out of 4 showed improvement in court A. One out of 10 in Royal Oak regressed. Nearly 1 out of 2 regressed in court A.

Mr. Koschtial points out that, except for their probation programs, the Royal Oak court and court A are remarkably similar.

Both have a budget from the municipal government of about $17,000 a year, are located in cities with populations of about 100,000, and in large metropolitan areas.

And, both courts believe that probation should begin in the vast majority of cases with some form of punishment. Both believe that the lesson of rehabilitation must begin with the lesson of reality and both use fines and jail terms in addition to probation in most cases.

Mr. Koschtial sums up his preliminary findings in these words:

The only difference (between the two programs) is in the follow-up after the punishment is over and the probationary period begins. There is no doubt of the effectiveness of the Royal Oak program. The credit properly goes not to one person or a small group of persons but to the spirit of the citizens of the city of Royal Oak.

It is that spirit, Mr. Speaker, that the National Municipal League and Look magazine will honor on Saturday with the presentation of an All America Cities Award to Royal Oak. And, it is that spirit that has impressed so many other local and national organizations and which makes me so proud to represent this outstanding community and its fine residents.

A Bill To Authorize the Secretary of Transportation To Document Temporarily a Foreign-Built Ferry for Limited Operation in Domestic Trade

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. POLLOCK. Mr. Speaker, I am today introducing, by request, a bill designed to temporarily allow the State of Alaska to operate a foreign-built vessel as part of its marine highway system.

The marine highway in southeast Alaska is a three-vessel, State-owned system connecting the cities of the region on a daily basis. Last winter the State extended the system to Seattle, an experiment which proved highly successful. The State wishes to continue this route during the summer but cannot do so with the present number of ships. As a result a diligent search was made for a suitable vessel that could be purchased or leased. No American ship was found nor could any ship be built in time.

This month the State of Alaska purchased a Swedish vessel suitable for this service. The 5,300-ton ship, the *Britannica* is 363 feet in length, with berths for 400 passengers and space for 150 cars. Less than 1 year old the vessel is ideal for the trade.

The bill introduced today at the request of the State will allow the vessel to operate between American ports pending the construction of a new ship.

The bill would also allow the ship to operate under international safety rules. After the summer run it will be modified to comply with domestic regulations. The bill follows:

H.R. 16822

A bill to authorize the Secretary of Transportation to document temporarily a foreign-built ferry for limited operation in domestic trade

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of law of the United States restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from any port in the United States to another port of the United States, the Secretary of Transportation is authorized and directed to issue a certificate of inspection based on compliance with the standards for new vessels of the International Conference on Safety of Life at Sea, 1960, and to document as a vessel of the United States, for three years, for operation between Southeastern Alaska and a port or ports in the State of Washington, for carriage of passengers and merchandise, a foreign-built ferry owned and to be operated by the State of Alaska. Provided that the vessel shall not be used in such service after November 1, 1968, until it fully complies with the marine inspection laws of the United States.

No Time for Violence

HON. JOSEPH Y. RESNICK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. RESNICK. Mr. Speaker, there are many voices among us now predicting a summer of violence in the streets of our cities. I do not agree with them that violence is unavoidable, although it is easy to understand the blind rage that may sometimes well up in the deprived, the poverty-stricken, the despairing, just as it was easy to understand the rage which welled up in all of us earlier this month after the brutal assassination of the Reverend Dr. Martin Luther King, Jr.

But violence, as we all should know after witnessing the events of past summers, solves nothing. Rather, it creates further problems, leaving in its wake only rubble and the bereaved. Progress comes in other ways and no one was more aware of that fact than Dr. King, who preached the gospel of nonviolence, of love for those who hate, of understanding for those who have no understanding. The message of his life and his death was that love is a weapon.

The New York Daily News, shortly after the assassination, published an editorial on the subject of violence, quoting both Dr. King and President Lyndon B. Johnson, which showed a commendable understanding, restraint, and sense of the responsibility of the press. The News has spoken out before, frequently and forcefully, on this subject and, as well, on the underlying causes of the tensions in our cities. This editorial is but one example of its thoughtful approach to the problems which concern all of us, but it is a particularly pertinent example as we approach another summer. I should like to commend it to the attention of the Members of this body and I include it in the RECORD at this point:

[From the New York Daily News, Apr. 6, 1968]

NO TIME FOR VIOLENCE

It is easy to understand, without approving, the scattered violence in some cities' Negro sections following the murder in Memphis Thursday night of the Rev. Dr. Martin Luther King.

When a beloved leader of any cause is assassinated, some people are bound to react with blind rage.

Violence, however, would be the worst possible weapon for Negroes to snatch up in seeking vengeance for this murder of a famed civil rights leader. This fact, we believe, is well known to the great Negro-moderate majority—which now has a golden opportunity to restrain the small extremist minority.

When such fire-eaters as Stokely Carmichael try to kick up armed revolt among Negroes on account of the murder, they are chiefly inviting violent reaction by whites against all Negroes—moderates as well as extremists. And whites in this country, for better or for worse, far outnumber blacks.

The fallen leader himself was a longtime foe of racial violence—though in recent months he appeared to feel that he had to make some minor concessions to the fire-eaters in order to maintain his own influence. But his basic philosophy was expressed in this paragraph from one of his speeches:

"We must use the weapon of love. We must have compassion and understanding for those who hate us. We must realize so many people are taught to hate us that they are not totally responsible for their hate."

Rather reminds one of the Sermon on the Mount.

In the floods of comment on the King murder by innumerable prominent persons, we think the best single remark came within minutes after the murder from President Lyndon B. Johnson (who, incidentally, has done more for the Negro than any President since Abraham Lincoln):

"We can achieve nothing by lawlessness and divisiveness among the American people. It is only by joining together and only by working together can we continue to move toward equality and fulfillment for all of our people."

It is in that spirit that all Americans can most effectively attack their race problems—and conduct themselves in the manner that would have had the warmest approval of Martin Luther King.

Resolution in Memory of Reverend King

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. PHILBIN. Mr. Speaker, I include a very moving resolution in honor of Rev. Dr. Martin Luther King, Jr., gifted preacher and outstanding leader of the cause of civil rights, who was recently so cruelly and tragically assassinated.

This enclosed resolution was sent to me by the distinguished chairman of the Honorable board of selectmen in the town of Stow, Mass., Mr. Roland N. Wright, whose colleagues on the board are Mr. Arthur S. Hill and Mr. J. Bruce Ayer.

The resolution was not only timely, but extremely well expressed, and I thought the House and the country should have an opportunity of reading it, since it exemplifies the depth of the grief and sorrow felt throughout the Nation for the shocking incident that cut down, even before the prime of his life, this highly talented Negro leader, preacher, and orator who for years has been such a vital, dynamic part of the civil rights movement.

The cause of civil rights and equality of treatment for all as guaranteed by our Constitution is close to the hearts of an overwhelming number of the American people.

At this time of poignant sorrow and grief, we extend sincere prayers and profound sympathy to his devoted, aggrieved widow and sorely afflicted family. It is for us also to reaffirm our resolve and high purpose to vigorously continue our work for civil rights, and move as expeditiously as possible to attack the evils and injustice that must be rooted from our society, if we are to accord that measure of justice, compassion, and sustaining help that is required adequately to implement our programs for the full realization of civil rights in this Nation.

I want the Negro people and their leaders to understand that at this time, as at all times, they will continue to have my strong, unwavering support, not only for civil rights but in every other measure and proposal designed to sustain and serve their cause.

The resolution follows:

A RESOLUTION IN MEMORY OF REV. DR. MARTIN LUTHER KING, JR.

On April 19, 1968, we rededicate ourselves to the ideals of liberty, justice, and equality for which our country stands.

Many great Americans have died for these principles, and the recent murder of the Reverend Dr. Martin Luther King, Jr., is a painful reminder that intolerance and violence are still among us.

Let us remember his example and reaffirm our devotion to peace and equality among all men. Let us resolve on this Patriots' Day to strive every day for the goals enunciated by our founding fathers in the Declaration of Independence.

As a continuing memorial to Dr. King, the trustees of the Randall Library have approved a shelf be dedicated in his name and contributions invited for the purchase of books on human rights and the history of the American Negro.

ROLAND N. WRIGHT,
ARTHUR S. HILL,
J. BRUCE AYRES,
Stow Board of Selectmen.

The "Pueblo": How Long, Mr. President?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. SCHERLE. Mr. Speaker, this is the 94th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

The IDA Replenishment

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. REUSS. Mr. Speaker, the gulf between life in the world's "developed North" and life in the "underdeveloped South" continues to widen. The United States must continue to display the resolve that has marked our past efforts to assist the peoples of poorer countries. Unless we do so, unless we continue to help with the economic development of the emerging nations, the discontent born of abject poverty will keep the world in a turmoil.

We now have before us legislation to replenish the resources of the International Development Association, the affiliate of the World Bank which finances development projects in the poorest countries for long periods of time and at low interest.

Last month, the developed countries agreed to replenish IDA resources with a total contribution of $1.2 billion, to be paid over a 3-year period beginning this year. The United States share would be $480 million, or 40 percent of the total, to be paid in three equal annual payments of $160 million. This compares with a U.S. share of $104 million annually, or about 42 percent of the total, in the first IDA replenishment in 1964.

I know that we are all concerned about our country's present difficulties with its international balance of payments. Thus, during the 3 years ending June 30, 1971, and for as long thereafter as permitted by the state of its resources, IDA will draw upon the U.S. contribution only in the amounts needed to finance procurement within the United States. During that period, U.S. payments under the second replenishment can have no adverse effect on our country's balance of payments.

The proposed U.S. replenishment of $480 million takes full account of our need to keep Government expenditures at a minimum. The requested $160 million annual contribution represents a reduction of one-third from the fiscal year 1969 budget estimate of annual installments of $240 million.

Payment of the first $160 million installment in fiscal year 1969, and of the two additional installments in each of the succeeding fiscal years, is to be made in the form of a letter of credit, and only a portion of the $160 million would be reflected in actual cash expenditures in fiscal 1969.

At least until 1971, the balance-of-payments safeguards I have described will also result in a reduction of budgetary txpenditures significantly below our proposed annual commitment of $160 million.

Since its establishment in 1960, IDA has made 109 loans to 38 countries for projects in transportation, agriculture, industry, and education. These IDA loans, totaling $1.7 billion, have made a major contribution to the economic growth of the less developed countries. They need continued access to such loans if they are to continue their present pace of economic development while avoiding an intolerable debt burden.

A replenishment of IDA's resources will assure the continued flow of capital resources to developing nations on terms they can afford. And it will be money wisely and soundly spent, for the Association has achieved a high reputation for efficient management of its resources.

IDA must not be permitted to go out of business for want of adequate funds. Prompt action by the United States is essential in order to bring this second replenishment promptly. Like the 17 other nations that have pledged additional resources, the United States must show that it is still resolved to help the developing nations build better lives for their people.

Overweight—Diabetic—High Blood Pressure—Insomnia—Lack of Energy—Gallbladder Trouble?

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. TEAGUE of Texas. Mr. Speaker, the physical problems I have listed at the head of these remarks were recently all mine. Like so many of my colleagues, I was being victimized by the pressures and tensions which are the everyday companions of almost every conscientious Member of Congress.

I was alarmed by my deteriorating health, so I went to our excellent Capitol Physician, Dr. Rufus Pearson, for a thorough checkup.

As my first word of advice to my colleagues, I would like to urge more of them to take advantage of the splendid medical service that is available to us. I have nothing but the highest praise for Dr. Pearson, as a physician and as a person, and his entire staff. He knows the problems of Congressmen and he understands how to deal with them. I give him a great deal of credit for the recovery I have made, for it is he who urged me to take the course of action I subsequently pursued.

Dr. Pearson took a dim view of my condition, to say the least. He informed me, in no uncertain terms, that I was a prime candidate for a cardiac attack unless I mended my ways. He said it was mandatory for me to get away—completely away—from Washington for an extended period; relax, lose weight, get rid of tensions. He was so serious in his manner that I felt I had no choice but to agree to go into retreat for about 2 weeks, over the Easter recess.

I had been invited to Indian Hot Springs, Hudspeth County, on the Rio Grande about 113 miles down the river from El Paso, in a mountain and desert wilderness. It is probably the most isolated spa in the United States.

Indian Hot Springs seemed to fill the doctor's prescription exactly. It was an old health resort which had fallen into decrepitude, but which had recently, to a degree, been rebuilt, refurnished and reestablished. It has ideal climate, fine rugged scenery, comfortable quarters, excellent food, all available for very little cost. It is 31 miles from the nearest settlement of any kind. It has no telephones, and practically no radio or television. The nearest newspaper is published in a town 113 miles away. Best of all, it is the site of some fabled mineral springs—nine hot, one cold—which for centuries have had the reputation of being "Fountains of Health."

I would like to point out, Mr. Speaker, that Indian Hot Springs is so remote that it is not particularly easy to get there. Nobody goes there by accident; you have to want to go there.

You can fly to El Paso, and take the River Road—Highway 10, East—to the springs. The trip covers 113 miles, of which the last 34 are, as yet, dirt road. Or, you can go through Sierra Blanca, over some rugged and impressive mountain country. This trip takes 124 miles, of which the last 30 miles are dirt road.

The approach to the springs is spectacularly beautiful. The springs form an oasis in a wilderness of mountains—up to 9,000 feet—and desert. This was at one time Apache country, and Geronimo and his band once terrorized the area. I have never seen the sky so blue, or the clouds, like filigreed lace, so beautiful as they are in this part of the world. And the sunsets are almost beyond belief. Daytime temperatures were never higher than 75 degrees, and we slept under blankets every night.

The people who manage the Indian Hot Springs are the kindest and most considerate hosts I have ever known. Nothing is too much trouble for them. These people take a personal interest in their guests and actually want to be of service.

The food, I might add, is first-class and beautifully prepared. It is designed to nourish—not to fatten. Appetites are sharp in the clean, light air of this part of the great Southwest, and the preparation of meals must be, and is, imaginative and skillful.

I would like to point out a few other peculiarities of the spa. Wildlife is permitted to roam almost at will, so the howl of the coyote and the braying of the wild jackass give a distinctive color to the nights. Roosters crowing are the only alarm clock—the proprietors do not believe in clocks. They feel that our obsession with time is one of the principal factors contributing to the physical and nervous and mental ills which beset our urbanized society. You reach the point that you do not care what time it is; you are suspended for a short while in space, without any appointments to keep, without any deadlines to meet, without any planes to catch. I can think of no experience as restful as this. It was a revelation to me.

