

224. By Mr. ULLMAN and Mrs. GREEN of Oregon: Memorial of the 55th Legislative Assembly of the State of Oregon memorializing Congress to enact legislation that will: Clearly state that the Federal Government shall not have acquired or reserved any water right as a result of the reservation or withdrawal of any public lands; require compliance with State water laws by all Federal agencies, and adequately safeguard all

water rights established under State laws against the action of Federal agencies; to the Committee on Interior and Insular Affairs.

225. By Mr. ULLMAN and Mrs. GREEN of Oregon: Memorial of the 55th Legislative Assembly of the State of Oregon memorializing Congress to amend the Constitution of the United States to abolish the electoral college, to create a system for a direct election of the President, and require that the

successful candidate must receive no less than 40 percent of all the votes cast for President or there should be a runoff election; to the Committee on the Judiciary.

226. By the SPEAKER: A memorial of the Legislature of the State of Alabama, relative to recomputation of the pay of retired members of the Armed Forces on the same basis as the pay of military personnel on active duty; to the Committee on Armed Services.

## EXTENSIONS OF REMARKS

### SCHOLARSHIP TRIP

#### HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. MANN. Mr. Speaker, we are all well aware of the many worthwhile programs activated by the civic and service organizations throughout our Nation. I would like to bring to the attention of my colleagues yet another worthwhile program, specifically for young people, made possible through the sponsorship of various service clubs in my district. This project is the Fourth District scholarship trip designed to give outstanding students from my district an opportunity to see what goes on in Washington through a 4-day tour of the Nation's Capital.

On Sunday, June 15, nine high school juniors from Greenville, Spartanburg, and Laurens Counties arrived in Washington to initiate the first Fourth District scholarship trip. These students were selected on the basis of outstanding leadership, scholarship, and participation in school activities. During the trip, they will be observing the legislative, judicial, and executive branches of our Government in action. They will meet with Representatives and Senators of both political parties, view sessions of the House and Senate, attend a Department of State foreign policy briefing, visit the Supreme Court, plus many more worthwhile educational activities.

This trip is being financed entirely by service clubs in the Fourth District and is certainly a credit to their recognition of the value of training young leadership and inspiring an interest among young people in the governmental process.

This trip's scholarship winners and their sponsors are: Lynn Louanne Cross, of Carolina High School, daughter of Rev. and Mrs. Louis Cross, sponsored by American Legion Post No. 3; Susan Hayes, a student at Greer High School, daughter of Mr. and Mrs. Gene Wylie Hayes, sponsored by the Greer Chamber of Commerce; Lucinda Bowens, of Washington High School, daughter of Mr. and Mrs. L. V. Bowens, sponsored by the North Greenville Rotary; Bill Stewart, a student at Spartanburg High School, son of Mr. and Mrs. William Grady Stewart, sponsored by the Hillcrest Optimists; Emory Joseph Derrick of Woodruff High School, son of Mr. and Mrs. Curtis W. Derrick, Jr., sponsored by the Woodruff Chamber of Commerce; Robert Farnsworth, of Greenville High School, son of Mr. and Mrs. James O. Farnsworth, sponsored by the

Greenville Exchange Club; Gary Pittman, of Parker High School, son of Mr. and Mrs. W. K. Pittman, sponsored by the Greenville Lions; Edward Adkins, a student at Slater-Marietta High School, son of Mr. and Mrs. Thomas T. Adkins, sponsored jointly by the Slater-Marietta Parent Teachers Association and the Slater-Marietta Lions Club; and Bob Lentz, of Wade Hampton High School, son of Mr. and Mrs. Robert L. Lentz, Sr., sponsored by the Greenville Kiwanis Club.

I wish to commend these young men and women on their achievements and their interest. On their behalf, and on behalf of the people of my district, I thank the many service organizations, schools, and individual citizens whose generosity has made this experience possible.

### THE PLIGHT OF PERSONS WHO LIVE ON FIXED INCOMES

#### HON. WINSTON L. PROUTY

OF VERMONT

IN THE SENATE OF THE UNITED STATES

Tuesday, June 17, 1969

Mr. PROUTY. Mr. President, recently Representative LOUIS C. WYMAN, from New Hampshire's First Congressional District, delivered a speech before the New England area conference of the American Association of Retired Persons and the National Retired Teachers Association in Manchester, N.H.

In his speech, he expressed the concern which many of us in Congress have for the plight of those persons living on fixed incomes. The cost-of-living index is rising at an alarming and unprecedented rate and is imposing particular economic hardship on our older citizens.

At a time when many of us are proposing legislative measures to alleviate the economic problems of older Americans, I believe that Members of Congress will find Mr. WYMAN's remarks pertinent.

I ask unanimous consent that the address be printed in the RECORD.

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

#### SPEECH BY CONGRESSMAN LOUIS WYMAN

There is no subject of greater significance or more importance to those who are on fixed incomes than the cost of living. Despite the restraints being imposed upon our economy, living costs in March 1969 took their biggest monthly jump since the Korean war year of 1951.

The March increase was eight-tenths of 1 percent above the February level. The rise in the first quarter of 1969 was 1.5 percent.

If that trend continues, living costs would go up 6 percent—compared with 4.7 percent for the preceding 12 months.

The March figures showed big rises in practically every item by which Americans' living costs are measured—among them: food, clothing, housing, transportation, medical care, and recreation.

Medical care is up 6.7 percent over a year ago. Home ownership is up 9.6 percent, apparel is up 6.2 percent, and food is up 3.8 percent. One effect of the March rise is that it slashed about 90 cents from the value of average weekly paychecks of \$111.75 which is a record high for some 45 million workers. This virtually wiped out big pay gains for the month.

A Commerce Department report also illustrated inroads of inflation. In 1968, it said, personal income per capita—the total income of all Americans divided by the population—showed an 8 percent increase above 1967. But increased taxes and higher prices left only a 3 percent gain.

Inflation is no mystery, an increased quantity of money comes into existence in a specific way. It comes into existence, for example, because Government makes much larger expenditures than it can or wishes to meet out of the proceeds of taxes, or from the sale of bonds paid for by the people out of real savings. Suppose, for example, that the Government prints money to pay war contractors. Then the first effect of these expenditures will be to raise the prices of supplies used in war and to put additional money into the hands of the war contractors and their employees.

The war contractors and their employees, then, will have higher money incomes. They will spend them for the particular goods and services they want. The sellers of these goods and services will be able to raise their prices because of this increased demand. Those who have the increased money income will be willing to pay these higher prices rather than do without the goods—for they will have more money, and a dollar will have a smaller subjective value in the eyes of each of them.

When the process has been completed, nearly everybody in production will have a higher income measured in terms of money. But prices of goods and services will have increased correspondingly. The Nation will be no richer than before. Meanwhile, however, the groups that have still had no advance whatever in their money incomes will find themselves compelled to pay higher prices for the things they buy, which means that they will be obliged to get along on a lower standard of living than before.

Thus, inflation may indeed bring benefits for a short time to favored groups, but only at the expense of others.

Economist Henry Hazlitt notes that "in the long run inflation brings ruinous consequences to the whole community. Even a relatively mild inflation distorts the structure of production and leads to the over-expansion of some industries at the expense of others. This involves a misapplication and waste of capital. When the inflation collapses, or is brought to a halt the misdirected capital investment—whether in the forms of machines, factories, or office buildings—cannot yield an adequate return and, in fact, loses the greater part of its value."