The springs themselves are wonderful, soothing, and in my opinion, highly beneficial to health. The "Chief" spring comes out of the ground at a temperature of about 137° F. The water is clear.

I lost 18 pounds during my stay at the springs, an average of 1 pound per mineral bath. My blood pressure, which had been well over the danger point, is down. Before I went there the tape tests for diabetes were running dangerous dark

green. After 3 days they were back to healthy yellow, and have remained so ever since. The doctor tells me I am in excellent physical shape, and when I left here for the springs I was in exceedingly poor shape.

Best of all, I feel like a new man. My energy has been restored, my mental and physical vigor reestablished. I feel better than I have felt in years.

As Members of Congress, we live and work in a perpetual rat race. We have little time for contemplation, little time for study, little time to do anything but act and work and keep up with our correspondence. It is a unique experience to be able to leave all this frenzy behind you for a while, to get out into God's good, clean air—which is hard to find these days—and to contemplate in peace the wonders that God has performed, and still is performing.

Although Indian Hot Springs is still so little known that it is not yet marked on most maps, it has a colorful and interesting history, dating back to the days of Geronimo, Pancho Villa, and the Indian fighters.

If the proof of the pudding is in the eating, then I can only point to the few people who live at the springs on a full-time basis. I have never seen healthier people in my life. I did not see a single fat person in the area, nor did I talk with anyone who had suffered a serious illness since he had gone there.

I am not a physician and I am not qualified to judge, from a scientific point of view, what effect the minerals in the waters have upon bodily functions. All I can tell is what actually happened to me, and for me, and I can report that the minerals worked wonders.

I honestly believe that many of my colleagues would be doing themselves and their constituents, as well as the Nation itself, a favor if they would follow the course I have followed. They will find themselves physically and mentally renewed, and strengthened. I feel they can prolong their lives and make them even more useful and rewarding.

After having recounted my experience I have had a number of inquiries about Indian Hot Springs. Guests are accepted there on a limited basis by invitation only, but for those who may be interested, you can write or call: Indian Hot Springs, Inc., 2900 First National Bank Building, 1401 Elm Street, Dallas, Tex. 75202, telephone, area code 214, RI 7-7612, or AD 1-6669, or Sierra Blanca, Tex., Box 190, 79851, telephone, area code 915, 369-2041.

It seems appropriate to conclude this dissertation with a prayer of Wilfred A. Peterson, entitled "Slow Me Down, Lord."

Slow me down, Lord! Ease the pounding of my heart by the quieting of my mind. Steady my hurried pace with a vision of the eternal reach of time.

Give me, amidst the confusion of my day, the calmness of the everlasting hills. Break the tensions of my nerves and muscles with the music of the singing streams that live in my memory.

Help me to know the magic restoring power of sleep.

Teach me the art of taking minute vacations . . . of slowing down to look at a flower, to chat with a friend, to pat a dog, to read a few lines from a good book.

Remind me each day of the fable of the hare and the tortoise that I may know that the race is not always to the swift; that there is more to life than increasing its speed.

Let me look upward into the branches of the towering oak and know that it grew great and strong because it grew slowly and well. Slow me down, Lord, and inspire me to send my roots deep into the soil of life's enduring values that I may grow toward the stars of my greater destiny. Amen.

The Post Office

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. EILBERG. Mr. Speaker, the Post Office occupies much of the attention of the Congress. None knows better than the Members of Congress the importance of the Post Office and the mails, but we see the picture from the outside looking in.

One of my constituents has spent the past 45 years of his life on the inside of the Post Office looking out; suffering the trials and tribulations of a mail carrier and shouldering the responsibility of a supervisor.

The Philadelphia Daily News, on April 19, 1968, shared a few of the vignettes of Abram Gootman's life with the people of Philadelphia. Under unanimous consent I place them in the RECORD at this time:

AFTER 45 YEARS, ABE COMPLETES HIS APPOINTED ROUNDS

(By Joe Clark)

Abe Gootman tells some pretty good off-the-record stories. And the ones he tells for the record aren't exactly losers either.

"This was back in '27 or '28. I was delivering on the 300 block of Juniper st. This big German shepherd run up to me and started barking. I waffled him on the head with my mail bag. I sent him flying across the street. Then the lady that owned him tells me: 'He wasn't going to hurt you. He was just asking for the mail.' I said, 'Lady, I don't understand dog language.' But that dog must've understood me. He never bothered me again."

Yep, Abe (short for Abram) works for the Post Office. He started in September of 1923, when he was a 17-year-old "hot shot" still in high school. He had no intention of staying—just something temporary until he got out of school.

Today, almost 45 years later, he is retiring.

"Was I ever bit? Look at that (a scar on his right wrist). I got that in 1936. I was working parcel post then. I delivered a package to the home of the burgess of Rockledge. I gave the maid the package. She was holding a dog, a Scot terrier. When I handed her the package, she put the dog down and it bit me. It got infected. It had to be operated on."

When Abe, of 7132 Saul St., started with the Post Office he was making 55 cents an hour. Now beginners receive $2.79. A sub-carrier for 12 years, he became a full-time mailman in 1935. He first worked out of the old Passyunk Station at 10th st. and Snyder ave. but eventually worked in every section of the city.

"I worked the Sesqui-Centennial in 1926. I was one of only two mailmen there. I delivered mail to the different pavilions. That was down on Broad st. where Kennedy Stadium is now. I still have a book of tickets. How did I get that job? Are you kidding? I knew somebody.

Abe remembers when he used to ride around in a horse and wagon picking up mail. And can also recall the era when trolleys used to drop off mail at the Post Office at 9th and Market sts. After serving a three-year stint in the Navy during the Second World War, Abe got a "permanent" route in North Philadelphia, Somerset st. to Allegheny ave., Broad to 13th sts. He stayed there until 1953.

"I was mayor of my route. I was invited to weddings, picnics, parties . . . I was worth $600 to $700 at Christmas time. I still get Christmas cards from people I served mail to. And that was 15 years ago."

When Abe started, stamps cost 2 cents and postcards were a penny. Very few women worked for the Post Office then, but now there are about 1500 females holding down various PO jobs.

"I rescued a woman once from an apartment up at 3113 N. Broad st. That was in 1947. Her apartment was filled with gas. I think she left her stove on to keep warm, or something. I told a policeman on the corner and we went in and got her. She gave me a cigaret lighter. I still have it."

Abe says that anyone who works on the street can get involved in anything at anytime. Something just has to happen.

"I saw a painter electrocuted once. He and another fellow were painting steel girders just east of the North Philadelphia Station around Park and Cambria. I just happened to look and saw them. I called the rescue squad. One of them survived. That was in 1947, too."

Abe says he was bitten about a half dozen times, with the Scottie in Rockledge doing the most damage. Not all dogs were his enemies, though.

"When I was working parcel post up in the Northeast, I had a dog ride around with me every day for six years. Every day he'd wait for me on the corner of Rhawn st. and Oxford ave. I'd pick him up about 1:15 in the afternoon and drop him off at the same spot when I was done my route."

In 1953, Abe got promoted to an inside foreman. He continued to get steady promotions, and in 1966 was put in charge of daytime mail operations at the main Post Office at 30th and Market sts.

"Being a carrier is the best job in the country. You come in and your work is all cut out for you. You're out in the street . . . you meet people . . . you're your own boss. It's not as tedious as working inside."

But today Abe is a retired man. He plans to take a couple of motor trips with his wife, Laura, and their daughter, Heidi, who attends Mansfield State College.

"I don't want to see no stamps, no envelopes, no Post Offices, no nothing. I just want to be a bum."

Then there was the Christmas when Abe was working parcel post in center city.

"All the guys would."

That's one that's off the record.

A Bill To Amend the Law With Respect to Criminal Jurisdiction on the Annette Islands Indian Reservation

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. POLLOCK. Mr. Speaker, I am today introducing a bill designed to grant the Metlakatla Indian community concurrent jurisdiction over criminal offenses committed on the Annette Island Indian Reservation.

The community is concerned about the lack of proper law enforcement in its community. The State police are unfortunately spread too thin in the vast

State of Alaska. Enactment of this bill will allow the Metlakatla community to handle minor cases that cannot now be effectively handled by the State. The Alaska Legislature by resolution has agreed to concurrent jurisdiction. The bill follows:

H.R. 16821

A bill to amend the law with respect to criminal jurisdiction on the Annette Islands Indian Reservation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 1162, title 18, United States Code is amended by striking at the beginning of the list the words:

"Alaska-- All Indian country within the Territory"

and substituting therefor:

"Alaska-- All Indian country within the State, except that on the Annette Islands the Metlakatla Indian Community may exercise concurrently such jurisdiction as was vested in it prior to the enactment of Public Law 85-615".

A Report by Congressman John Brademas on Crime

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. BRADEMAS. Mr. Speaker, one of the most important problems facing America and one to which Members of Congress have been giving increasing attention through legislation is the problem of crime.

I insert in the RECORD at this point a special report to my constituents on crime. This report includes suggestions on how to combat crime and juvenile delinquency:

CONGRESSMAN JOHN BRADEMAS REPORTS ON CRIME

APRIL 1968.

DEAR FRIEND: We Americans are in many ways the most fortunate people on earth. We are proud, for example, that our society has achieved a standard of living far beyond that of any other nation.

Yet we still have important problems to solve here at home, and one of the biggest and toughest is crime.

Crimes of violence (such as homicide, armed robbery), organized crime (narcotics, prostitution), white collar crimes (embezzlement, consumer fraud, anti-trust violations), all affect the lives of each American by arousing fear of personal danger or economic loss.

I believe the time for more effective action to fight crime is here—action at every level of government, Federal, state and local.

And President Johnson and Congress are now moving ahead on several major anti-crime proposals. As a sponsor of both the Juvenile Delinquency Prevention and Control Act and an amendment to the Law Enforcement Bill which would provide special riot control training for police, I support these efforts.

But the answer to crime does not rest with the Federal government alone. Our cities and states must do more.

More important, the individual citizen must concern himself with the problems of crime. He must learn the facts and be willing to press for effective measures to prevent and control crime in his own community.

For without a broadened citizen commitment, crime will continue to scar the fabric of American society.

My special report on crime covers both recent developments in Congress and suggestions on how to combat crime and delinquency.

Let us face and meet this formidable challenge.

Cordially,

JOHN BRADEMAS,
Member of Congress.

BRADEMAS, NOTRE DAME COSPONSOR CONFERENCE ON RESPONSE TO CRIME

New York City Mayor John V. Lindsay, who is also vice-chairman of the President's National Advisory Commission on Civil Disorders, and Inspector Jerome J. Daunt, chief of the F.B.I.'s Uniform Crime Reporting Section, are featured speakers at a conference on "The Community Response to Crime" on April 30 at the University of Notre Dame.

I am pleased to sponsor this conference in cooperation with Notre Dame's Center for Continuing Education. The mounting rate of crime means a mounting need for responsible community action.

Our conference brings together outstanding national and civil leaders and law enforcement authorities. Communities in northern Indiana should benefit from this exchange of ideas for years to come.

Mayor Lindsay and Inspector Daunt each address general sessions. In addition, four panels of experts, including local criminal justice officials and community leaders, are scheduled to explore specialized topics: crime prevention, law enforcement, the courts, corrections.

Panel moderators are: Prof. G. Robert Blakey, Notre Dame Law School; Valjean Dickinson, Assistant Commissioner, Indiana Department of Corrections; Judge Aldo J. Simpson, Elkhart County Circuit Court; and Prof. Robert Vasoli, Department of Sociology, Notre Dame.

Joining me on the conference planning committee are Profs. Blakey and Vasoli, Dean Thomas P. Bergin of the Center for Continuing Education, and State Senator Leonard Opperman of South Bend.

ANTICRIME BILL OFFERS STATES NEW ASSISTANCE

New responsibilities for state and local law enforcement agencies are embodied in legislation now under consideration in Congress.

The *Law Enforcement and Criminal Justice Assistance Bill* is closer to passage following recent action by the Senate Judiciary Committee. The House passed this bill last year.

This bill is the most important step Congress can take this year against crime.

Its key provision authorizes $100 million in grants to states and comunities to help them improve the training, equipment and crime-fighting methods of state and local police forces. The bill includes money for recruiting personnel and developing police-community relations programs.

The House also approved an amendment which I co-sponsored, earmarking an additional $25 million for riot control.

This legislation is based on the recognition that, as President Johnson said in his Message to Congress, "In our democracy, the principal responsibility for dealing with crime does not lie with the national government but with the states and local communities."

The bill therefore reinforces state and local efforts rather than replacing them with Federal programs.

Last fall the House passed the *Juvenile Delinquency Prevention and Control Act,* which I co-sponsored. This bill is the most important delinquency prevention measure since the Juvenile Delinquency Act of 1961, of which I was House author.

The present bill is now pending in the Senate and should be acted upon shortly. It authorizes $25 million in grants to help states develop stronger programs to reduce juvenile crime.

In other action this year, Congress provided Federal death and disability benefits for state and local police officers killed or disabled while enforcing Federal law.

Congress approved President Johnson's plan to strengthen the fight against the traffic in narcotics, LSD and other hallucinogens by establishing a Bureau of Narcotics and Dangerous Drugs in the Department of Justice.

I hope that Congress will also consider this year two other bills I have introduced: an Auto Theft Prevention Act, which prohibits sending motor vehicle master keys across state lines, and a measure creating a National Science and Technology Center for Crime Prevention and Control.

"RESPONSE TO CRIME" CONFERENCE SCHEDULE

(Center for Continuing Education, Notre Dame) April 30, 1968.

1:30: "The Challenge of Crime in a Free Society," Congressman John Brademas.

1:45: "The Dimensions of Crime and the Need for Community Solutions," Inspector Jerome J. Daunt, Chief Uniform Crime Reporting Section, F.B.I.

Responses by: Roger Birdsell, Education Editor, South Bend Tribune; Thomas McNaughton, Chief of Police, South Bend; Mrs. John J. Powers, former chairman, South Bend-Mishawaka Women's Council for Human Relations; Ben Johnson, Co-Chairman, G.O.T.; columnist, The Reformer.

4:00: Panel Discussions, "The Community and Crime Prevention." Moderator: Prof. Robert Vasoli, Sociology Dept., Notre Dame; James P. McNeile, Assoc. Publisher, Elkhart Truth; Tony Simon, Chief Probation Officer, Juvenile Court, St. Joseph County; Lt. Ralph J. Wolfe, Dir., Community Relations Div., South Bend Police Dept.; William L. Miron, Vice-Pres., Bendix Corp.

"The Community and Law Enforcement"; Moderator: Prof. G. Robert Blakey, Notre Dame Law School; David Andrews, Sheriff, Kosciusko County; Mayor Conrad S. Kominiarek, Michigan City; George V. Neagu, Exec. Dir., South Bend Human Relations and Fair Employment Practices Commission; Robert A. O'Neal, Supt., Ind. State Police.

"The Community and The Courts"; Moderator: Judge Aldo J. Simpson, Elkhart County Circuit Court; Charles F. Crutchfield, Attorney, Legal Services-Legal Education Program, St. Joseph County; Van E. Gates, Pres., South Bend-Mischawaka Area Chamber of Commerce; Leonard Opperman, State Senator, St. Joseph County.

"The Community and Corrections"; Moderator: Valjean Dickinson, Asst. Commissioner, Indiana State Dept. of Corrections; Judge George E. Herendeen, City Court of South Bend; Donald E. Patton, Dir., Dept. of Public Welfare, Marshall County; Mayor John W. Weaver, Elkhart.

6:15: Dinner.

7:00: "The Urban Crisis," Mayor John V. Lindsay, New York City.

Both the tragic assassination of the Rev. Dr. Martin Luther King, Jr. and the riots in our cities dramatize the urgent warning of the National Advisory Commission on Civil Disorders: "Our nation is moving toward two societies, one black, one white—separate and unequal.

To pursue present policies will lead only to escalating violence, social dislocation and loss of lives, both Negro and white, said the Commission.

The alternative is to make the necessary investments on every front in the beleaguered cities of America—investments in more jobs, better schools, modernized welfare programs and decent housing.

As I said last fall in an address at a statewide conference of Jaycees, "In the fight against crime, we need not only more effective law enforcement and strengthened local

and state police forces. We must mount an across-the-board assault on the conditions that breed crime—poverty and racial discrimination, poor schools and unemployment."

BRADEMAS URGES LAWYERS TO LEAD IN FIGHTING CRIME

Last fall, I addressed the annual meeting of the *Notre Dame Lawyer*, the University of Notre Dame's law review publication. Here are some excerpts from my remarks on *"The Challenge of Crime: Juvenile Delinquency and the Cities."*

"The Administration has responded to the challenge of crime with imagination and far-reaching programs. Congress cannot afford to by-pass either the Law Enforcement and Criminal Justice Assistance Act or the Juvenile Delinquency Prevention and Control Act . . .

"There can be no question about the need to strengthen police forces at state and local levels. Proposed legislation will enable those law enforcement agencies to do a more effective job . . .

"The prevention and control of juvenile delinquency is a major key to counteracting crime in America . . . A great deal of juvenile crime is inextricably intertwined with the problems of urban decay and the cruel pathology of the slums . . .

"Law schools in recent years have been providing more effective training in criminal law. But they still have a long way to go to meet the national need. I am delighted to see the University of Notre Dame and its Law School providing imaginative leadership in dealing with the problem of crime."

JUVENILE CRIME: THE AREA FOR ACTION

The President's Commission on Law Enforcement and Administration of Justice, in the nation's most comprehensive study of the causes and remedies of crime, concluded bluntly: "America's *best* hope for reducing crime is to reduce juvenile delinquency and youth crime."

So if we are really serious about combating crime, we must do far more to prevent delinquency among youth.

With the assistance of experts in Washington and Indiana, I have compiled a list of suggestions to help halt juvenile delinquency.

I urge you to consider these proposals, and, where appropriate, to take *action*. I will be glad to assist you—as individuals or in community groups—in any way that I can.

Conduct campaigns with business and industry to increase employment and training opportunities for low-income youth.

Survey employers and employment agencies to determine the extent to which juvenile arrest records are barriers to employment.

Request that organizations—such as local Jaycees—counsel low-achieving students about job opportunities and requirements.

Assist low-income youth to set up and operate youth enterprises.

Promote exchange tours. Arrange for youth groups to visit other cities, meet other youth groups, talk to police and other city officials.

Support the development of theatre arts programs which utilize youth talents.

Conduct youth forums to encourage cultural, social and civic activities by youth.

Provide scholarships for talented low-income young people.

Some suggestions for citizen education

Observe police, juvenile court and correctional agency practices. Discuss desirable changes in policies and practices.

Study and act on legislative proposals in the field of delinquency control.

Arrange discussion meetings with low-income youth and their parents. Learn their problems. Explore possible solutions.

Develop and maintain a library—including pamphlets and films—on juvenile delinquency. One community group could make these materials available to other groups. Materials currently available from various Federal and national agencies are plentiful.

SOME STARTLING FACTS ABOUT JUVENILE CRIME

Today, one boy in six is referred to a juvenile court.

More 15-year olds are arrested for serious crimes than people of any other age. Sixteen-year olds place a close second.

Almost 75% of persons arrested for serious crimes are between 13 and 29.

Since 1960 there has been a slight decrease in adult arrests—but a 59% jump in arrests of youths under 18.

MAJOR CRIME UP AVERAGE 16 PERCENT

The Federal Bureau of Investigation reported in mid-March that the nation's rate of major crime in 1967 was 16 percent higher than 1966. The rates of increase varied: up 23 percent in cities over 500,000, 17 percent in cities over 250,000, 15 percent in suburbs, and 13 percent in rural areas.

According to F.B.I. Chief J. Edgar Hoover, violent crimes rose 15 percent: murder, up 12 percent; aggravated assault, 8 percent; forcible rape, 9 percent; robbery, 27 percent. As a group, property crimes recorded a 16 percent hike, with similar percentage increases in burglary and auto thefts.

Serious assaults where a gun was used rose 22 percent; one of every five assaults in 1967 was committed with a gun.

"The elements of criminal justice are interdependent. Each phase of crime control—investigation, enforcement, prosecution, adjudication and correction—is dependent for its success on successes in the other phases. A city, a county and a state can succeed only when all cities, counties and states succeed. No jurisdiction is an island entire of itself. Each is a part of the main." (Attorney General Ramsey Clark, National Conference on Crime Control.)

"No society can tolerate massive violence, any more than a body can tolerate massive disease. And we in America shall not tolerate it." (President Lyndon B. Johnson).

PROTECTING YOURSELF AGAINST CRIME: SOME DO'S AND DON'TS

To the distress of law enforcement officials, many citizens neglect to take simple, inexpensive precautions which would be effective anti-crime measures. Here are some suggestions drawn in part from a useful 60-page booklet, "How To Protect Yourself on the Streets and in Your Home", by Gene Accas and John H. Eckstein (Pocket Books, Inc., 1965, $1.00):

Do not carry house and car keys on the same key chain. Also do not keep an identification tag showing your home or address on your key chain. (Do, though, keep a duplicate set in a safe place).

Always, of course, lock—or doublelock—doors opening to the outside. Keep locked as well windows accessible from the outside, including those above a terrace, porch or fire escape.

For women living in apartments, do not include first names on doorplates or mail boxes. Use only initials with your last name.

When traveling for more than a few days, discontinue milk and newspaper deliveries. Have mail held by the post office until your return. Note: you can buy an inexpensive switch that is activated by darkness. By plugging a lamp into this automatic device, the lamp will be turned on in the evening and off in the morning.

If you carry credit cards, make a list of the credit card numbers. Notify issuing company immediately in case of loss or theft.

Telephones and the ladies

Do not list your telephone with "Miss" or "Mrs." or your first name. You are inviting trouble.

Do not volunteer your name, address or telephone number to anyone who calls and asks, "Who is this?". An appropriate reply would be, "To whom do you wish to speak?"

Report crank calls and obscene calls to both police and the telephone company.

If a stranger calls to speak to your husband, never say that he is not at home or out of town. Rather, say that he is busy at this time but will return the call if a number is left.

Do not have your telephone "temporarily disconnected" when you leave home for a short vacation. The telephone company's message that service has been temporarily discontinued is a dangerous tip-off.

CARE WITH CARS

When riding alone, keep all doors locked.

Never leave your car parked with the key in the ignition. An amazing number of cars are stolen through this carelessness.

Avoid leaving valuables in view in a parked car.

And do not attempt to be a "vigilante"; do not carry illegal weapons. Always cooperate with and act with the knowledge of your police. They are professionals.

Know the telephone number of your police—especially your community's Crime Alert Number.

Citizen groups can be effective in combating crime by—

Pressing city officials to improve street lighting where needed.

Encouraging teenagers to become involved in volunteer work sponsored by social service agencies—especially in work directly with delinquency-prone youth.

Launching campaigns to clean up slums.

Supporting adequate pay for law enforcement, parole and probation officers.

Assisting parole and probation officers in their work.

RECOMMENDED READING

Two highly important documents are available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402:

The Challenge of Crime in a Free Society (a report by the President's Commission on Law Enforcement and Administration of Justice) February, 1967, 340 pages, $2.25.

Report of the National Advisory Commission on Civil Disorders, March, 1968, 424 pages, $2.00 (This report is also available in bookstores in a Bantam Books Paperback edition for $1.25.)

SPECIAL CRIME ALERT NUMBERS

Elkhart, 523–5050.
Mishawaka, 259–2424.
South Bend, 282–1221.

Mr. Speaker, here I insert the captions for the photographs included in this special report:

New York Mayor John V. Lindsay, who served in Congress with Congressman Brademas from 1958 through 1965, will be a featured speaker at the Conference on "The Community Response to Crime."

F.B.I. Director J. Edgar Hoover (r.) commends Congress Brademas for planning the Notre Dame Crime Conference. Hoover told Brademas that communities across the nation should give similar attention to crime prevention programs.

Governor Otto Kerner of Illinois (l.), Chairman of the President's National Advisory Commission on Civil Disorders, discusses the Commission's Report with Congressman John Brademas and Congressman John Conyers of Detroit.

Congressman Brademas and youth worker join South Bend's Valjean Dickinson former director of ACTION, local anti-poverty agency, in talk with Hoosier youngsters participating in summer work programs.

South Bend Police Chief Thomas McNaughton (l.) and Lt. Ralph J. Wolfe, Director of the Police Department's Community Relations Division, tell Congressman Brademas of gains made by local police in war on crime.

Rickover on Systems Analysis

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. HOSMER. Mr. Speaker, Vice Adm. H. G. Rickover's colorful testimony before congressional committees is often very quotable. Navy magazine for April 1968, has published excerpts from his testimony before the Joint Committee on Atomic Energy last February placing in perspective the Pentagon's cost-effective formulas which its public relations men in recent years have led many to believe were carved in stone on a mountain in accordance with dictation from above. Here it is:

ADMIRAL RICKOVER'S WITHERING ANALYSIS OF PENTAGON COST-EFFECTIVENESS ANALYSTS

In some of my remarks here today I may express views that are contrary to those of my superiors in the Navy and the Department of Defense. As you are aware, there are basic differences in our opinions. I must make it clear that I claim no superior wisdom. Further, my superiors have responsibilities and problems that are different and more onerous than mine; these responsibilities and problems may require different solutions than I propose. I make no claim that my views are right and that theirs are wrong. . . .

I disagree with the cost-effectiveness analysts on the way we should go about deciding what weapon systems we should design and build. Their studies are oriented heavily toward one thing—dollar cost. Such things as the cost or value of human life do not enter their calculations.

To suggest that specialist studies are capable not only to illuminate or to add to the facts, but to manipulate or overrule them is to impart to history yet another of those superstitions from which it has been so painfully released in the past. If we have to choose between cost effectiveness and fact, we had better stick to fact.

NEED FOR BEST WEAPONS

If cost-effectiveness studies are to be the basis for decisions which can have a national impact—such as important defense decisions—they must not be implemented on the basis of such studies alone. All responsible parties must be freely heard. Also Congress must participate in the final decision, for it is upon Congress as representatives of the people that the ultimate responsibility rests.

I only wish it were possible for older people such as myself to go to Viet Nam. I would be very, very happy to do so. I have lived my life. The young men we are sending to Viet Nam have not yet lived their lives. Also, we older people are the ones who made this war.

But, as long as the young men have to fight the war, for us, I firmly believe we must give them the best weapons we can.

We are faced with the naked fact that we are losing our foreign bases, our foreign oil supplies, that the Russians may soon dominate the seas, that they will soon have more nuclear-powered submarines than we, that their submarines will be superior in some respects to ours, and that our Navy striking forces will be greatly endangered by these nuclear submarines.

While the Soviets are busy improving their nuclear submarines, we are busy making cost-effectiveness studies. A point that has never been made about the present system is the large amount of time it wastes of the few technical people left in the Navy Department in making studies and replying to the points made in studies. It has gotten so there is practically no time left for the senior technical people to do their technical work. You cannot expect good people to stay under circumstances where they are treated as messengers.

QUALIFICATION OF ANALYSTS

The Defense Establishment is so vast that it is impossible for any human being to make all of the decisions—which is what the Department of Defense appears to be doing. For this reason it must have a system operated by rules. There is no other possible way it could handle the job in the manner it does. It has hit on cost-effectiveness as the simple "rule" to solve problems. Therefore, decisions appear to be made by the rules that are ground out by the cost-effectiveness analysts. It was never the intent of the Defense Unification Act that a group of analysts would, in effect, become the decision-making apparatus of our Defense Establishment.

Leadtime for development of new items is now about 10 years. It used to be 5 to 6 years. This increase in leadtime is partly due to the greater complexity of weapons, but much of it is due to the procrastination and the large number of voluminous studies which must be made in the Department of Defense. It generally takes several years to get approval of an idea that is not generated within the inner circle itself. I am referring to technical and scientific matters, not to military actions where there must, of course, be immediate obedience—and with no argument.

The senior military people in the Department of Defense have been appointed to their position because, over a period of 30 years' service or so, they have demonstrated by their records that they are the outstanding men in their profession—the outstanding officers among nearly 400,000 officers. Just what are the qualifications of the cost analysts? Their experience? Their accomplishments? Their reputations?

I do not protest the cost-effectiveness analysts' superior view of their competence. We are all allowed the enjoyment of our vanity. But they have gravely underestimated their task.

The social scientists who are responsible for making the so-called cost-effectiveness studies have little or no scientific training or technical expertise; they know little about naval operations. Their claim to authority is based on their social science, which has yet to prove itself a true science. The evidence has to be forced into the preordained frame they have devised, and when it won't fit, it is ignored altogether.

THE "GREY EMINENCES"

The only record of accomplishment of these social scientists is reducing budgets. They are "grey eminences" who operate behind the scene. Have they ever had to evaluate the past decisions made by their methods to see if they were right? Why don't they lay their decisions on the line—open to public scrutiny?

Nothing is permitted to escape the all-pervasive net of the theoretical system the cost-effectiveness planners have set up. Everything must be strained through that net, even though it is deformed in the process. Everything we design can be made faster, lighter, better, and cheaper if we but wholeheartedly accept the new religion and place full faith in its votaries. All of this in face of the fact that our ships are becoming slower, heavier and more expensive.