The inflation of today has been particularly harmful to those retired persons who depend upon social security for their support. The administration has asked for a 7 percent increase in social security benefits this year to meet the increase in prices. Wilbur Mills, the chairman of the House Ways and Means Committee, has opposed this proposal and urges a 10 percent increase next year. Certain Democrats in Congress are, unfortunately, making a political football of the issue of social security benefits. They do not want to act upon an increase this year, but wish to wait until the election year of 1970 so that whatever political advantage may be gained will be theirs at that time.

In my opinion, both the administration's proposal and Mr. Mills' refusal to act fall far short of the mark of what is actually necessary to insure that America's retired citizens live in comfort and dignity, and that they not be sacrificial lambs to the inflationary pressures to which they are now subject. I support a 10 percent increase in social security benefits *this year!*

But, more important, I want to see a cost of living rider added to the social security act making it clear that the benefits of this program will increase as the cost of living increases: which rider must also apply to the tax.

Unless the tax is adjusted to provide required added funds to pay for the automatic increases the whole process becomes a snare and a delusion because social security is a trust fund operation and Congress must protect its fiscal integrity. Social security checks must never exist at the pleasure of general fund appropriations. It is unfortunate and unnecessary to have our senior citizens come before Congress year after year begging for a meager stipend . . . and it's about time that both political parties give serious thought to acting in concert to do something constructive about this problem.

#### TREADING ON THIN ICE

**HON. H. R. GROSS**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. GROSS. Mr. Speaker, a great deal has been said in recent weeks about ties between the military and this country's defense industry.

I call attention to an article by Leslie H. Whitten which appeared in the Baltimore News-American on June 15 and which points up one of the dangers of less than "arms length" military procurement practices.

In this case, two Air Force evaluators reportedly were allowed to buy the stock of a company whose product they were testing before that stock was offered to the public.

I include the article for insertion in the RECORD at this point in the hope it may serve notice on any other Government officials who may be in similar conflict-of-interest positions that they are treading on thin ice:

**TWO AIR FORCE OFFICERS REAPED GAINS IN STOCK DEALS**

(By Leslie H. Whitten)

WASHINGTON, June 14.—Two key Air Force evaluators obtained stock at bargain prices from the vice president of a defense firm whose Vietnam-bound electronic product they were testing. They bought the firm's stock at \$8 a share and it went to \$23 the first day of public sale.

Defense Department directives bar finan-

cial interest by officers in matters they are dealing with in a government capacity.

Lt. Col. Eugene D. Roberts, 48, director of the ground systems division for the Tactical Air Reconnaissance Center, Shaw Air Force Base, S.C., conceded he grossed \$2,800. He sold his stock because, he said, he reached the judgment that holding it was not "right."

Maj. Francis J. Engel, 40, test project manager for the "940 presoaker," a photographic device he and Roberts were surveying, said he grossed about \$3,200. He said he unloaded his 100 shares because of a possible "conflict of interest." Both men said they waited six months—when the profits are taxable at the lower capital gains rate—before they sold.

The stock was provided to Roberts and Engel by Paul R. Kemp, Jr., vice president for marketing of Mark Systems, Inc., Cupertino, Calif., south of San Francisco. Kemp resigned this January, about a year after his stock transaction with Engel and Roberts.

Neither the lieutenant colonel nor major told their superior officers of the purchase, they said. Both spoke frankly of their stock deal during separate telephone interviews.

The disclosure of the purchases comes at a time when the defense industry's ties with the Pentagon—the "military-industrial complex" are under unprecedented attack on Capitol Hill and elsewhere.

Kemp and the officers denied that there was any element of "influencing" in the stock deal. A May 10, 1965, Presidential directive bars any financial interests by federal employees that "appear to conflict substantially with their responsibilities and duty." The Defense Department (DOD) has detailed strictures based on the executive order.

One DOD order says that an officer "may not participate in his government capacity in any matter in which he . . . has a financial interest.

Roberts and Engel, at the time they bought the stock were both involved with Mark systems' "940 presoaker." The film device—which now costs \$60,000 each—was part of a \$600,000 defense contract. But larger future sales potential hung on the testing then going on.

In describing his job on the mechanism Engel said, "It was project management—what should be put in, what taken out." The machine has been tested but is still being evaluated by Roberts' ground systems division at Shaw Air Force Base, Roberts said.

The company, in its Aug. 2, 1968 annual fiscal report, said net sales were \$2,799,897, earnings "were less than management had originally planned" and a substantial loss was expected for the first half of 1969.

Nevertheless, the stock, which hit 54 in 1968, has been hovering in the high 20's recently. In the December, 1967, offering, 48,000 out of 125,000 shares were set aside for directors, officers, stockholders, employees and their friends and relatives.

Those officers and directors who bought 1,000 shares at \$8 a share, for example, would now have a profit of about \$20,000. Thus, the management has both corporate and personal reasons for wanting the best possible Air Force reading on the "940 presoaker."

The "940" permits rapid processing of photographs taken by tactical reconnaissance planes and long storage of special films. Five are in Vietnam or on their way, according to Mark systems.

But the "940" has had its woes. Company president Bernard Marcus and Lt. Col. Roberts acknowledged problems but are enthusiastic about it. Major Engel, while more reserved, believes it can be made to work although at one time "It flunked the test" and required highly trained experts to get it to function.

A young graduate chemist who has worked on the machine, Lt. James E. Briscoe, 26, says "it does a real fine job—when it runs." Briscoe, who worked on it at Mark systems with Engel, said he was not offered stock and

if he had, "I assume I would have rejected it."

A civilian consultant on the machine, Charles Rulapaugh, 63, employed until last November by Mark systems, was reached and said it was "virtually impossible for it to perform anywhere near some of its advertised specifications." Only in the hands of experts with advanced training, he said, would the "940" turn out limited quantities of "acceptable" film—called "bimat."

Rulapaugh said it was the open and general opinion within Mark systems that the "940" did not perform satisfactorily.

Rulapaugh, whose photographic technical background goes back to 1932, he said, acknowledged he may set up a company competitive with Mark systems.

Whatever the merits of the "940 presoaker," of which eight have been sold to the Air Force and Navy, Mark systems is concerned over the stock deal with the two Air Force evaluators.

The company counsel and secretary, Bradford Jefferies, said he is looking into the deal on behalf of the board of directors and officers.

"Management policy is that the company would not direct sales (of the stock) to any government personnel who were in a position to influence any procurement of the company or whose position would create a conflict of interest," said Jefferies.

"The present information is that Mr. Marcus and maybe some others of management were aware that Mr. Kemp was prepared to sell (to Engel and Roberts) . . . the question is whether the two individuals were in a conflict of interest situation."

After discussion with company officials, Jefferies said later the same day: "in management's opinion the proposed sale did not violate the company's policy because neither man was involved in procurement and their ability to influence the 'Bimat'-testing program was zero."

#### RESOLUTIONS ADOPTED BY AMERICAN JEWISH COMMITTEE

**HON. HUGH SCOTT**

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 17, 1969

Mr. SCOTT. Mr. President, I invite the attention of the Senate to two important resolutions which were adopted by the American Jewish Committee at its recent annual meeting. I ask unanimous consent that they be printed in the RECORD.