In my opinion, we are unwise to put the fate of the United States into such inexperienced hands. Some day there will be the shock of recognition, the sudden, unsuspected development which these studies have not taken into account or have found improbable. If we keep on this way, in this fatal moment of history, we may find ourselves in the midst of one of their cost-effectiveness studies when all of a sudden we learn that our opponents have ships that are better and more numerous than ours. . . .

The Department of Defense is constantly making the claim for civilian control. True, there is and must be civilian control there. But in its present form it is the most rigid and detailed form of control that has ever existed in this country. In any case, the control of the civilian appointees in the Department of Defense should not exclude the overriding civilian control by Congress, the civilian body which is elected by the people to represent them.

I think the issue here really is far deeper than whether you require the Department of Defense to build these two DLGN's. Congress made an express statement of its desire and intent. I believe the issue here really is—and I think it is time to face it—Does Congress any longer have anything to say about how the defense of this country is run? Apparently the Department of Defense is operating on the basis that you have abdicated that responsibility, that it is now rightfully theirs.

I know of no other agency of the Government that treats Congress the way the Department of Defense has learned to treat it in the last few years. Therefore, you must make up your minds whether you are going to carry out the powers which inhere in the Congress from the Constitution or whether you are content to turn these powers over to the Defense Department.

I recommend that Congress go ahead with the DLGN–37 and DLGN–38, sir. I think we should build DLGN's until the DXGN is designed and we know more about its capabilities and costs.

I have never been one to believe in postponing construction of ships today waiting for the new designs of tomorrow. On that basis, you could justify never building anything. I think there is a fair chance that by the time the DXGN is designed, somebody in authority will find another excuse to hold up construction while the Navy develops a new missile system, or sonar, or something else.

These two DLGN's have already been delayed a long time. Waiting until the new DXGN is designed will delay them another year or two at least. So I recommend you go ahead with them now.

THE NAVY MUST HAVE SHIPS

I want to emphasize one point though. The Navy must have ships. As I pointed out earlier, the only escort the Navy has gotten in the last six years of destroyer size or larger is the DLGN–36. If Congress, despite its constitutional powers, does not have the power and authority to get these two DLGN's built, then I recommend Congress terminate the argument and just ratify what the Department of Defense does. As a citizen I hope our constitutional democracy has not yet reached this state. However, if it has, then we must all act in consonance with the actual situation.

To defend our Nation, the Navy must have warships. It is better to have conventional warships than no ships at all. It would even be better to power them with sails or oars than not have any.

Will I Be Able To Get a Job?

HON. BYRON G. ROGERS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. ROGERS of Colorado. Mr. Speaker, during these days, when our thoughts are turned with much concern toward

such problems as unemployment among those lacking in skills and a decent environment, I thought it might add a note of hope to share with you a story of one young man from my district who took advantage of one of the training programs available to underprivileged youngsters—the Job Corps. Harry Fleming, of Denver, Colo., who dropped out of school in the 10th grade, spent 10 months at the Kilmer Job Corps Center, near Edison, N.J., studying lithography. When he graduated, he had not only completed the requirements to be an offset duplicating machine operator, a lithographic photographer, an offset pressman, and an offset platemaker, but he had also passed the general educational development test—the equivalent of a high school diploma. On February 1, with the assistance of the Colorado Department of Employment, Harry was hired by the Park Display Manufacturing Corp. at a beginning salary of $85 per week. I am very proud of Harry Fleming's achievement, and would like to insert his "Success Story" in the RECORD, as it was reported by the Colorado Department of Employment:

Twenty-year-old, Jackson, Mississippi-born Harry Fleming, of 1000 Alcott Street, Denver, decided two years ago he'd "had it."

He dropped out of Denver's Manual high school in the 10th grade, hoping he would find a job and start making some money.

Many lonely, frustrating, discouraging weeks crawled by. Everywhere he applied for a job he got the fast brush: employers made it painfully clear they wanted applicants who had a high school diploma, some specific training or skill, and preferably some experience. Fleming had none of them.

From a few friends and an occasional radio or TV commercial, he heard about the Job Corps, a free training program for young men and women 16 through 21 years old who are out of school and out of work.

WENT TO YOUTH OPPORTUNITY CENTER (YOC)

"I finally woke up to the fact I was getting nowhere on the streets so on Tuesday, January 24th, a year ago, I went to the Employment Department's Youth Opportunity Center at 1115 Broadway, and applied for the Job Corps," Fleming explained.

"After my application was approved, they sent me to the Job Corps Center at Clearfield, Utah, then I was transferred to the Camp Kilmer Job Corps Center near Edison, New Jersey."

At Camp Kilmer, a counselor discovered that Fleming had an interest in printing dating as far back as the eighth grade. The next day, the counselor referred the youth to the Center's lithography school. Four experienced instructors taught him how to use an offset camera, make lithographic negatives and plates, and operate an offset press (See Fleming's Job Corps Certificates on Page 2).

PASSED GED TEST

During his 10-month stay at Camp Kilmer, Fleming attended school in the morning and received vocational training in lithography during the afternoon. Within six months, his academic instructors advised and encouraged him to take a General Educational Development (GED) test which, if he passed it, would give him a certificate—the equivalent of a high school diploma.

The tall, personable youth took the GED on two consecutive Saturday mornings.

"When they told me I had passed it, I couldn't believe it," he said with a proud grin.

TOOK WEEKEND TOURS

On some weekends, Fleming took advantage of free Job Corps-sponsored tours and saw the cities and countrysides of Virginia, Pennsylvania, Maryland, New York, and Illinois.

"I loved every minute of the Job Corps—it was great—because it gave me a chance to meet people, learn a lot about many things, and to become somebody."

WILL I BE ABLE TO GET A JOB?

As he left Camp Kilmer to return to Denver recently, he asked himself—half hopefully, half fearfully: "Now will I be able to get a Job?"

He spent a week getting re-acquainted with his family and friends, and on Thursday, February 1, applied for employment at the Industrial and Service (I&S) office of the Employment Department, 14 East 14th Avenue, Denver.

An Employment Officer examined his impressive qualifications (including the GED certificate), and within minutes referred him to the Park Display Manufacturing Corporation, 110 Yuma Street, a Denver advertising display and printing service, where he was hired on the spot at a beginning salary of $85 a week for a five-day week, plus fringe benefits.

After a month on the job now, the former dropout is considered a permanent member of the firm and, according to Corporation President Harold C. Park: "We think Harry has a wonderful future."

The Rough World of Bill Goodspeed

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. GONZALEZ. Mr. Speaker, every once in a while there comes a man who transcends everything and everyone who is average and ordinary.

Such a man is Bill Goodspeed—a unique and original individual—and longtime crack photographer on the San Antonio Express.

I would like to call to the attention of this body a recent article in the Editor and Publisher magazine which features Mr. Goodspeed.

The article entitled "The Rough World of Bill Goodspeed" is written by the outstanding Express reporter Sam Kindrick.

THE ROUGH WORLD OF BILL GOODSPEED

(By Sam Kindrick)

Some still remember the half-time spectacles back in the late 1930s and early 1940s as husky, cigar-chewing Bill Goodspeed stood in the center of the South Texas football fields to release his famed homing pigeons.

With film of the game securely attached to their legs, the birds flew unfailingly back to a loft high on the roof of the Express Publishing Co., building in San Antonio, Texas.

If Goodspeed's original "pigeon express" enabled the morning *San Antonio Express* to beat rival newspapers with timely photo coverage of sporting events, it also launched the career of a colorful, brawling character who has all but outlived his time in the once-tough field of photo journalism.

"I took the job in 1935 to deliver film with my racing pigeons," the 60-year-old Goodspeed says. "But there was a proviso that I could learn photography. I wasn't going to just be chambermaid to a bunch of birds."

TOUGH, COMPETITIVE

Goodspeed's knuckles are broken and gnarled. His eyesight and hearing are failing. But he still is handy with both his fists and his beat-up old Speed Graphic camera. A prize-winner (he has won 22 state awards and one national award), Goodspeed is known for his fierce competitive drive at the scene of spot news events, and for his don't-give-a-damn attitude about most everything else.

During a jail riot in the middle 1960s, he was twice kicked down a flight of stairs by city police and county deputies. He mauled his way back each time, however, and the result was a brilliant photograph of a hulking deputy, cigar clenched between his teeth, burying a fist in the midsection of a spindly prisoner.

"I'll handle the rought work," Goodspeed tells the younger photographers. "You sissies can shoot the shinplasters and tea-parties."

In the early 1950s, during a massive economy campaign at the Express, the entire editorial staff was summoned by former publisher Frank Huntress Jr. At that time, staffers were being fired every day, and the group huddled fearfully as a stern Huntress, flanked by department heads, rendered a scathing denouncement of those who had the temerity to put parking meter fees on their expense accounts.

Halfway through this tirade, Goodspeed got out of his chair and sauntered toward the door.

"Where are you going?" the publisher demanded.

"To the john," Goodspeed replied. "I want to get there before you put meters on the toilets."

The meeting broke up amid howls of laughter.

During World War II, Goodspeed and a few other staffers were exempt from the draft because of their roles with the newspaper. Then-publisher Frank Huntress Sr. was aghast when, while strolling in downtown San Antonio, he spotted Goodspeed in a line before one of the recruiting stations.

"What the hell are you doing?" Huntress yelled.

Goodspeed shot back, "I'm joinin' the Goddamn Army. They're payin' more than you."

The publisher pulled Goodspeed from the line and raised his salary.

Throughout the years, Goodspeed's demeanor has remained the same. His hands are the color of rusty metal, result of dipping them carelessly in the photographic chemicals. He wears rumpled sports shirts, baggy trousers, and shoes that cry out for polish.

Goodspeed still walks like a fighter, the big cigar protruding jauntily from his toothless mouth. He says he won't wear false teeth because he is afraid someone will knock them down his throat.

WORKING MAN

When Express and News executive sports editor Dan Cook suggested that Goodspeed might present a better image if he wore a coat and tie to a formal sports hall of fame banquet, Goodspeed shot back:

"I'm a working man. You don't wear a football suit when you cover a game."

The older editors know who to call on when the going gets rough. And, somehow, Goodspeed has an uncanny knack for being at the right place at the right time.

Officialdom has never prevented Goodspeed from coming up with the top photo. When a patrolman was killed by a motorist, Goodspeed slipped through a cordon of police who were forbidding any photographs. Although they got his camera, Goodspeed returned with the film slide, and wound up winning a state award with the compelling photograph of irate police ordering him away from their fallen comrade.

The military has usually been successful around San Antonio in stopping photographers who attempt to shoot government property. But they don't stop Goodspeed.

After all others had been successfully chased from one crash scene, Goodspeed ar-

rived at the barbed wire fence surrounding the ranch, and was met by two burly Air Policemen.

"You can't go in there," one told Goodspeed.

"Do you own that ranch?" Goodspeed asked.

As the APs stared at each other, obviously in a quandry, Goodspeed crawled through the fence, shoved his way between them and started photographing the burning aircraft.

On another occasion. Goodspeed cut through a section of fence with tin snips, and drove his car to a crashed aircraft. A bull strayed onto the highway, was hit and killed by a car, and the farmer sued the Express and Goodspeed.

"The case was thrown out of court," Goodspeed laughs. "The farmer couldn't produce the dead bull."

When military authorities confiscated all other photographers' cameras at another crash scene, Goodspeed eluded everyone, climbed into a tall tree, photographed the airplane, and then took a shot of the other photographers standing around empty handed.

"You don't get good pictures by being nice," says Goodspeed. "And you don't get them by runnin'. The authorities have a job to do, and I got a job to do. It's a question of who does his job best, me or them."

At a high-society garden festival, Goodspeed shocked the city's elite by roughing up a manicured French poodle. When confronted later by an enraged publisher, Goodspeed grinned around his cigar:

"The damn dog peed on me. What would you have done?"

WON A FEW

Goodspeed is a rough operator, and he gets the rough jobs. When other photographers were chased from a picket line where truckers were striking, Goodspeed was sent out.

"This big truck driver looked at me real mean and said 'I'll whip hell out of you if you take my picture,'" Goodspeed recalled. "I shot his picture, and then we went to it. He wasn't so tough after all."

When City Council was conducting a campaign to remove courting couples from the picturesque banks of the San Antonio River, Goodspeed photographed a pair under a banana tree locked in an excessively amorous embrace.

"The guy came straight for me swingin' like a windmill," Goodspeed said. "I knocked him into the river."

Never one to genuflect before the tweedy, briar pipe-smoking sector of the press, the old man delights in telling the story of how he outfoxed them all when President Truman attended a birthday party for the late Vice President John Nance Garner in Uvalde.

"TAKE OFF!"

An Army truck had been dispatched from San Antonio to haul photographers to Uvalde, a distance of some 90 miles. As Goodspeed attempted to board the crowded truck, he was pushed away by an AP photographer. Running, he caught the cab of the moving truck, and rode all the way on the running board. After the festivities had been photographed, and while other photographers were milling about and talking, Goodspeed crawled into the truck cab and told the driver to take off.

"What about those other guys?" the buck private asked.

"Oh, that's okay," Goodspeed said. "They've all been assigned to ride back in cars."

Goodspeed and the private returned to San Antonio in the empty truck.

"All those smarts from Washington had to hitch-hike back," Goodspeed laughs.

When a senator's wife slammed a door on his finger, Goodspeed took revenge.

"My finger was cut to the bone and spewin' blood," he said. "I caught the old guinea lookin' at me from a window. I ran up and smeared blood all over the window, and damn if she didn't puke and faint dead away."

On occasions, Goodspeed has been known to employ his own peculiar brand of finesse.

He once was assigned to photograph a popular American baseball player who, it was rumored, was about to sign a contract with the raiding Mexican Baseball League. Associated Press, United Press and *San Antonio Light* photographers had been turned away from the player's hotel room door by a league official.

Goodspeed, the son of a railroad man, was born in Durango, Mexico and spent much of his childhood there. It was his understanding of the basic sympathetic nature of the Mexican people that enabled him to succeed. When the league official started closing the door, Goodspeed allowed the man to slam the door lightly on his foot.

He fell to the floor, holding his foot and screaming that it was broken. The concerned Mexican helped him into the hotel room. Once inside, Goodspeed combined his rough good humor and fluent Spanish for what resulted in a sweet rapport with the Mexican and an exclusive photo of the baseball player.

The veteran photographer has been assigned to just about every type story. He was the first man to photograph an escaped German war prisoner who was captured in San Antonio, and he has been sent all over Texas to cover major news events.