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

#### AMERICAN JEWISH COMMITTEE STATEMENT ON ISRAEL

On the occasion of its 21st anniversary, we send our warmest congratulations and good wishes to the State of Israel, whose survival as a free nation has been a source of constant concern to millions of people throughout the world, Jews and non-Jews alike. Only two years ago, Israel was forced to defend itself for the third time in 20 years against the unreasoning efforts of its Arab neighbors to bring about its destruction. Since then, the area has been in a state of constant hostility. Israel's will for peace has been countered by an Arab will for war, manifested in an openly stated policy of "no peace, no negotiations, no recognition." To this, the U.A.R.'s disavowal of the 1967 ceasefire has been added. In recent weeks, hostilities have been intensified. We share our Government's concern about the increased risk of outside involvement, including that of the United States, and the need

to explore every avenue for achieving peace in the area.

United States friendship for Israel has been indeed non-partisan, based upon mutual interest in a peaceful and prosperous Middle East. We welcome the announced policy of our Government steadfastly to pursue the goal of a "just and lasting peace" and to insist that the particulars of a peace settlement be determined by negotiations between the parties themselves. Particulars of a settlement must be determined by the parties themselves in light of each party's appraisal of its own security interest, tempered by flexibility, compromise, justice, vision, and magnanimity. The timing and extent of withdrawal of Israeli armed forces should be the consequence of, not the impetus to, any comprehensive settlement.

To the extent that the four powers acting either singly or in concert, can assist Ambassador Jarring on behalf of the United Nations in promoting negotiations for an agreed settlement between and among the parties, a useful purpose will be served. But if such efforts in fact produce an imposed peace as a substitute for negotiations, or serve to exclude any of the parties into believing that less than full peace will be acceptable, then continued conflict will be the inevitable result. We assume that our Government will be constantly on guard to see that the procedures in which it participates do not produce pressures on it to support a formula for settlement which has the appearance but not the substance of a lasting peace. Our own national interests require that any settlement be free of the seeds of continuing war in the area. Our failure to insist upon this in 1957 made the 1967 war inevitable. If we fail again, we will have engaged in a self-defeating process which will only increase the likelihood of a fourth round. Should a fourth round occur, the United States may find itself directly involved in the conflict. This would frustrate the increasingly strong insistence of Americans that our energies be devoted to the achievement of peaceful aspirations of mankind both at home and abroad.

Adopted at the 63rd Annual Meeting of the American Jewish Committee, May 18, 1969, New York City.

#### THE AMERICAN JEWISH COMMITTEE STATEMENT ON ANTI-SEMITISM IN EASTERN EUROPE

##### I

For more than 50 years, the Jews of the Soviet Union have faced continuous and increasingly heavy pressures designed to eliminate them as a distinct cultural and religious minority within the USSR.

Although recognized as a nationality group, the 3 million Jews of the Soviet Union are consistently deprived of the basic rights and benefits which are granted to other ethnic minorities. Religious and observant Jews remain without the basic institutions for education and the training of leaders. Discrimination in certain areas of employment, as well as restrictions in certain specialized institutions of higher study, continues today. Yet, despite the handicaps under which they live, Soviet Jews have shown increasing signs that they are desirous of maintaining their identity and culture and of re-establishing their own institutions.

We are alarmed at the current Moscow-inspired propaganda campaign which depicts Jews as being part of an "international conspiracy" directed against the Socialist world. The entire litany of classical anti-Semitism has been revised, and the discredited Trofim Kichko, the notorious anti-Semitic propagandist, is being utilized once more. The Soviet press and radio continues to depict Jewish behavior in a manner calculated to discredit Jews and Jewish groups throughout the world.

##### II

In the past two years, anti-Semitic manifestations in some communist countries of Eastern Europe have increased, as demonstrated by the violence of spoken and written anti-Jewish attacks, and by the purges of Jews at all levels of society.

Poland has obediently followed the Soviet anti-Jewish and anti-Israel propaganda offensive, including the reproduction of Russian and Ukrainian-language anti-Jewish publications. Polish intellectuals and Jews remain threatened with reprisals if they show any support for Israel.

The public demonstrations which erupted more than a year ago gave rise to an increased anti-Jewish offensive, manipulated for political reasons. "Polish citizens of Jewish origin" or "Zionist instigators" were singled out for responsibility. Hundreds of officials, scholars and workers were purged solely because they are Jews.

More alarming, a special anti-Jewish propaganda unit was created which spewed forth materials meant to discredit Jewish history and Jewish life. Polish Jews therefore find it difficult to remain as citizens in an environment made hostile by official action.

Since last August, when armies of five Warsaw Pact nations invaded Czechoslovakia, "Zionist elements" continue to be blamed by the Soviet, Polish and even the East German press for promoting a "counter-revolution," which necessitated their intervention. Many Jews have lost their positions and fear has caused thousands to flee. As a result of new Soviet pressures, restrictions against free expression have been imposed and the celebration of the millennium of Czech Jewish life has been cancelled once again, thus heightening the sense of anxiety.

##### III

It is apparent that anti-Semitism is becoming an integral part of the domestic and foreign policy of the Soviet Union and several East European nations, in order to obscure their real internal problems. All people of the world must awaken to the danger of the use of anti-Semitism as a weapon of Soviet-initiated policies to suppress progressive and liberalizing forces among Warsaw Pact members.

We seek a united front to bring pressure which will restore the communal rights denied Soviet Jews so they may live in dignity, or leave. We urge people and nations of differing ideological views and social systems, and especially progressive and liberal elements, to prevent any new manifestations of the old disease of anti-Semitism from spreading in East Europe.

Adopted at the 63rd Annual Meeting of the American Jewish Committee, May 18, 1969, Waldorf Astoria Hotel, New York City.

#### CABLE TV

### HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. TIERNAN. Mr. Speaker, there appeared in Sunday's edition of the New York Times an article by Jack Gould which touched upon the implications of cable television and its future within the communications industry.

Mr. Gould has pointed out the possibilities for improvement in the quality of the medium through the increased usage of the cable.

I would like to bring this article to the attention of my colleagues, as follows:

#### IF CABLE TV EVER GOES WHERE IT COULD GO (By Jack Gould)

The world of television is in orbit on an enticing flight plan; no one knows the point of splashdown. Along on the economic, social and scientific ride are all branches of government, big network and little stations, Hollywood producers, entrepreneurs of new methods of delivering pictures to the home, hardware manufacturers, academicians with prefabricated answers, owners of neighborhood movie houses, bewildered directors of corporate mammoths, Wall Street brokers and enough lawyers to leave a country defenseless. The cause is cable television.

When television dawned on an unprepared world in the late 1940's, the operation of the medium was deceptively simple. In the manner of radio, a TV station randomly scattered a miscellany of intelligence and diversion to anyone with a receiver in range of its tower of visual enlightenment.

In due course Channels 2 through 13 filled up and, depending on a viewer's location, he might get anywhere from one to seven stations to keep him rooted in the parlor. By design, the stations were geographically separated by cities and a lush time was had by all. Networking of programs, or the interconnecting of cities by relay facilities, came along so that national impact—and revenue—could be realized.

The novelty of pictures in the home and the income they provided invited a state of euphoria. Not much attention was accorded to those sections of the country where TV signals were either non-existent or overcast with blinding snow. And it also became apparent that a TV receiver in many areas was a largely wasted instrument. Frequently, more channels were dark than lit.

If a cluster of homes was electronically underprivileged in the depths of a valley, with a huge mountain serving as a barrier to seeing Milton Berle, Howdy Doody, and Worthington Miner's dramas, there was a solution. Put one antenna on top of the mountain—a master aerial—and then run the signal down lead-in wire to the restless residents of the culture gulch.