Disdainful of modern camera equipment, Goodspeed is especially critical of what he calls the "mini-cameras." He focuses his beatup old four-by-five by judging distances, never with a view finder, and boasts he can get better prints than any man alive who uses the smaller cameras.

"You gotta work fast when you operate like me," Goodspeed says. "There's too much margin for error with those damn little bugs."

The old man, who must retire in five years, says he will go into business on his own when that day comes.

"I love this work," he said. "That's why I have always been good at it. It's still fun to me to get the beat on everyone else.

"Trouble is with these young kids they don't have the old competitive spirit. They want to work as a gang, and that's no good. You get noticed too much. Me, I'm always a lone wolf, and lots of times I get the picture before anyone catches on to what's happenin'."

There are plenty of tricks to the trade, Goodspeed says, which are never employed by the younger set.

"I used to go into the roughest sections of town by myself," he recalled. "I've even been arrested as a suspicious person. When there's a big mob that looks like trouble, I go up and start shakin' hands with fellers I've never seen before. The other toughs think I got lots of friends around, and they leave me alone."

FAMILY MAN

Despite his rough veneer, Goodspeed is a kindly man and a good father. He has seven living children, the youngest being 13. All but the two youngsters living at home have been put through college by the photographer. Another son, a doctor of psychiatry, is dead.

A Mexican fellow Goodspeed once befriended bequeathed him a large vineyard in Mexico, and Goodspeed all but raised a small Mexican-American shoeshine boy with his own children.

According to Goodspeed, the youngster was shining shoes in front of a drug store where Goodspeed once worked as a young man shortly after his marriage. The boy's father, it is said, was a Mexican general who had fled Mexico for political reasons. Goodspeed, suspecting the lad had been mistreated, took him home to live.

Because he acquired the boy on a Friday, Goodspeed called him Friday.

To this day, A. Friday Cavazos, a San Antonio man who owns Friday's Log Cabin Restaurant, calls Bill Goodspeed the finest gentleman who ever lived.

Belafonte: "Look, They Tell Me Don't Rock the Boat"

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. OTTINGER. Mr. Speaker, last Sunday's New York Times carried an interesting and provocative article by Mr. Harry Belafonte on the failure of the television industry to show a correct picture of America today. The point that he makes, far more eloquently than I ever could, is that those who control the medium are totally unwilling to "tell it like it is," to show the American Negro in a real world—the world in which he lives and in which he is forced to live today.

I am deeply concerned, Mr. Speaker, that the television industry has failed to accept a responsibility which its position as America's No. 1 entertainer has thrust upon it. I am also concerned that those with responsibility to oversee the development of the medium have not taken some steps to improve the situation. I am writing to the Federal Communications Commission to ask what steps they can take to correct this situation.

I commend this article to the attention of my colleagues. The full text follows:

BELAFONTE: "LOOK, THEY TELL ME, DON'T ROCK THE BOAT"

(By Harry Belafonte)

At a recent hearing by the City Commission on Human Rights on the practice of discrimination against minorities in broadcasting, a senior vice president for programing of CBS was asked why there are so few roles for Negroes in television. His answer was that television "likes to deal with America as it is for the most part. And for the most part there are not that many Negro judges, Negro Governors, Negro executives or Negro Senators. The producer or writer approaches the conceptual fact so as to reflect the scene as it is." Writers, he added seek to avoid "artificial situations."

This answer, which appears at first to be merely ignorant, has in fact vicious ramifications. It contains both a lie and a rationalization. The lie is that television likes to show life as it really is. Let us examine that for a moment. The medium is filled with cowboys chasing after Indians and killing them for high moral purposes, for the sake of God, mother and country. One need but read any accurate text on American history to know that that does not portray what really happened. It also doesn't seem that hillbillies striking it rich in the oil fields and taking over Beverly Hills is life as it really is. Or perhaps he was referring to "Cowboy in Africa," "I Dream of Jeannie," "Daktari," "The Invaders," "Lost in Space," "Green Acres," "Second Hundred Years," "The Flying Nun," "Bewitched," "Star Trek," "Tarzan," "Petticoat Junction" or "Dream House" when he stated that writers seek to avoid "artificial situations."

When you add "Tuesday Night At The Movies" through "Sunday Night At The Movies" to that list, you have represented approximately 75 per cent of the prime-time television that is offered to the American public. So the white picket-fence suburban America that we see in most drama and situation comedy shows is hardly life as it really is for most people.

The second part of his answer, the rationalization—that there aren't many Negro judges, politicians and executives in this country, so why portray them as part of the American scene—is both true and false. If we compare the number of such individuals who are black to their white counterparts in these status positions, they are unfortunately lower. But what he was talking about had nothing to do with the percentage. In essence what is implied is that since there aren't many, there is no point in putting them on television at all.

But what about Supreme Court Justice Thurgood Marshall or Judge Constance Baker Motley? Or the fact that two major cities in the United States recently elected Negro mayors? Or the fact that Congressman John Conyers of Detroit or Housing Secretary Robert Weaver are contributing so much in their areas? Or the fact that Willie Mays, Senator Edward Brooke, Ralph Bunche, and James Baldwin are prominent representatives in their respective fields? But why go on? America has many such citizens, but they rarely turn up on the TV screen. This escapist behavior on the part of the television industry is grossly unfair to the American public. The executive's statement (and how can a man in his lofty position who is responsible for what millions of people around the world watch every week be permitted to function with such awesome power?) can only be seen as a rationalization for maintaining the stereotyped image of the Afro-American.

But there is more to all this. It is true that the medium has opened up to a few Negro personalities, but these occasional appearances cannot justify the vast areas of omission. The few Negroes we find in character roles on TV are depicted as either obnoxious or unreal. It is probably safe to say that up to 95 per cent of the Negroes used on TV are portrayed as the white man's depraved burden, rushing to and fro through what is supposed to be uncivilized Africa in "Tarzan" or "Daktari."

Even when an "honest" effort is made to characterize a Negro, he is always completely asexual. White heroes and heroines can make love all over the screen, but the Negro is apparently above that or incapable. It used to be the other way around; as in "Porgy and Bess," Negroes were sexual creatures indulging themselves around the clock, taking drugs, gambling and taking drugs, raping and taking drugs . . . But now, hellelujah, the tide has turned. Where the white brother will rush right in and grab the girl, the Black Brother comes on as a buttoned-down Brooks Brothers eunuch.

The real beauty, the soul, the integrity of the black community is rarely reflected. The Negro artist on TV is not free to reflect the world from which he comes, with its particular richness, cultural values and problems. For the shuffling, simple-minded Amos and Andy type of Negro, TV has substituted a new, one-dimensional Negro without reality on shows like "Mission Impossible," "I Spy" and "Ironsides."

When TV has explored the civil rights movement in one of its rare documentaries, has it ever used Negro talent in the preparation of such a program? Negro writers, directors, producers? Perhaps TV really doesn't want to know what the "Negro is thinking."

As a matter of fact, it is interesting to note that of the 10,888 employes of the three major networks—ABC, NBC and CBS—only 709 are Negroes and Puerto Ricans, and this figure covers janitorial staff, porters, elevator operators, groundkeepers and other menial positions which make up the bulk of the 709. It would be interesting to explore how many out of that small figure are in any policy-making or creative capacity.

The prejudice in the television industry is so pervasive that it invades every allied field, and is in turn reinvaded. For example, the advertising agencies that prepare the commercials for TV employ 2,222 advertising executives, and 11 of them are Negro. With this white superstructure, is it any surprise that only 314 of the 7,432 commercials produced last year used Negroes or Puerto Ricans, and that only about one-third of the 314 used them as product principals? With the advertising agencies' supposed talent for persuasiveness, it is difficult to believe they cannot persuade their clients to correct this discriminatory policy.

All of this points to one bitter yet inescapable truth, which is that the Negro has emerged in this fashion because the medium is dominated by white-supremacy concepts and racist attitudes. TV excludes the reality of Negro life, with all its grievances, passions and aspirations, because to depict that life would be to indict (or perhaps enrich?) much of what is now white America and its institutions. And neither networks nor sponsors want that.

I am grieved that in this day and age, when men are in a desperate struggle for their souls, when wars are being fought and nations are being destroyed over the issue of racism, my 10-year-old son, as a Negro boy, will never see Negro life shown as it really is because it is considered "too controversial." Indeed, he will not see Negro life shown at all. The heroes, the masters of ceremonies, the doctors, the cartoons, will all be white. The nobility in his heritage and the values that could complement his positive growth and sense of manhood are denied him. Instead, there is everything to tear him down and give him an inferiority complex. He will see the Negro only as a rioter and a social problem, never as a whole human being.

Of course, not only does the black child suffer from this ignorant denial and exclusion of the Afro-American in the history and culture of America, but so does his white brother. Television is the most influential medium our children know, and it cannot be allowed to perpetuate the racism and prejudice which have already so cruelly divided and damaged our country.

Black or white family—it really makes no difference when watching today's television—each is seeing a distorted image of our world. And this distortion can only motivate more intolerance, more hate and more violence.

The majority of the public has always, I feel, been ready to accept provocative, stimulating and entertaining television—no matter what color. It is the networks and sponsors who have been irresponsible and afraid to take the first step; and the artists and craft unions and the FCC, who supposedly reflect the best interest of the people, have been of no real help in this struggle for change.

The fear and timidity of the sponsors, who basically have nothing but contempt for the public, have affected me personally many times. Recently during the taping of the Petula Clark special, with me as her only guest, Petula and I were singing when she spontaneously put her hand gently on my arm. The sponsor's representative found the "touch" wholly unacceptable, and insisted that it be reshot. When Miss Clark and I and the producers of the show refused to do this, the representative began flexing his corporate muscles. The fact that we finally had the scene accepted, "touch" and all, is a weak victory in a battle that never should have had to be fought.

These experiences become even more painful, particularly to those of us who are the victims, when a distinguished critic like Jack Gould is insensitive enough to comment that "it seems a pity that the issue was so blown up." The pity is that the issue arose at all. He also said of me, "He won his battle, but not without calling attention to the divisiveness he deplores." Unfortunately, the only way to have won this battle was to bring the incident into the public arena. Mr. Gould further stated that we should have resorted to normal avenues of corporate appeal. It's ironic that he states this, for the incident demonstrated to me once again how little has changed in television over the last 15 years. It was, in effect, the same as one that happened to me some years ago when, after two award-winning programs under the sponsorship of a major firm, that firm paid hundreds of thousands of dollars to keep me off the air rather than continue the series of specials in which I was using an interracial cast. The only difference between the two incidents was that one became public and the other did not.

For many years I have wanted to produce a special presenting the lore of the Mississippi River. I chose the Mississippi because it embodies so much of American folk history. At first, television executives respond to the idea favorably because they think the Mississippi is a good theme around which to weave their favorite Stephen Foster songs and dances. But the Mississippi is also a river on whose banks Indians were once massacred and Negroes struggled to escape slavery. It is in the Mississippi that the bodies of civil rights workers and black sharecroppers have been found. There are songs that deal with these occurrences and they form part of the statement that I want to make. But they are considered too "controversial." Even when I tell the executives that there will also be plenty of riverboat gambling and sexuality and all the "fun" things associated with the Mississippi, they still balk. They are simply not prepared to show the racial inhumanity of the white world, and yet it is only when America faces these truths about herself that we can be assured of fulfilling the dignity of man.

What, then, can we show on commercial television? Our great singers and dancers and musicians? We've done that and done that and done that. But there seems to be no escape. The TV world goes on telling me, "Look, don't rock the boat. Go out and sing and look sexy. You'll get marvelous ratings, the world will love you and, in fact, don't you serve your cause better if you just play the nice guy?" Right. Play nice guy, play dead or maybe play a Supernegro who beats up Communists, who does not probe black-white relations, and maybe you will have a chance on television. Keep the Negro bloodless and shadowy. Never show him in his own environment, doing things in a way that is natural and perhaps compassionate. Never step across the line, because you could become persona non grata.

Behind this attitude, in part, lies the desire for profits and high ratings by the networks and sponsors. I know of very few sponsors who want to put their products behind a weekly program, or even a special, that treats white life honestly and courageously, let alone Negro life. Because if you do that, you may anger some segment of the community, and that is "bad for the product"—which must be all things to all people.

The fact of the matter is that TV excludes not only Negro life in its totality but also, except in documentaries and educational television, the life of poor whites, Puerto Ricans, Indians, Mexicans and many other realities which might indict America. Television does not merely reflect racist attitudes; it denies *all* reality. The ban is not merely on Americans of color, but on any real manifestation of social criticism and true creativity, as evidenced by the recent CBS ruling that no political jokes in which

announced Presidential candidates are named will be allowed on the network until after the November elections. Not only is TV trying to stop us from thinking, it would apparently also take away the luxury and the need of laughing at ourselves.

Television, more than any other industry, molds and reinforces the ideas and values of the American people. But the ideas and values it perpetuates are based on the myths and negations of our society. TV brings us not the light and imagery which might open our eyes and fire our imaginations, but the darkness and denial of truth which chain men's minds. It is indeed "the box"—in prison language, that windowless cell of solitary confinement where men become dehumanized and may even lose their souls.

Educators Criticize Draft Law

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. FEIGHAN. Mr. Speaker, the draft is a very serious personal problem for all the young men of this country.

All Members of Congress, regardless of party affiliation, are anxious to see that we have a fair and properly administered selective service program as long as the international situation requires that many of our young men be summoned for military service.

To assure that the draft is fair and impartial, we must constantly scrutinize and evaluate the program, and seek the advice and counsel of well-informed educators and others.

With this in mind, I asked the presidents of the colleges and universities and the superintendents of public schools in my district to provide me with their comments and criticisms about the operations of the Selective Service System and its effect on the young men of our country. Their responses indicated that they find considerable fault with the present selective service program.

I would like to place their complete comments in the RECORD, and hope that all Members of Congress concerned with this problem will take the time and trouble to read and study their thoughts. I also wish to thank these distinguished gentlemen for providing their comments to help guide the future actions of Congress on this very vital subject. Their comments follow:

JOHN CARROLL UNIVERSITY,
Cleveland, Ohio, March 14, 1968.

Congressman MICHAEL A. FEIGHAN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FEIGHAN: Thank you sincerely for your letter of March 8. Although I have wrestled with the problems of draft deferment and national interest, I have not arrived at a solution that is satisfactory even to myself. However, I do feel that the present draft law is neither equitable nor in the best interests of the nation. It is difficult for me to see how the application of the present regulation to graduate students will bring about the desired results for our military effort, and it seems to me that there is considerable danger of unfortunate consequences for the educational future of our nation.