This method of extending the range of TV beyond "the line of sight" had companion gains. If you could pick an ideal spot for a master antenna, regardless of where the receivers were, you could have virtually flawless reception. The master antenna, consisting of separate aeriels pointing in all directions, could intercept stations not just from one city, but several. So was Cable Television born. There are now upwards of 5 million receivers connected in this manner. The initial implications of cable TV spoke almost for themselves. First, the idea conquered the limitation of program choice. A community of under 100,000 population could get as much reception as metropolitan New York.

The howls of pain began to be heard. If the subscribers to a cable system could enjoy a movie by eavesdropping on a station 50 or 100 miles away, how much could the producer get for the same movie when he tried to lease the film to a station in the community where the subscribers lived? Understandably, the producer wanted some new idea of copyright protection and the local station wanted some protection from competition from afar.

The complications didn't stop there, however. At the point where distant signals are collected by a master antenna and then fed into a cable system, why not connect a studio replete with cameras and film exhibition apparatus? Instead of only filching programs off the air, create your own programs on the spot and use the cable system for distribution.

The bigger chips were beginning to fall. The cable—the innocuous phrase "cable TV"—contains an economic timebomb. While over the air only one channel can deliver one program at a time to the home, a modern cable system going into homes can offer a

variety of 20 programs and services, and the number could rise to 50 or better.

Instead of a scarcity of channels, which is inherent in the process of sending programs over the air, a cable system could carry ABC, CBS, NBC, the Hughes Sports Network and public broadcasting and still have 15 more channels with which to tinker. The Thursday specials at the local supermarket could be posted for leisurely reading, a facsimile newspaper could be transmitted in several editions a day, a brand new movie could be presented on still another channel for a run of one or two weeks or longer. The curriculum of a school or college could be presented, all at the flick of a channel selector in a subscriber's home. Or there could be TV designed solely for one neighborhood, an escape from the tyranny of TV for the mass.

That's one overall measure of the revolution in the offing, but there is yet another: an undergraduate electronics technician could hook together dozens of regional and cable television systems so that in the next decade, for instance, perhaps two or three national cable networks could come into existence, challenging the prominence of NBC, CBS and ABC. Again, technically speaking, there is no reason to believe that these supplementary networks could not be rented on demand to a theatrical film producer or to a politician who didn't want to hire a chain the year around, but only for as long as he wanted. Theater owners, of course, tremble at such a vision: they could be bypassed.

But, as the American Civil Liberties Union suggested last week, why not open at least some of these cable TV channels to any and all comers? So long as there are enough channels, why not make the television screen as accessible as long-distance telephone service?

Echoing the alarms of today's existing broadcasters, the F.C.C. is worried that if Cable TV ever goes where it *could* go, technically, the best attractions of so-called free TV would be siphoned off to a system in which the rewards for producers or artists would be infinitely greater. At least privately some of the commissioners, with reason, suspect that the interest of the Cable TV boys in high culture and news and information is merely a promotional come-on. With the passing of time, they suspect, Cable TV would be far more interested in the box-office wallop of "The Graduate."

It should be noted that many thoughtful politicians, especially those from the black ghettos, champion such an apprehension. Free TV, in its present form, happens to be a godsend to the economically deprived, and if the medium should slip into the grasp of those who impose a viewing charge, the consequence could be a serious burden on lower income groups.

The F.C.C.'s thoughts in this direction are reflected in another argument which further confuses the future. A vision of Pay TV over Cable TV actually lags by many years, behind the concept of Pay TV over the air. The Zenith Radio Corporation has been fighting for a system that would scramble pictures and sound at a regular TV transmitter and then, upon the consumer paying a becoming charge, unscramble the program in his home. The theater owners have taken the F.C.C. to court for proposing to authorize this service under guarded conditions. Actually, though it isn't openly discussed, the Zenith design could be dovetailed into a cable system.

The bruised viewer, who naturally is not a party to the wheeling and dealing over his destiny, might reasonably adopt the view, as this writer does, that the home screen desperately needs competition in types of systems. The more the merrier, and let the public, through the withholding of its largesse, have one small voice in the process of program selection. If, on a multiple cable system, the cream from a hit movie pays the

price for a show intended to involve a neighborhood in its own issues, capitalism would not seem destroyed.

If the total number of channels available on the modern set—channels 2 through 83—should ever become activated, all the current notions about what TV can or cannot do would fall by the wayside. The contagion of restrictive Big Daddyism, so prevalent in some industry and governmental sectors, overlooks the amazing capacity of the individual to find room for new services, without scrapping all of the old. Not even the surface of TV has been scratched. New opportunities—and heaven knows how many new jobs—can come about by throwing away the old mould. There's nothing sacrosanct about the present system of TV, not if one looks at its shows. The enervating apology that profits from trash are necessary to support the survival of substance is becoming wearing. The peril of the much-vaunted communications explosion is that it will not be allowed to explode.

Restrictive backroom deals known only to the few, such as the pact two weeks ago between the staffs of the broadcasters and the cable operators, should have no place in the schedule of things.

The present contention that the public has a genuine element of choice is unmitigated hogwash; it has a choice between what *others* choose to let it see. Competition in the cultural and informational arena may have its drawbacks; the pursuit of the buck is omnipresent. But the solution to that is not in passive resignation and accommodations of convenience. The promise of the next generation in electronics is that the wooing of the masses will reach a saturation point, that the road to challenge, difference—and even a comfortable living—lies in having enough channels to offer the have-nots of the present, young and old alike, a crack at specialization, according to their own lights. More people look at television than read books, but who would suggest that all books be placed under the scrutiny of a narrow cabal of retailers dedicated to maximum sales, or charitably released by a few universities and philanthropic organizations?

Electronics has come to the same point. Its door must be open to the variety of society itself, to competition with dissimilarity, rather than banal likeness. Cable TV holds that potential.

#### THE DISTORTED INFORMATION AGAINST THE ABM SYSTEM

### HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 17, 1969

Mr. THURMOND. Mr. President, there are extensive efforts throughout the country to make all information possible available to the American people on the President's proposal for the Safeguard anti-ballistic-missile defense system. It is absolutely necessary that this information be accurate, objective, and not misleading. I strongly support the President's proposal and the effort to make all facts known to the American people. I have placed in the RECORD information both for and against the ABM to demonstrate objectivity.

Mr. President, in this regard I think it is absolutely essential that distorted information on the ABM which has been put before the American people should be clarified for them. I invite their attention and the attention of the Senate to an editorial in the June 6 issue of the Washington Post and an editorial in the June 7 issue of the Armed Forces Journal

which help to clarify some misleading information.

Mr. President, these editorials concern the Harper & Row two-page advertisement on anti-ABM study and a study favorable to the ABM prepared by the National Strategy Committee of the American Security Council. As the editorials imply, the advertisement is misleading and fact distorting. This kind of advertising should be repudiated by those who are responsible.

Mr. President, this confrontation is often referred to as the "Battle of the Books." Apparently, the two-page Harper & Row advertisement tried to discredit the other study by claiming that the committee said:

An anti-missile defense is foolproof. It will give us a seamless garment of security in an age of acute danger.

The Washington Post correctly points out that the committee and the news stories actually stated:

Anti-missile defense is an essential component in the network of military systems designed to give the American people a seamless garment of security in an age of acute danger.

The editorial further states that the word "foolproof" does not appear in either the news stories or the committee study. The editorial adds that the committee also said:

Anti-Ballistic Missile defense is not a cure-all for the security of the United States.

In the interest of fairness and accuracy, I call this misleading information to the attention of the American people. I urge that the responsible persons print a retraction of equal display which is normal practice for credible press, especially on such a vital issue.

Mr. President, I ask unanimous consent that the Washington Post and Journal editorials be printed in the Extensions of Remarks.

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

[From the Washington Post, June 6, 1969]

#### WHAT'S IN AN AD?

We don't know who thought up the text of the two-page advertisement appearing in this newspaper and elsewhere on Tuesday in behalf of the new book, "ABM," which is a critical evaluation of the Administration's proposed Safeguard anti-ballistic missile system. But if we didn't know the Pentagon was on the other side of the issue, we would have suspected the fine hand of its boom-erang-tossing public relations experts. Who else could have thought up the following question for a coupon-clipping, instant referendum on whether or not to go ahead with the ABM? "I really believe my family and I will be safe once we proceed with the 'safeguard' ABM"—"Yes" or "No."

Presumably the answer is someone at Harper & Row—publishers of the 282-page study—who mean to tabulate the results of this meaningless survey and send them on to Congress. Presumably, too, the box to be checked is "NO," and that is as it should be—since the argument for the Safeguard system hardly rests on the proposition that we are all meant to feel safe once we have proceeded with it. What bothers us somewhat more than the loading of the question with an assumption the Administration has never made, is that the anti-ABM formulators of the question have evidently not thought it through to its possible counter-productive result. We can see the mail coming in from

unexpected quarters now: No, I really do not believe my family and I will be safe with the ABM. I believe we also need MIRV, AMSA, MOL, FOBS, and SRAM.

The research leaves as much to be desired as the thinking in this text. The case for the possible inefficiency of 1969 radars, for instance, *must* rest on something a tad more current than a 1960 clipping from *Newsweek*. And then there is this provocative quotation, which the advertisers of the book would knock down: "An anti-missile defense is foolproof. It will give us a seamless garment of security in an age of acute danger." The citation for this silly statement is more than passing vague since the ad doesn't say who said it or where—merely: "AP quote from pro-ABM presentation, May 7, 1969." Our own researches show that the quotation was an approximation of some remarks made in a document of the American Security Council (by Willard Libby, William Thaler, and Nathan Twining). The AP dispatch in question, in fact carried an accurate and somewhat different quote: "Anti-missile defense is an essential component in the network of military systems designed to give the American people a seamless garment of security in an age of acute danger." (Italics added). It's not quite the same thing as claiming so much for the ABM—to put it gently. The part about a missile defense being "foolproof" does not appear in either the original dispatch or the original document. We don't know where that came from. We do know that the original statement was preceded by remarks of an opposite nature: "Antiballistic missile defense is not a cure-all for the security of the United States. It is not the ultimate defense system . . ."

Finally, there is the unfortunate introduction of the whole fallout shelter-civil defense issue as a Horrible Example. The text reminds us of how we were all once led by the "experts" to believe in the efficacy of civil defense—"It was a mass delusion, but we wanted to believe we could still do something. Remember?" We remember vividly, and there may even be some valid analogy here. But we also remember that among the "experts" intimately involved in the civil defense hinks of the early nineteen sixties were any number of the experts Harper & Row is now asking us to believe on the inefficiency of the ABM—Jerome Wiesner, a veteran of the Gaither Committee which recommended a costly civil defense effort; Theodore Sorensen, the man who crafted President Kennedy's 1961 speech asking a vast civil defense program, and Carl Kaysen, who, according to Mr. Sorensen, did the White House staffwork on which the speech was based, to mention a few. We don't mind the book's promoters bringing up the subject; it's just that we don't think it is much of a confidence-builder.

All this inadvertence and playfulness with a dead serious subject is what got us to thinking about the Pentagon and its special way of making a case. The zealots on both sides have a way of doing their work for each other.

[From the Armed Forces Journal, June 7, 1969]

#### THE PUBLIC VERSUS THE ANTI-ABM LOBBY

It's ironic that the American public backs by almost two-to-one President Nixon's decision to deploy a two-site anti-ballistic missile system to protect against dramatic and undenied Soviet strides in strategic offensive forces, while the Senate now wavers within two or so votes of blocking the ABM system.

Part of the irony lies in the fact that for years it was Congress—not the Administration—which pressed hard for accelerated ABM development and the system's early deployment.

Part of the irony stems from the set of double standards with which some Senators now are waging the ABM "debate." Some weeks ago they severely criticized the Army

for having drawn up a plan to get the ABM facts before the American public: this week, two-page ads are appearing in six of the country's largest newspapers to promote Senator Edward M. Kennedy's new book ridiculing the Safeguard system. The ad carries anti-ABM copy on more than a full page, in type an inch high and Harper & Row, the book's publisher, admitted to the *JOURNAL* that it has never spent so much money in such a concentrated period to publicize one of its titles—which itself is ironic, since the kindest thing we can say about the Kennedy book is that it's incredibly bad. Harper & Row denied that some other party is underwriting the cost—we estimate it at over \$50,000—of this unprecedented ad program. The ad even carries a prominent clip-out coupon for readers to "vote" Yes or No on the Safeguard program: Harper & Row offers to "tally the results and forward them to Congress."

The timing of this anti-ABM lobby is superb: members of the Congressional staff tell us that the Senate's procurement authorization bill may be "marked up" late this month; thus, the Senate may be voting on the ABM issue before or just after its 4 July recess.

And the lobby is having its effect: with opinion polls showing 47% of the public favoring Safeguard and only 26% opposed (with 27% not sure), we are told that "spontaneous" mail to senators is now running as high as eight-to-one against ABM.

The Safeguard issue is now so close in the Senate that one more vote—pro or con—could decide whether the United States, once again, will arm itself with blind faith against the Soviets, or with a tangible option available to the President to protect our retaliatory forces. Given past experience with the "defensive" missiles Moscow put into Cuba in 1962, with Soviet perfidy in violating in September of 1961 the moratorium on atmospheric nuclear tests, we think the Senate should back the President. If it is unwilling to recognize the Commander-in-Chief's responsibility to make this difficult judgment, what authority does he have left?

All of which adds up to this: Your vote counts just as much as the ones being carried by the anti-ABM lobby. For every one of the 25,000 readers to whom we mail the *Journal* each week, there are three more who read "pass along" copies: 100,000 letters from you to your Senators backing the President could give him the one extra vote needed in the weeks ahead. Tell the Senate where you stand on ABM.

#### WATERSHED DEVELOPMENT—AN AVENUE TO RURAL DEVELOPMENT

### HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. NATCHER. Mr. Speaker, the 16th National Watershed Congress was held recently in Louisville where 27 industrial, agricultural, and conservation organizations gathered with many local, State, and Federal agencies to consider the broadening importance of watershed protection and development in the growth of the American society.

The watershed congress was fortunate to have as the featured luncheon speaker on June 10 the distinguished Senator from Indiana, the Honorable BIRCH E. BAYH. As a member of the Air and Water Pollution and Flood Control-Rivers and Harbors Subcommittees of the Senate Public Works Committee, Senator BAYH is exceptionally qualified to "offer

a thought or two," as he put it, "on the challenge of community growth and the importance of the small watershed as the center of this development."

I highly commend Senator BAYH's comments on the issues of water quantity, water quality, multiple use of available water supplies, and other aspects of watershed management to all concerned Americans and particularly to Members of this House and our colleagues in the Senate. I include Senator BAYH's address at the National Watershed Congress, entitled "Watershed Development—An Avenue to Rural Development," at this point in the RECORD:

#### WATERSHED DEVELOPMENT—AN AVENUE TO RURAL DEVELOPMENT

(Address by Senator BAYH)

I am honored to join this distinguished group of leaders in land and water development at the 16th National Watershed Congress.