Sincerely yours,

JOSEPH O. SCHELL, S.J.
President.

CUYAHOGA HEIGHTS PUBLIC SCHOOLS,
Cleveland, Ohio, March 15, 1968.

Hon. MICHAEL A. FEIGHAN,
Congressman from Ohio,
U.S. Congress,
Washington, D.C.

DEAR SIR: Thank you for your letter of March 8th in which you solicited my opinion on the draft. I have tried in the past several days to organize my thinking on this subject into what would be a logical presentation. It is difficult, however, to treat the draft as an entity in itself without commenting on other factors that affect its operation.

The following comments therefore represent my feelings relative to the broad aspects of the draft problem.

First of all, it would seem necessary to realistically reassess our present need for the draft. It is essential that our country make a determination as to whether we are presently in a war or whether we are not in a war. If the Southeast Asia conflict is not a war, then we must take non-military action in solving the dilemma. If, on the other hand, a war does exist (and it seems that it does), we must have Congress declare a state of war and we must all prepare ourselves to make the sacrifices that a war demands. This would include the instigation of an all-out internal propaganda system to develop among American citizens the proper attitude toward protecting our country and its interests.

Secondly, if it has been established that we need a military force beyond the size that professional military men provide, where do we obtain the men? I would first suggest that we make full use of volunteers. Present enlistment periods for the armed services are too long. Two-year enlistment periods should be available to those who want to fulfill their military obligation before they enter college or vocational training.

Also, we should better utilize existing military forces before using the draft. The Reserve units are organized for the purpose of being available in times of National need. It would seem appropriate to rely on these military units as the first to be called when the need arises. The National Guard should be the next group called, although it would make even more sense to combine the two groups into one.

After using volunteers and existing military units to the full potential, the next step has to be the involvement of a draft.

It is philosophically indefensible to draft as we are at the present time. There is no reason to create a two-class society as we are now doing. An individual who is intelligent and able to go to college should be just as obligated to serve his country as the less fortunate. The idea proposed some time ago that all persons serve in some capacity seemed to have merit, but I now understand that this plan would generate too many people to effectively be used. I would therefore be in favor of a lottery, and all serve who are called.

I sense a feeling among college students who are deferred that there is not a great objection to serving in the military, but they detest the uncertainty of whether or not they will be called. If a name is drawn of a college student, I would draft him at the end of his freshman, sophomore, or senior year. Let him know he will definitely have to serve, and he can plan his career around that fact.

It may be that we are not making the best use of the talent that is drafted. It is possible, for example, that certain persons would be of more service to our country by serving in the diplomatic corps than the army. Likewise, a skilled typist who is deferred because of flat feet may be able to perform in several essential areas.

In summary, I am proposing that we reassess our goals to determine the need for the draft, that we make better use of volunteers by shortening enlistment periods, that we more adequately utilize the Reserve and National Guard, that we adopt the philosophy that all male citizens have an equal obligation and choices will be made on a lottery basis, and finally that we channel the talent to the most effective use.

These ideas are not new. They are merely a common sense approach to a serious problem. It would be my hope that we could improve our foreign relations such that we could consider Senator Nelson's proposal of a few years ago to eliminate the draft entirely.

Sincerely yours,

JOHN R. THORSON,
Superintendent.

THE CLEVELAND STATE UNIVERSITY,
Cleveland, Ohio, March 26, 1968.

Hon. MICHAEL A. FEIGHAN,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. FEIGHAN: I am pleased to reply to your letter about Selective Service. The draft is a significant factor in the lives of our young men and in the plans of our university.

I am deeply concerned about the inequities of our present Selective Service policy. Moreover, the recent removal of deferments for graduate students will create severe problems for advanced education; some immediate action should be taken to remedy this unfortunate situation.

An adequate Selective Service system should furnish the men needed by the armed services; it should operate impartially, without discrimination of any kind; and it should disrupt normal educational and career development as little as possible. The present system is inadequate on all three counts. First of all, the present practice of drafting older men first does not provide the most suitable men. It appears that in the next twelve months, for instance, a preponderance of the men inducted will be older than desired by the military services. Secondly, the deferment of college students confers upon them a sheltered status, thus discriminating against young men disadvantaged by poverty or lack of educational opportunity. This has created intense resentment among poorer segments of the population, resentment that will continue until the practice is changed. Lastly, present policy causes young men to be inducted at a time that seriously interrupts their plans for a career, the time when they move from college into productive effort in the economy.

I want to comment specifically on the recent suspension of deferments for graduate students. In the absence of a full review and reform of Selective Service practice, the sudden removal of graduate school deferments will place a disproportionate military burden on a small group of intellectual leaders. Not only will this create severe problems for the future manpower needs of the country, but it will immediately disrupt normal educative processes.

The shortage of competent teachers for colleges and universities will be seriously intensified at a time when college enrollments are growing rapidly. Undergraduate education will be hurt immediately without an adequate supply of graduate assistants for teaching and research.

The most serious inequities and dislocations of the draft can be eliminated by the prompt adoption of a random selection system. Legislation to accomplish this has already been introduced in both the House of Representatives and the Senate. I urge that this basic reform of the draft be quickly adopted by the Congress. Such a system would make the undergraduate, the non-college man, and the graduate student equally liable for military service.

I should like to express my appreciation

to you for your interest and for your letter. This is a matter of vital concern to us all.

Sincerely yours,

HAROLD L. ENARSON,
President.

CUYAHOGA COMMUNITY COLLEGE,
Cleveland, Ohio, April 3, 1968.

Hon. MICHAEL A. FEIGHAN,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR MR. FEIGHAN: Please accept my apology for not responding to your letter sooner. Out-of-town responsibilities and the details attendant to the College's accreditation by the North Central Association of Colleges and Universities prevented an earlier response.

I agree with you; the draft is a very serious problem. It is one that affects directly or indirectly almost all citizens and segments of our society. As a citizen and college president, I have pondered many hours the question, "What are the elements of an equitable and effective method of producing an appropriate military force in times of national emergency?"

Our past experience has shown us that in times of declared, full-scale wars, while costing a great deal more in lives and resources, it is easier to mobilize the necessary forces than it is during times of limited conflict, such as Korea and Viet Nam. When not all are to serve, it is difficult to determine—with equity—who is to serve.

Looking at the experiences of other nations, I know of none that have attempted to do with draftees what we are attempting to do in Viet Nam, so we have a difficult and unprecedented task.

It seems to me that we have two choices. The first is to develop a larger volunteer-professional army, navy, and air force. This has been talked about from time to time, but I don't know how thoroughly it has been studied. If such a scheme were economically feasible, I believe recruitment could prove to be attractive to a sufficient number of men and women to meet our needs. This is based, in part, on a recent statement I read to the effect that re-enlistments were running as high as 49 percent. The attraction that our military academies have for our youth is another plus factor. If pay, retirement benefits, other economic advantages, and family living conditions were improved, this type of military organization could prove to be both practical and acceptable.

Our present selective service system contains many inequities, uncertainties, and inconsistencies.

The principal inequity is the treatment of noncollege students—youth who for many reasons do not attend college. The uncertainty of their future haunts most male college students. The inconsistencies in their classification and treatment of prospective draftees that exists among state and local draft boards causes consternation among employers, parents, and prospective draftees.

The negative characteristics of the present system can lead only to further frustration, anxiety, disrespect for authority, and widespread anxiety on the part of increasing thousands of Americans.

The second alternative to the present system and one that I believe could easily be free of most inequities, uncertainties, and inconsistencies is a system of random selection of eligible youth. This to me, seems to have considerable merit if it were applied universally and irrespective of one's intellectual capacity, educational status, or economic status. To be equitable and consistent, exemptions would have to be limited to the physically or mentally handicapped and certain specific occupations. Exemptions based on conditions such as flat feet and football knees should be discontinued under any system. Occupational exemptions should be consistent with the needs and welfare of our Country.

I have not attempted to detail the alternatives outlined above, but I do believe they are worthy of study. I agree with much of the criticism of the present system that has been expressed by some in Congress, some citizens, and numerous professional organizations. I disagree strongly with those who encourage our youth to violate the draft law and those who succumb to such encouragement.

I concur with you. The matter of Selective Service should receive the attention of Congress. If it does, I am confident that a more appropriate system will emerge.

If I can be of further assistance to you in any way, please let me know.

Sincerely yours,

CHARLES E. CHAPMAN,
President.

CLEVELAND PUBLIC SCHOOLS,
Cleveland, Ohio, April 12, 1968.

Hon. MICHAEL A. FEIGHAN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FEIGHAN: My greatest concern about the administration of the draft relates to the drafting of teachers from school districts where there exist critical shortages.

During the past three years, the Cleveland Public Schools have been forced to open with less than a full contingent. It would appear that we will have to hire 1,000 teachers before September 1, 1968. If those who are now on the staff, subject to the draft, are not deferred, this number will be considerably increased. 623 professional staff members are presently deferred.

I would hope that the administration of the draft may be such as to allow these individuals, as well as others that we may hire, to continue in their draft-exempt status.

Sincerely,

PAUL W. BRIGGS,
Superintendent of Schools.

Passenger Train Discontinuance: A New Look at an Old Crisis

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. KYROS. Mr. Speaker, I want to call the attention of the House to the problem of the deterioration of our Nation's passenger train service. For years there have been those of us who have felt that the ICC's function was to aggressively defend the public's interests, not to moderate between the private interests in the world of commerce. Yesterday, I saw a recommended order in a passenger train discontinuance case that renews one's faith, at least temporarily, that there are public servants who possess the imagination, and dedication to the public's interest to give us the kind of protection that Congress hoped for when it delegated power to the ICC to protect the public in the field of commerce.

Hearing Examiner John S. Messer's recommended order in the Southern Pacific case shows a scholarliness, and a willingness to apply the entire body of law to a case of public magnitude that reflects the highest order of enlightened regulation. Most passenger train discontinuance cases had been based upon section 13(a) of the Interstate Commerce Act, a section which in my opinion places an intolerable burden upon the public to maintain its interest against the private affairs of the carriers. Mr. Messer did his homework and found that other sections of the act also provided for passenger train service to the public, sections 1(4), 1(3)(a) and others. Mr. Messer impressively documents his stand for comprehensive application of the law, for instance:

In *All Commodities, New England to Chicago and St. Louis*, 315 I.C.C. 419, 433, Commissioner Webb in his dissenting opinion stated, in part:

"A good argument can always be made for the proposition that the settled policies of the Interstate Commerce Commission, whether the result of action or inertia, should be altered only by the Congress. The better view, in my opinion, is that the Congress, in delegating authority couched in such broad terms as 'just and reasonable' intended the Commission to adjust its regulation in the light of changes in the industry and, whenever deemed necessary, to scuttle outmoded theories and practices without regard to their antiquity."

Mr. Messer then proceeds to give critical attention to the materials in support of the contesting parties. His analysis of the expenses and costs formulated by the carriers is particularly incisive and I would like to include that part of his order here.

OPERATING COSTS

In computing the costs of operating the involved trains the carrier has used actual costs in instances where ascertainment was practicable, and mileage and system average costs as related to passenger train service where the actual figures were not available, which is the case in most instances. These expenses were developed on the basis of a formula used regularly by the carrier's cost-finding personnel in their reports to management and in section 13a proceedings.

The carrier's cost figures for 1966, reflect total revenues of trains Nos. 1, 2, 3, and 4, of $10,712,000, consisting of $6,890,000 from passengers, $3,029,500 from mail, $86,500 from express, $48,600 from other transportation, and $657,400 from dining and buffet. They show operating expenses of $14,868,900, thereby resulting in a net loss of $4,156,900 for that year. No feeder value has been included which is a proper factor to be considered and which would reduce the deficit figure.

Included in these "out-of-pocket" costs are those for other transportation, other maintenance of equipment, maintenance of way and structures, traffic, general, haul of company material, interest-diesel locomotives, and interest-passenger cars. Generally, such items are disallowed in discontinuances of passenger trains where, as here, they are not shown as expenses which would be eliminated as a result of discontinuance. These are fully allocated costs and are not of a savable nature.

Adjusting these costs to reflect the disallowance of the above-mentioned allocated costs, the stated deficit would be reduced to $2,046,400. Due to the discontinuances of trains Nos. 3 and 4, the carrier's revenue and expense figures for current operations have been further adjusted later in this report and in appendix E.

Although the carrier submitted revenue and expense figures for the first six months of 1967, since they do not include operations during the peak summer vacation season or the Christmas holiday peak season, the ex-

aminer elected to use the figures for the last full year period of 1966. It is considered that the full year operation is much more meaningful. For instance, in 1966, 20 percent more passengers used train No. 1 west of El Paso in the last six months than in the first. East of El Paso, the passenger count was 23 percent higher the last half year than the first half.

The C.P.U.C. computations of the various out-of-pocket factors vary from those of the carrier. This is due to the difference in methods used by each in determining the costs.

* * * * *

The result of this analysis indicates that, in the opinion of the California commission's cost engineers, the deficit claimed by the carrier is overstated to a considerable degree.

PASSENGER-SERVICE LABOR COSTS

A major element of cost of passenger-train operations consists of operating employees' wages, health and welfare benefits, and payroll taxes. For the year 1966, on the involved trains, these costs constituted 26.21 percent of the total operating expenses.

A detailed analysis of the cause and effects of railroad operating labor costs and practices is set forth in *Railroad Passenger Train Deficit*, 306 I.C.C. 417, 448. Since the conditions set forth in that report decided May 18, 1959, have existed since 1919, without change, the subject will be discussed in this report only to the extent necessary to bring the subject matter up to date.

While the number of employees of all class I railroads in the country has decreased 33 percent between 1959 and 1966, the total compensation paid, excluding old-age retirement and unemployment insurance taxes, decreased only 2 percent during the same period. Thus, economies affected have been, for the most part, off-set by wage increases.

Under agreements between the carrier and the various labor organizations wages are determined on "basic work days". The basic work day for an engineer and fireman in passenger train service is 100 miles of operation. For conductors and brakemen it is 150 miles. If the runs exceed those distances, the crew is compensated on a prorated mileage basis beyond the minimum. For example, on the involved trains the engineer and fireman receive approximately a day and a half basic pay between New Orleans and Lafayette, La., a distance of 145 miles. The running time between these two cities is 3 hours and 16 minutes. Between Sanderson and Del Rio, Tex., the distance is 128 miles, the running time is 2 hours and 55 minutes, and the engineer and firearm receive approximately 1¼ days' basic pay. In addition, the engineers are paid overtime if their time on duty exceeds the published time schedule.