Kentucky and Indiana share many things in common. This Ohio River, for instance. Abe Lincoln. And something else, something very basic: the frontier experience; the pioneer spirit; a strong attachment to the land; and inbred appreciation of the value of our land and water resources, as reflected in watershed development.

Both Indiana and Kentucky have been distinguished with watershed-projects-of-the-year: Indiana's Middle Fork of the Anderson River project last year, and Kentucky's Mud River project in 1964 and North Fork Little River project in 1967. Kentucky is to be especially congratulated as the only State having twice captured this prize.

I understand a film will be presented outlining the accomplishments of the Middle Fork of the Anderson Conservancy District in Indiana. I want to commend the effort of the local leadership of the Anderson River project. Among others, Carl Gayer, chairman of the conservancy district; Al Dauby, chairman of the Lincoln Hills RC&D Forestry Committee and of the Perry County Soil and Water Conservation District; and Joe Jasper who was so largely responsible for the fine cooperation that resulted in an award-winning project deserve recognition for bringing this honor to Indiana.

When I received your invitation to speak on "Watershed Development—An Avenue to Rural Development" it struck me that this was a topic of considerable breadth and magnitude, and importance.

I have a thought or two to offer on the challenge of community growth and the importance of the small watershed as the center of this development. I have an official relationship with the small watershed program as a member of the Senate Public Works Committee. But I am concerned, too, as a private citizen, about how the watershed program is faring as an instrument of community development and national well-being.

Daniel Webster once observed: "When tillage begins, other arts follow."

Too often we have made the transition required to house, school, employ, and otherwise accommodate a rapidly growing, restless population without proper understanding or regard for the "art" of community development. Many things need to be done to protect a natural heritage and manage this heritage for the usefulness it is intended to serve.

A pressing need exists to sharply reduce water and air pollution; develop adequate clean water supplies for every need—agriculture, municipal and industrial, recreation, wildlife conservation; prevent recurring floods that plague many parts of the country and cost land owners and taxpayers dearly; develop the rural communities to upgrade the quality of living in the countryside, and to relieve the burden of over-populated urban centers.

I see no alternative to a strong, constructive program of soil and water resource conservation and development actively involving government at all levels in cooperation with private enterprise.

The small watershed, it seems to me, is a logical base for launching community development programs.

The theme of this meeting, "Watersheds—Framework for Community Action," implies the multiple purpose approach to watershed development. It also recognizes the concept of community as an area with common problems, interests, and potentials, and a desire on the part of the people to work together to build a better community life.

Further, while the small watershed is a proper area for such concerted planning and action, the watershed must be recognized as part of a larger whole—the river basin. I believe it is vital to look beyond individual watershed boundaries to regional cooperation to assure economic and social well-being.

I am convinced, too, that within each watershed every legitimate interest must be recognized for successful overall development. There will be conflicts, of course. There is always the need to compromise in our democratic society. Compromise, in a free society, is the only possible way to listing accomplishment.

There is a place in every watershed project for many community needs. And, to the extent that these needs are in the vital public interest, Federal cost-sharing is justified and should be provided for by law.

Specifically, I mean water quality management as a cost-shared purpose in Public Law 566 projects. I mean cost-sharing for municipal and industrial water supply, and long-term contracting for land treatment measures to help provide the needed working base for accomplishing desired goals.

Here in water-rich Kentucky—and, I am happy to add, in Indiana, too—we have many sources we can tap for the water we need. But it is not always the water we can or want to use in the condition we find it.

There is a growing awareness of the menace to our vital water supplies from pollution of our rivers, streams, and lakes. This is more than a job to be carried out just on the major rivers.

As a member of the Air and Water Pollution Subcommittee of the Senate Public Works Committee, I am convinced that water pollution control should start in the headwaters just the same as for water runoff control. And Federal assistance should be provided to cope with the problem in the upstream areas as it is in mainstem waters.

Watershed sponsors cannot be expected to bear the entire cost of measures for pollution abatement when the main benefits accrue to widespread interests downstream. Consequently, very few such measures are included in watershed work work plans even though the need exists in many cases. Action is long overdue in amending Public Law 566 to provide authority to cost-share on water quality management in upstream watershed projects.

I strongly support more research into the nature, causes and remedies of pollution; adequate technical assistance to private individuals, and to State and local public agencies and organizations attacking pollution problems; public cost-sharing and loan programs on a national basis to fight pollution; and strong, local organizations that understand what needs to be done and that are able to provide the necessary local leadership.

Action is needed on several other important amendments to Public Law 566 to broaden the scope and authority of this worthwhile program.

It is unrealistic that watershed sponsors cannot take advantage of grants from other national programs to acquire needed land rights for project measures. National re-

source programs should work in harmony for maximum public benefit.

Long-term agreements with assured cost-sharing on land treatment measures, as carried out in the Great Plains program, would provide a greatly needed stimulus to the watershed program and should be authorized.

Public Law 566 should be amended to provide small communities cost-sharing assistance in domestic or industrial water supply. Smaller communities often cannot afford expensive water supply facilities that are vital to economic stability and growth.

I agree that recreation, wildlife enhancement, water supply, and not flood prevention alone, should justify installation of a P.L. 566 project where the benefit to the local area is clearly indicated. I believe the watershed program has amply proved its usefulness as a base for community development, and has advanced far beyond the important benefits of flood prevention and watershed protection.

The new 4½ percent interest rate which has been put to use in evaluating benefits and costs of Federally-assisted water projects means watershed project sponsors will need to evaluate project benefits very carefully to help assure that their project will be as favorably considered as possible.

I agree with certain of my colleagues in the Senate that, while the new increased rate is intended to reflect more accurately the cost to the U.S. Treasury in providing funds for water-related projects, the action should not have been taken without a more thorough consideration of water resource development needs by all interested parties. I assure you that I will do all I can to bring about needed progress in water resource development, and to keep real or apparent roadblocks from preventing this advance.

Too often, I believe, the public, far removed in miles from the center of government, fails to realize the power of the citizenry in Washington and in the Statehouse. The voice of an organized citizenry is heard in the innermost chambers of an elective body.

There is a tendency, I think, too often for government agencies and private organizations to take a "special interest" view of a project or development, when comprehensive planning and action of all interested parties is needed for the most effective results.

I'm afraid we talk cooperation more often than we practice it—and this can be fatal where our natural resources are threatened and where they need to be developed to their full potential for broad public benefit.

There has been a significant gain toward a balanced water and related land resource planning program during the last few years.

Comprehensive river basin planning carried out under the guidance of the Water Resources Council, established by the Water Resources Planning Act of 1965, has brought together all Federal agencies concerned with water resource development and State and local agencies into a coordinated cooperative planning effort.

The U.S. Department of Agriculture is presently participating in the development of 61 comprehensive river basin studies. All of the States except Alaska are participating to some degree in the river basin program of this Department.

This advance is highly significant. The National Water Resources Assessment recently published by the Water Resources Council estimates that 59 percent of the average annual flood damages occur in upstream areas as compared to 41 percent in downstream areas. Much of the upstream damage is to agricultural and related values. Therefore, agricultural interests must be properly represented in the planning process which influences decisions on both the nature and timing of proposed developments.

However, the Department of Agriculture has only a little over 24 percent of the Federal water resource development planning

funds in 1969 as compared to 49 percent for the Corps of Engineers. I do not suggest that the Corps' planning effort be reduced; rather, that Agriculture's effort be expanded.

I am particularly aware of this condition as a result of the detailed comprehensive river basin study being conducted of the Wabash River Basin. This basin is a highly productive agricultural area. It also has a high degree of development in other economic sectors such as business and industry.

Demands for water have become highly competitive.

The Wabash study has shown there are an estimated 166 potentially feasible upstream watershed projects which would cover over 40 percent of the Wabash River Basin. These projects could provide flood protection to the upstream agricultural flood plains and rural communities; supply water for irrigation, municipal and industrial use, recreation, fish and wildlife enhancement and water quality management.

Many of the watershed projects depend upon their mutual and combined effects to provide the services needed. Others are closely tied in with proposed downstream developments. These projects should be installed, it seems to me, on the basis of the broad river basin plan.

Such an arrangement, with proper funding, would enhance the economic and social development of communities in the river basin through a coordinated approach to upstream resource management, in contrast to a piecemeal approach on a project-by-project basis.

There is need for more comprehensive planning of river basins; more coordination of individual agency efforts, and more joint efforts. We are not utilizing our public and private resources effectively through piecemeal approaches to resource planning operations of a broad public nature. We must draw upon the particular skills and knowledge of the various agencies and organizations which can contribute effectively to the total endeavor. Then we can draw good plans and proceed with implementing them for the greater public good.

We have got to stretch the available dollars for getting the job done. We have got to make every man-hour count.

I strongly urge more Federal funds for small watershed projects under P.L. 566 as essential to effective river basin conservation and management. This is an investment, not an expenditure. We may take the findings of Spindletop Research, Inc., in a special study of the Mud River P.L. 566 project in Kentucky, and the Brush Creek project in West Virginia, which clearly shows high return on investment in these projects.

The Spindletop study considered benefits in addition to those normally evaluated in developing watershed projects. The study showed that in a 7-year period an estimated 1,300 jobs were created as a result of the Mud River project with an assured water supply and recreation. Land values also increased. Some 1,200 new jobs and nearly \$20 million in wages, among other benefits, were credited to the Brush Creek project.

We could examine any number of watershed projects and readily recognize their undisputed value in watershed protection and development.

As a firm believer in the watershed program, I am concerned that it has not received the support it deserves. Recently, as you know, 96 watershed projects became eligible for operations assistance following agreement on approval procedures between the Executive Branch and the Congress. These projects have been added to others that will move into construction and eventual completion as funds are available. The fact is that available Federal funds will not permit the rate of progress that is needed and that the project sponsors have a right to expect.

The 1970 budget estimate proposes a limit of 25 new watershed planning starts and 50 new construction starts. The budget proposes

less money for watershed planning, watershed works of improvement, flood prevention and river basin surveys than is available in the current fiscal year. The \$9 million proposed reduction in funds for works of improvement is a particularly harsh blow to the watershed program.

It is curious to me that these budgetary reductions should be proposed in light of statements made by President Nixon during the recent campaign in which he supported—and I quote—a “vigorous expansion of soil and water conservation programs.” I do not believe the cause of soil and water conservation is well served by curtailing programs that suffer from a growing backlog of work that simply must be done.

The record shows that of the more than 8,000 watersheds which have been found to need project action, only 936 have been approved for operations; construction has been completed on only 233 projects; and only 438 projects are currently under construction. That is a long way from 8,000-plus.

The increasing cost of doing business and the importance of planning projects for multiple purpose use require a high level of funding.

State governments and the local sector are going to have to come up with more support. Local and State jurisdictions might consider the enhanced tax base resulting from economic improvement in a watershed project area.

An example is the Muddy Fork of Illinois River watershed project in Arkansas. Economic progress resulting from the multiple purpose project, which was authorized in 1961, raised the community of Lincoln's school district tax assessment by more than half a million dollars between 1963 and 1968.

Congress and the Administration are going to have to recognize, with greater conviction than seems indicated, that multiple purpose small watershed projects are sound and essential development that must move forward more rapidly.

If there are any doubts concerning the basic need for small watershed protection and development, and the wisdom of making this investment, these doubts have got to be resolved.

May I suggest that the organizations represented at this Watershed Congress exert every effort to convince their elected representatives in Washington and in the State capitals of the great need for vigorously expanding the soil and water conservation program in the national interest. You have the facts—all the evidence you need—to make a powerful argument. You have many friends on Capitol Hill. Provide us with the opportunity to support a strong defense of water management and other conservation programs.

I assure you of my continued support of a program I believe to be essential to our national well-being. For the watershed program is more than land treatment, and dams and reservoirs. The watershed project has become a center for cooperative community development.

Each watershed project is part of that larger dream we all share—and which our forebears had, also—of an American way of life bountiful for all the people.

A century and a quarter ago, the noted European traveler and writer, Alexis de Tocqueville, noted of the American: “. . . in his eyes what is not yet done is only what he has not yet attempted to do.”

Our history as a dynamic people building a dynamic society has stood up to that observation.

We have the resources and the talent. We have a growing storehouse of knowledge and experience to move forward toward an age of unsurpassed opportunity and prosperity for all Americans. I believe we are moving toward that goal. Surely, to the extent that we protect and manage our land

and water resources to provide the greatest possible benefit to the local community, we are headed in the right direction.

Thank you for allowing me to share some thoughts with you.

#### REPRESENTATIVE CHARLES WHALEN SPEAKS ON STUDENT UNREST

### HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 17, 1969

Mr. SCHWEIKER. Mr. President, Representative CHARLES W. WHALEN, JR., of Ohio's Third Congressional District, delivered the major address at the commencement exercises of Stivers High School, in Dayton, Ohio.

His comments, delivered from the perspective of a college professor and State legislator turned U.S. Representative, have great meaning for our young population today. I commend them to the attention of the Senate, as well.

I ask unanimous consent that Representative WHALEN's remarks be printed in the RECORD.

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

#### STUDENT UNREST

(By Congressman CHARLES W. WHALEN, JR., at the commencement exercises of Stivers High School, Dayton, Ohio, Thursday, June 5, 1969)

If a national survey were conducted, I am certain that “campus unrest” would be identified as the theme most often used in 1969 Commencement addresses. This was President Nixon's topic as he addressed graduates of General Beadle State College this past Tuesday. Ohio Senator William Saxbe, speaking last week at Capital University's commencement exercises, also chose this subject.

The dilemma confronting university administrators and faculties throughout the United States is of special concern to me.

First, fourteen years of my life have been devoted to educating college students. In fact, I still retain my affiliation with the University of Dayton, having been granted an official leave of absence as Professor of Economics while serving in my present position in Washington.

Second, as a Member of Congress, I am the recipient of many constituent letters urging federal action to halt campus disturbances.

In view of these circumstances, I would like to “join the crowd”, as it were, and take this opportunity to share with you my views concerning the subject of student-scholastic relations.

Campus disorders have been attributed to several causes. Some observers have stressed the concern of our youth with our Vietnam involvement. Others emphasize the backlash generated by the inequities in our Selective Service System. Reaction against racial discrimination often is cited as a source of student unrest. Finally, some ascribe distortion of our national values as a primary reason for student disenchantment.

Admittedly, all of these have contributed, to some degree, to the growing disregard for authority on our nation's campuses. In my opinion, however, there is a more fundamental cause.