A 7-day test study, October 16 to 22, 1967, showed that for each trip between Los Angeles and New Orleans, distance 2,033 miles, running time 45 hours and 30 minutes, a total of 54 crew members are used. This is broken down as follows:

Normal salary cost

Conductors and brakemen (24)	$1,003.14
Engineers and firemen (19)	949.26
Chaircar porters (9)	279.26
Baggagemen (2)	145.14
Total	2,376.80

This does not include the automat-car attendant, dining car employees, or pullman employees.

RESTATEMENT OF OPERATING COSTS

Prior to the discontinuance of trains Nos. 3 and 4, (Golden State) on March 25, 1968, the consist of trains Nos. 1 and 2 (Sunset) between New Orleans and El Paso was 1 locomotive and 5 cars. The consolidated trains Nos. 1–3 and 2–4 had average consists of 3 locomotives and 14 cars. The mileage west of El Paso is 73 percent of the mileage east of El Paso. Subsequent to the discontinuance of trains Nos. 3 and 4, the consist of trains Nos. 1 and 2 will be the same over the entire operation between New Orleans and Los Angeles, that is, 1 locomotive and 5 cars.

In view of this change in the number of locomotives and cars operating, it is necessary to revise the statement of revenues and variable expenses of trains Nos. 1 and 2. To do this, the examiner has used the revenues and expenses set forth on carrier's exhibit 134, app. JVL–7 (Revised), Appendix D), since that exhibit is the only one to reflect a full year's operation. The figures given for the El Paso-New Orleans segment have been accepted without change, where allowable. However, the expenses for the Los Angeles–El Paso segment have been revised to reflect 73 percent of the El Paso–New Orleans segment since the expenses are based on miles operated, in nearly every instance. Where variations of this method have been used footnotes have been added. (See Appendix E.)

The total revenues have been reduced by $1,122,000 since this is the amount of revenue from all sources that the S. P. claimed would be lost by it from operations between El Paso and Los Angeles if, and when, trains Nos. 3 and 4, (Golden State) were discontinued. This information is contained in the Commission's report in Finance Docket No. 24746, *Chicago, Rock Island & Pacific Railroad Co. and Southern Pacific Co. Discontinuance of Trains Nos. 3 and 4 Between Chicago, Ill., and El Paso, Texas*, served February 19, 1968. In addition, revenues and expenses for dining and buffet service have been excluded. Although the trains will still have the automat cars, the S. P. states that the cost of supplies and labor will be balanced out by the revenue received. The item for car rental is no longer applicable. Those items of expense that have been disallowed are those which the Commission has consistently considered not of a variable nature. The El Paso-Santa Rosa figures are no longer applicable.

The result of the restatement indicates that trains Nos. 1 and 2, as now constituted, can be operated at a profit of approximately $691,700 per year. This amount would more than offset the expense of operating 1 sleeping-car and a diner-lounge car if they were returned to the consist.

Considering the relatively small amount of revenue from all sources that the S. P. claimed it earned in *F. D. 24746* (supra), on operations of trains Nos. 3 and 4 between El Paso and Los Angeles, it is not readily understood why so much equipment was operated. Since so many of the operating expense items are predicated on car-miles, the operation of cars in excess of those needed to meet the transportation demands would only serve to create or inflate a deficit operation.

Finally, I wish to call the House's attention to the recommendations that Mr. Messer made. They are pertinent not only to this particular case, but to the entire rail passenger industry. Mr. Messer recognized the congressional policy to mold a national transportation system and in line with that has made particularly excellent recommendations in this case. They are:

RECOMMENDATIONS

1. For the Commission to recognize its jurisdiction and exercise its authority under section 1(4) of the act by requiring all passenger-trains operating in interstate or foreign commerce to observe, within 30 days after the effective date of the order in this proceeding, and pendente lite, certain minimal standards similar to the following:

(a) Trains operating over a line of railroad in excess of 250 miles must include in their consist facilities for meal service of no less a standard than that provided by an automat car as previously described.

(b) Every train engaged in transporting passengers in interstate commerce between the hours of 10 p.m. and 8 a.m. must include in its consist adequate sleeping-car accommodations.

(c) Trains whose transit-time is 12 hours or more must include in their consist adequate sleeping-car accommodations and a diner-lounge car as well as additional meal service when required.

(d) All cars used for the transportation of passengers must be equipped with air conditioning and heating facilities, lighting, rest rooms, and drinking water, all in good operational order. These cars must be maintained in clean and sanitary condition, both interior and exterior.

(e) The average speed of passenger trains must not be less than that of the carrier's most expedited freight train.

(f) No consolidation of passenger trains may be affected where the consolidation exceeds 1 hour in execution.

(g) No freight equipment other than so-called "head-end" cars may be added to a passenger-train consist without approval from this Commission.

Note: The standards set forth in (b) and (c) will not be applicable to an "all-coach train" service where the carrier provides alternate service with sleeping-car service. As an example, the Santa Fe's El Capitan and the Super Chief service.

It is not intended that these standards are all encompassing or messianic. The Commission's attitude in this matter should be flexible but determined. Suggestions and criticisms should be given careful consideration within the context of the Supreme Court's decision in *Alabama Comm'n* v. *Southern R. Co.*, 341 U.S. 341, where it said:

"One of the duties of a railroad company doing business as a common carrier is that of providing reasonable adequate facilities for serving the public. This duty arises out of the acceptance and enjoyment of the powers and privileges granted by the State and endorsed so long as they are retained. It represents a part of what the company undertakes to do in return for them, and its performance cannot be avoided merely because it will be attended by some pecuniary loss."

2. Recognizing that the standards set forth above or variations thereof, will tend to increase the out-of-pocket operational expenses of the carrier, the examiner proposes that municipal corporations, or county governments where a community is unincorporated, should purchase its local depot property from the carrier and maintain said depot facilities at public expense. This would remove the property from the tax rolls and give the community the privilege and responsibility to maintain the depot property in a manner that will satisfy the citizens. Civic pride will guarantee that the property is properly maintained and red-cap service could be performed by civil servants for the convenience of the residents and travelers if desired. The carriers would staff the ticket and express offices and pay reasonable rent for the space occupied. If a community did not desire to enter into such a program the carrier could be authorized to remove it from their station list. A program of this type should solve many causes of dissatisfaction and complaints.

This program together with the State tax relief previously described would go a long way toward removing any deficit operation. Long-term municipal bonds could meet the financing problem. Any yard or servicing facilities could be rented by the carrier at a reasonable rate.

3. Railroad labor should reexamine their present agreements and renegotiate these contracts to meet the conditions of the times.

If necessary, separate labor agreements should be drafted that are applicable to passenger-train service. This is a very serious responsibility under present-day conditions. A day's work for a day's pay is only fair. Equitable work rules should apply to the shopcrafts as well.

4. The separation rules[1] should be revoked. They do not permit the allocation of costs in a true relationship. They are ambiguous at times, which results in various carriers applying these rules in different ways.

No expenses for passenger operations should be included in the annual Form A report. A separate report, perhaps designated Form A (1) should be submitted on passenger-train operations. It would be desirable if this report was submitted quarterly, on a non-cumulative basis, to permit current evaluation and quick response for corrective action where indicated. The revenues and expenses should be restricted to those used in appendix E, with addition of dining service. Expenses being reported should be ascertained as follows:

1. Equipment Repairs: Account cards to be maintained for each car and locomotive on actual repair costs. Where locomotives are used interchangeably between freight and passenger service, actual repair expenses allocated to passenger service on per mile basis.
2. Depreciation: On group basis up to 20 years.
3. Wages: Actual.
4. Train Fuel: Actual.
5. Locos' Supplies and Service: Same as 1.
6. Enginehouse Expense: Same as 1.
7. Train Supplies and Expenses: Actual.
8. Dining Service: Actual.
9. Health and Welfare Benefits: Actual.
10. Damage to Property, Livestock and Injuries to Persons: Actual claims paid.
11. Rent for Passenger Cars: Actual.
12. Payroll Taxes: Actual.
13. Meals and Lodging: Actual.
14. Joint Facilities: Actual.

The report should include a per trip average passenger count for each week, broken down into coach, sleeper-coach, and sleeping-car and revenue and non-revenue. The on-time (30 minutes) performance of the trains should be shown in weekly averages.

If, after honest, economical and efficient management, this report should still reflect a deficit, such deficit, or a reasonable percentage thereof, should be used as a direct reduction to the Federal income tax payable by the rail carrier.

5. A National Rail Passenger System should be created capable of meeting present and future intercity rail transportation requirements. This idea is not original with this examiner. Plans for such a system have been previously advanced and one such plan has been under consideration by the Department of Transportation (DOT) since its establishment, and before that by the Department of Commerce and this Commission. A portion of one such plan with revisions by the examiner is set forth in appendix F.

The plan envisions a basic network of passenger rail service connecting the major urban centers and traversing and serving important rural areas. A tentative schematic outline of such a system is shown in appendix H. Undoubtedly a detail study of passenger travel patterns will have to be made before an effective system can be established and, even then, it should be constantly under review for necessary changes or expansion.

Since this Commission has the responsibility to assure adequate rail passenger service the establishment of such a system should be its undertaking, with technical support furnished by DOT and other Federal agencies such as the Bureau of the Census. This should be a total effort on the part of both the Federal and State governments with the final determinations resting with this Commission.

DOT has such a plan before it which is being considered as a part of a master transportation coordination study. Since the full scope of such a master plan is so vastly complex, it is anticipated that the study will take several years to complete. The present passenger rail service cannot wait several years, and the recommendations made herein are designed to preserve the rail passenger service in the interim.

The system as outlined in appendices F and H is not intended as a maximum, nor is it to be considered adequate to meet the public need. It is anticipated that the carriers, the States, and the public will come forth with constructive suggestions, as to needed revisions. Until such time as enough information is obtained to evolve a practical plan, the Commission has no other choice than to continue investigating and acting upon passenger-train discontinuance applications (not notices), hopefully with great care.

6. Section 1(15) of the act should be vigorously enforced where a particular rail carrier pleads financial inability to carry out its duties regarding the operation of passenger trains. This was particularly called for in the case of the Rock Island in the *Golden State* discontinuance proceeding, previously discussed, where the Commission found that "the hard fact of the matter is that the Rock Island is in no shape (financially) to continue the (passenger-trains) service.

Section 1(15) reads in part:

"Whenever the Commission is of opinion that shortage of equipment, congestion of traffic, or *other emergency* requiring immediate action exists . . ., the Commission shall have, and it is hereby given, authority . . . to make such just and reasonable directions with respect to car service without regard to the ownership as between carriers of locomotives, cars, and other vehicles during such emergency as in its opinion will best promote the service in the interest of the public and the commerce of the people, upon such terms of compensation as between the carriers as they may agree upon, or, in the event of their disagreement, as the Commission may after subsequent hearing find to be just and reasonable." (Emphasis added.)

Car service is described in section 1(10) as:

"The term 'car service' in this part shall include . . . the supply of trains, by any carrier by railroad subject to this part."

In *U. S.* v. *Thompson*, 58 Fed. Supp. 213, 216, the court said:

"The law places the burden on the Commission in the first instance *of determining the existence of an emergency* as a basis for the exercise of the extraordinary powers conferred by the Act, without notice or hearing, and for the issuance of the order." (Emphasis added.)

The Commission frequently deals with similar situations in the case of motor carriers. Many times a motor carrier has fallen into such a poor fiscal condition that it cannot properly fulfill its obligation to the public. The carrier negotiates a contract of sale and, pending the Commission's approval under section 5, the vendee is granted temporary authority to operate the vendee's authority to afford service to the public. An emergency affecting the public need is faced up to and met. The same should be done for passenger-train service under section 1(15).

The information to be found in the record, which necessarily has been only summarized in this report, deserves studious attention on the part of all. Contention of the parties as to fact or law or specifically discussed herein have been given consideration and found to be without material significance or not justified.

Mr. Messer's conclusions are succinct and to the point. What will this Nation do in 1980 when the demand for surface transportation triples? Shall we build even more highways, when already the dream highways we planned 10 years ago are obsolete, though not yet completed? Shall we tolerate an even higher amount of carnage than the 2 million maimed and 55,000 killed each year? I think that it is already apparent that we cannot go on much longer under the present situation. It is incumbent on us to build a far-reaching intercity rail passenger system now, and if the rail companies of the Nation are unwilling to join in this task, then the Congress and the Nation must proceed without them.

[1] Rules Governing The Separation of Operating Expenses, Railway Taxes, Equipment Rents, and Joint Facility Rents, Between Freight Service and Passenger Service on Class I Railroads, revised January 1, 1964.

Emphasis on the Private Sector

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. ASHBROOK. Mr. Speaker, it has been encouraging to note the increasing emphasis on the participation of private business and industry in attacking the social ills of this Nation. Restricted by realistic budgets and the requirements of fiscal solvency, and primed for efficient operation by our competitive way of life, the private sector in general survives by doing a job—and doing it well. It does not have access to a seemingly bottomless well of deficit dollars as do the prodigals in the Federal Government, nor has it the benefit of the monetary legerdemain found in Federal accounting for the disappearance of taxpayers' funds.

It is additionally encouraging to learn of private programs to help those in the disadvantaged areas in their aspirations for a better way of life. The Chase Manhattan News, the publication of the Chase Manhattan Bank in New York, in its April 1968 issue, provides an illustration of how one member of the private sector seeks to meet its social and civic responsibility by conducting a bank training program for members of minority groups in that city. The participants, who are unable to meet the bank's employment standards, are offered a curriculum which includes reading, oral and written communications, literature, basic economics, arithmetic, and orientation to the business world. Emphasis is placed on developing in the individual confidence in his own abilities, and he is propelled forward by the assurance of a specific job upon his successful completion of the program. Informal discussions, supervision by competent experts, and the use of modern training devices all combine to give the trainee responsible guidance during the training period.

It is hoped that programs of this

nature will spread like wildfire to provide for those willing and able to progress a brighter future based on individual confidence, responsibility, and initiative.

I include the article, "New Training Program Helps Young Men Qualify for Jobs at Bank and Elsewhere," which appears in the April issue of the Chase Manhattan News, in the RECORD at this point:

NEW TRAINING PROGRAM HELPS YOUNG MEN QUALIFY FOR JOBS AT BANK AND ELSEWHERE

A new Bank training program designed to help young men qualify for employment, perform effectively and earn advancement is showing favorable results just four months after its inception.

This experimental project, entitled Job Opportunities in Business (JOB), primarily involves members of minority groups from disadvantaged areas of the city. Not only are the participants unable to meet the Bank's employment standards but most of them are high school dropouts.

Three groups, consisting of about 20 young men each, have completed the first phase of the program, which lasts six weeks. The curriculum includes reading, oral and written communications, literature, basic economics, arithmetic and orientation to the business world.

Throughout, a strong emphasis is placed on helping participants develop confidence in themselves at work. Professional teachers especially competent in remedial education assist in conducting the instruction.

"Of course," says Arthur J. Humphrey, Training Staff and the project manager, "one of the main motivating factors is the $1.60 an hour pay. But a more important motivator is the assurance of a specific job upon successful completion of the program.

"In addition" he adds, "this is the first time many of the participants have experienced a real sense of educational achievement."

FIFTY-FOUR ARE IN PHASE II

Fifty-four of the participants have moved to the second phase of the program during which they receive regular full time salaries, begin training for entry level jobs and continue remedial education on Bank time.

Five of the contingent have already mastered the training and have been assigned to regular positions. High school dropouts in the program are striving to pass the High School Equivalency Exam and still others are seeking to qualify for admittance to the American Institute of Banking and local community or other colleges.

"One major reason for the success of the program to date," says Harold B. Coburn, vice president and training director, "has been the fine attitude of the participants and the dedication and enthusiasm of the teachers and supervisors in helping them.

"It is gratifying to note," he adds, "that while discharging the Bank's social and civic responsibility in this area, we are at the same time helping to meet our staffing needs. If we can make it pay off for us we sincerely believe we can encourage other employers to make it pay off for them."

Saber Rustling in United Nations

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. RARICK. Mr. Speaker, the U.N. Security Council continues its unconscionable war mongering to escalate an armed aggression against Southern Rhodesia under its smokescreen of peace.

The Communist-African tribal states are insistent on a second front in Africa—not to be fought by them but rather British troops.

Britain, on the other hand, lacking courage to use its veto or leadership has countered with a threat of more stringent sanctions against the poor Rhodesians.

All of this activity, illegal under the U.N. Charter, chapter 1, article 2, paragraph 7, sought to be justified by calling Rhodesia an illegal regime and a threat to world peace.

No one is fooling the people—the threat to world peace is the race conscious United Nations. Why is the U.N. afraid of peace?

The leading question is whether under the new British sanctions the U.N. will agree to prohibit the Communist terrorists from Zambia and the other tribal territories from entering into the peaceful countries of Southern Africa.

The U.N. sanctions—illegal and unpopular—concern all Americans because we fear any armed aggressive attack against Rhodesia must include all of Southern Africa and a U.N. rubberstamp command for U.S. boys and U.S. arms.

In South Vietnam we fight to curb Communist aggression. Let us not aid and abet Communist aggression in Africa by this U.N. trap.

H.R. 11465, a bill to repeal the U.N. Participation Act of 1945, must be passed to free the United States from U.N. minority domination.

I include the full telegraph text of the British resolution to the U.N. Security Council introduced April 24,

TEXT OF BRITISH RESOLUTION TO BE INTRODUCED APRIL 23, 1968

The SECURITY COUNCIL: Recalling and reaffirming its Resolutions 216 (1965) of 12 November 1965, 217 (1965) of 20 November 1965, 221 (1966) of 9 April 1966, and 232 (1966) of 16 December 1966,

Noting with great concern that the measures taken so far have failed to bring the rebellion in Southern Rhodesia to an end.

Deploring the recent inhuman executions carried out by the illegal regime in Southern Rhodesia which have flagrantly affronted the conscience of mankind and have been universally condemned,

Reaffirming that, to the extent not superseded in this Resolution, the measures provided for in Resolution 217 (1965) of 20 November 1965, and 232 (1966) of 16 December 1966, as well as those initiated by Member States in implementation of those resolutions, shall continue in effect.

Reaffirming its determination that the present situation in Southern Rhodesia constitutes a threat to international peace and security.

Acting in accordance with Articles 39 and 41 of the United Nations Charter,

1. Decides that States Members of the United Nations shall prevent:

(A) The import into their territories of all commodities and products originating in Southern Rhodesia and exported therefrom after the date of this Resolution (whether or not the commodities or products are for consumption or processing in their territories whether or not they are imported in bond and whether or not any special legal status with respect to the import of goods is enjoyed by the port or other place where they are imported or stored):

(B) Any activities by their nationals or in their territories which promote or are calculated to promote the export of any commodities or products from Southern Rhodesia and any dealings by their nationals or in their territories in any commodities or products originating in Southern Rhodesia and exported therefrom after the date of this Resolution, including in particular any transfer of funds to Southern Rhodesia for the purposes of such activities or dealings:

(C) The shipment in vessels or aircraft of their registration or under charter to their nationals or the carriage (whether or not in bond) by land transport facilities across their territories of any commodities or products originating in Southern Rhodesia and exported therefrom after the date of this reolution:

(D) The sale or supply by their nationals or from their territories of any commodities or products (whether or not originating in their territories but not including medical supplies, educational equipment, documents, books, periodicals, newspapers, cinematograph films containing only news or other informative or educational matter, television films containing such matter, other material for cinematography, television or radio purposes containing only such matter or, in special humanitarian circumstances, foodstuffs) to any person or body in Southern Rhodesia or to any other person or body for the purposes of any business carried on in or operated from Southern Rhodesia and any activities by their nationals or in their territories which promote or are calculated to promote such sale or supply:

(E) The shipment in vessels or aircraft of their registration or under charter to their nationals or the carriage whether or not in bond by land transport facilities across their territories of any such commodities or products which are consigned to any person or body in Southern Rhodesia or to any other person or body for the purposes of any business carried on in or operated from Southern Rhodesia.

2. Decides that States Members of the United Nations shall not make available to the illegal regime in Southern Rhodesia or to any commercial, industrial or public utility undertaking in Southern Rhodesia any funds for investment or any other financial or economic resources and shall prevent their nationals and any persons within their territories from making available to the regime or to any such undertaking any such funds or resources and from remitting any other funds to persons or bodies within Southern Rhodesia except payments exclusively for pensions or other humanitarian, educational or information purposes.

3. Decides that States Members of the United Nations shall:

(A) Prevent the entry into their territories, save on exceptional humanitarian grounds, of any person travelling on a Southern Rhodesian passport, regardless of its date of issue, or on a purported passport issued by or on behalf of the illegal regime in Southern Rhodesia:

(B) Take all possible measures to prevent the entry into their territories of persons whom they have reason to believe to be ordinarily resident in Southern Rhodesia and whom they have reason to believe to have furthered or encouraged or to be likely to further or encourage the unlawful actions of the illegal regime in Southern Rhodesia or any activities which are calculated to evade any measures decided upon in this resolution or in Resolution 232 (1966) of 16 December 1966.

4. Decides that States Members of the United Nations shall prevent airline companies constituted in their territories and aircraft of their registration or under charter

to their nationals from operating to or from Southern Rhodesia and from linking up with any airline company constituted or aircraft registered in Southern Rhodesia.

5. Calls upon States Members of the United Nations to take all practicable measures to discourage their nationals from immigrating to Southern Rhodesia.

6. Decides that all States Members of the United Nations shall give effect to the decisions set out in Operative Paragraphs 1, 2, 3, 4 and 5 of this Resolution notwithstanding any contract entered into or licence granted before the date of this Resolution save that landlocked states of Southern Africa shall be obliged to carry out those decisions only insofar as their position permits.

7. Calls upon all States Members of the United Nations to carry out these decisions of the Security Council in accordance with Article 25 of the United Nations Charter, and reminds them that failure or refusal by any of them to do so would constitute a violation of that Article.

8. Urges, having regard to the principles stated in Article 2 of the United Nations Charter, states not members of the United Nations to act in accordance with the provisions of Paragraphs 1 to 6 of this Resolution.

9. Calls upon States Members of the United Nations or of the specialised agencies to report to the Secretary-General by 1 June 1968, the measures each has taken in accordance with the provisions of Paragraph 1 to 6 of this Resolution.

10. Requests the Secretary-General to supervise and report at regular intervals to the Council on the progress of the implementation of Resolution 232 (1966) of 16 December 1966, and of this resolution, the first report to be submitted not later than 1 July 1968.

11. Calls upon each State Member of the United Nations or of the specialised agencies to report to the Secretary-General at such intervals and in such form as may be indicated by the Secretary-General the quantity and value of its trade in such commodities or products as may be so indicated.

12. Requests the Secretary-General to seek from any State Member of the United Nations or of the specialised agencies such further information regarding the trade of that state, or regarding any activities that may constitute an evasion of the measures decided upon in this resolution, as he may consider necessary for the proper discharge of his duty to report to the Council in pursuance of this Resolution.

13. Calls upon all States Members of the United Nations or of the specialised agencies to supply such further information as may be sought by the Secretary-General in pursuance of this Resolution.

14. Decides to establish a committee composed of all members of the Security Council which shall, for the purpose of enabling the Council to secure full implementation of Resolution 232 (1966) and this Resolution:

(A) Consider the reports made to the Council by the Secretary-General in pursuance of those resolutions:

(B) In consultation as appropriate with the Secretary-General evaluate the information contained in the Secretary-General's reports (including reports of cases where states have failed to supply information requested by the Secretary-General) and assess its significance for the implementation of those Resolutions:

(C) In the light of its consideration of the Secretary-General's reports, advise the Secretary-General with respect to the further exercise of his functions under those Resolutions:

(D) Report from time to time to the Council on the discharge of its functions under this paragraph.

15. Decides to keep this item on its agenda for further action as appropriate in the light of developments.

H.R. 11465

A bill to repeal the United Nations Participation Act of 1945

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United Nations Participation Act of 1945 is hereby repealed.

Will False Hopes Lead to Tragic Errors in Southeast Asia?

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 1968

Mr. BROCK. Mr. Speaker, syndicated columnists Robert S. Allen and Paul Scott have pointed to a very ominous development in Southeast Asia. At the very moment that President Johnson is raising the hopes of the American people for a quick and negotiated peace, increasing numbers of Communist troops, and growing amounts of war materiel, are being filtered into Vietnam's neighbors. Already, the doleful warnings, which those of us who believe in the domino theory have been expressing, are being proven correct.

It would be a tragic error for the administration to blind itself to these sinister developments in its haste to win a politically popular "peace" which would be of short duration and end with America fighting another dirty jungle war at higher cost, and with the odds against rather than for us. I include the Allen-Scott column referred to to be printed in the RECORD, as follows:

INSIDE WASHINGTON: PEACE GLOW OR WAR SCREEN?

(By Robert S. Allen and Paul Scott)

WASHINGTON.—That bright Vietnam peace glow is beginning to look more and more like a dark smoke screen to cover a new Communist build-up in Southeast Asia.

Now that the U.S. and North Vietnam are on the threshold of direct talks, Hanoi is moving increasingly large numbers of troops and supplies into Laos and Thailand.

This apparent move to widen the Vietnam conflict into a full-scale Southeast Asian war started in late 1967 and appears to have escalated in the past month.

Since President Johnson put into effect the so-called "Acheson-Rostow" plan of systematically cutting back on U.S. bombing of North Vietnam and Communist-held areas in Laos, Hanoi's troop and supply movements in these two countries have more than tripled.

The Johnson administration's de-escalation plan prepared by former Secretary of State Dean Acheson and Dr. Walt Rostow, controversial White House adviser, halted the bombing first at the 20th parallel, with progressive halts following at the 19th, 18th, and later the 17th parallel—the dividing line between North and South Vietnam.

The North Vietnamese immediately began taking advantage of the staged bombing halt to move tons and tons of supplies from Haiphong harbor, through which comes 85 per cent of their military imports from Russia and China, into newly built bases in Laos and areas of North Vietnam off-limits to U.S. bombers.

Other military supplies and a considerable number of Chinese Communist troops are being rushed into North Vietnam over the two rail lines and the eight main truck routes from the mainland of China, as bridges and tunnel are repaired.

In addition to restocking all their military supply bases in Laos and Cambodia, the North Vietnamese military forces are widening the guerrilla war in Thailand on another front.

The new battle area is in the eastern part of Chiang Rai Province in northern Thailand along the mountainous border with Laos.

According to Thailand's intelligence, the new terrorist groups are a mixture of North Vietnamese, mountain tribesmen, Thai communists, and Chinese communists trained at the guerrilla center of Ho Binh, 50 miles south of Hanoi.

In their latest report to U.S. military advisers Thailand army officials stated that they killed already several hundred North Vietnamese. From the scene, these officers estimate that in the past month more than 1,000 Communist terrorists moved into this new front in Thailand.

In the county's southern panhandle, Thai army officials have been fighting Communist guerrillas for more than a year. These forces appear to get their arms from Malayan Communists and from Cambodia.

Chinese ready—Even more ominous is the Central Intelligence Agency's most recent report of a substantial buildup in recent months of a vast military logistical base in Southern China along the borders of Laos and North Vietnam.

U.S. intelligence in Hong Kong sent an estimate earlier this month to Washington that more than 250,000 Chinese Communist military personnel are now in North Vietnam.

This CIA estimate compares with the State Department's announced figure of 50,000 Chinese support troops in North Vietnam for repair work on the transportation systems and air defense.

Another 20,000 to 30,000 Chinese troops are also known to be camped in northern Laos, apparently waiting to move into the southern section of that strife-torn country on a signal from either Hanoi or Peking.

China has an army of 2,500,000 well-trained men, organized into 170 combat divisions. As long as the port of Haiphong is open, the Chinese Communists can turn Vietnam into another Korea—if they choose.

Several high-ranking U.S. intelligence officers have warned the White House the President's one-sided de-escalation plan could lead to a wider war in Southeast Asia, not peace in Vietnam.

Costly mistake—While the President's military advisers aren't openly condemning the latest curtailment of U.S. bombing of North Vietnam, they aren't happy about it.

General John P. McConnell, Air Force chief of staff, and one of the most outspoken proponents of continuing the bombing of North Vietnam, in private talks with members of Congress, attacked the new limitations in carefully chosen language. He argued that "direct air attacks and interdiction strikes are the most dynamic factors influencing the outcome of the war in Vietnam."

As a member of the Joint Chiefs of Staff, all of whom opposed the recent curtailment, General McConnell told lawmakers the bombing is necessary to keep the North Vietnamese from launching a Korea-type invasion of South Vietnam.

Despite the new F-111A fighter-bombers' poor record in Vietnam, General McConnell said the Air Force will "be successful in realizing the expected dividends from this new weapon system after it is fully tested in battle."

Vietnam fallout—Captured Communist documents in Vietnam suggest Hanoi is ready for months of grueling bargaining and a lot more fighting in the months ahead. Their objective: "disintegrate and isolate" both the U.S. and South Vietnam government from the rest of the world so both can be topped by a combination of internal and external forces.