To understand why the authority of university officials, as well as teachers, is being

challenged—by violence, in some instances—it is well to analyze the nature of authority.

Webster defines “authority” as “a right to command or act”.

Authority is indispensable to man's nature. The individual respects the authority of an unseen Creator. A child recognizes the authority of his parents. An employee is subject to the authority of his employer, as is a student to his teacher, and the citizen to his government.

Authority may be exercised in one of two ways.

First, there is “autocratic authority”. Decisions affecting those subject to authority are made without consultation or recourse.

Second, there exists what I term “responsive authority”. Responsibility still remains with that individual who, by virtue of his position, can “command or act”. However, when contemplating a course of action, he maintains an open-line of communication with his subordinates, thus insuring their participation in the decision-making process. Further, he establishes an appeal procedure for those who may oppose his conclusions.

Our forebears created in our country a government based on the precepts of “responsive authority”. Responsibility is vested in our elected officials. The citizenry, in turn, is subject to the laws promulgated and administered by these officials. Autocracy, however, is avoided by the requirement that public officials be subjected to a periodic “review” by the electorate. Hence, an appeals mechanism—the ballot box—exists at all levels of American government.

Unfortunately, many institutions operating within the framework of our democracy have not always functioned in a manner compatible with our nation's guiding principles.

A prime example is in the area of management-labor relations. The eighty years between 1850 and 1930 saw our nation emerge as an industrial giant. However, the economic benefits wrought by this development were accompanied by mounting difficulties between employer and employee. Management exercised its authority arbitrarily. Rights of workers were ignored. There thus emerged during this period a degree of unrest which makes our present-day campus disorders look like a pink-tea party.

For instance, in 1892 twenty men were killed at the Homestead Works of the Carnegie Steel Company in a battle between locked-out workers and armed Pinkerton guards. According to Rexford G. Tugwell, in his recent book, “Grover Cleveland” . . . “The issue was the recognition of the union and its right to bargain collectively. . . But wages and conditions were far from reasonable. . . The twelve-hour day with a swing-shift of twenty-four hours once a week at the hardest labor; wages that would maintain a family only at the barest level of subsistence; and surroundings that were the familiar filthy slums of mine and factory towns—these were the intolerable conditions that caused rebellion”.

In June, 1894, employees of the Pullman Company struck as a protest against a 25 percent wage cut. The strike resulted in property damage amounting to \$80,000,000. On July 7 seven strikers were killed and many more were wounded by militia gunfire.

As late as 1937 employees occupied automobile plants in a series of sit-down strikes which paralyzed the State of Michigan for several months.

In each of these, and similar, instances the public clamored for a return to law and order. Armed force was used to quell these disturbances. But, the cause of the unrest—“autocratic authority”—remained. Only the passage of a series of landmark federal statutes (National Railway Labor Act, the Norris-LaGuardia Act, the Wagner Act) gave

workers the rights which heretofore they had been denied by employers. With these laws also came an end to the violence and death which had characterized many industrial disputes of the preceding half century.

Our nation's universities now are the one non-governmental institution whose authoritarian structure has undergone little or no change. Relationships between administration and faculty, administration and student, faculty and student, are much the same today as they were two centuries ago.

On many campuses, for example, a faculty member can be dismissed, without cause, at the end of his contract period. In many instances promotion and tenure decisions are arbitrarily made and are not appealable.

Student needs frequently are subrogated by professors who must adhere to the doctrine of "publish or perish." The quality of undergraduate instruction sometimes is sacrificed on the altar of prestige-seeking graduate programs.

Curricula are developed with little consideration of the requirement of those whom courses of instruction are intended to benefit. A college education is the only commodity in the market place whose buyer pays \$12,000 and has absolutely no voice in what he is to receive.

From the foregoing it can be concluded that "autocratic authority" still is the order of the day on many of our college campuses. From my own experience I realize that there is nothing malicious in this posture. For instance, as a department chairman it just never occurred to me that it might be productive to invite students to participate in departmental faculty meetings. Yet, today this is being done! What I am saying is that it is human to accept the status quo until circumstances dictate otherwise.

The eruptions which have become a "way of life" on our college campuses are comparable in many respects to the labor-management disturbances of the late nineteenth and early twentieth centuries.

The thrust of both is (and was) "change"—change from "autocratic" to "responsive" authority.

We may deplore the violence which sometimes accompanies student protests, much as labor union members were excoriated fifty years ago.

Student actions may be suppressed by armed force, just as union members were clubbed into submission a half century ago.

Federal funds may be withheld from students just as several decades ago employees were fired, without recourse, for their union activities.

In the face of all of this, however, two facts stand out.

First, suppressive will not cure our college ills.

Second, campus peace will be restored only when attention is focused on the cause of current disorders rather than on the disorders, themselves.

Happily, on many campuses one can observe the beginning of a metamorphosis from "autocratic" to "responsive" authority.

Boards have been created to entertain faculty dismissal and promotion-denial appeals.

More specific tenure policies have been invoked, replacing the former subjective judgement system.

Administrators are involving, to a greater degree than ever before, students and junior faculty members in the formulation of curricula and policy decisions.

Campus disorders need not be a perennial problem. Indeed, just as industrial violence has been consigned to our history books, so, too, the current era of student violence can become an unpleasant memory of the past.

As in the case of the industrial strife of an earlier era, however, today's student un-

rest will disappear only with a change in the manner in which authority is exercised.

Whether this change will be difficult or comparatively easy to accomplish depends upon the degree to which college authorities willingly accept it.

Having discussed a pressing national issue, let me now address myself directly to you graduates whom we honor tonight.

Some of you, upon departing from Stivers High School, plan to further your education by enrolling in a four-year baccalaureate program. Others will participate in the excellent two-year curricula offered by our area's fine community colleges and technical institutes. The rest of you will move directly into your life's work.

As you embark upon your chosen activity—or perhaps "unchosen" if you are temporarily tapped by Selective Service—you should remember one important fact concerning the diploma you receive this evening. Successful completion of four years of high school indicates that you have learned to think, that you have acquired certain skills, that you have the ability to respond to tests which periodically confront you. Therefore, to the college or university to which you apply, or to your prospective employer, your diploma means that you are prepared to succeed. I underscore the word "prepared". Your diploma, of itself, does not guarantee success. Achievement in your life's endeavors comes only through the diligent application of skills acquired and principles learned. What I am recommending, in other words, is hard work—or, more precisely, hard work intelligently directed.

The point you must always bear in mind, then, is this. A building cannot be erected without a foundation. By the same token, a foundation without a structure atop it is worthless.

You have built a solid foundation during your four years at Stivers High School. To you I extend my sincere congratulations upon your completion of this effort.

Now it is up to you to erect the building. As you embark upon this task, I wish you Godspeed!

#### SURTAX

### HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. ST GERMAIN. Mr. Speaker, I have no inclination to vote for the surtax at this time. I do not see the point of making the average taxpayer scrimp and spare to provide this administration with a \$6.3 billion budget surplus.

Furthermore, we need tax reform before we think about extending the surcharge. The basis for any surcharge is unfair because the tax structure is unfair to the middle-income taxpayer. Too many of the wealthy do not pay their part of the tax load. Why compound the unfairness? Ten percent of an unfair share is still unfair; and 10 percent of zero is still zero. The surtax perpetuates injustice. We pile unfairness upon unfairness.

Last year the surtax was passed to save us from fiscal disaster. I wanted to see the needed revenues raised by tax reform, but there was not time for that type of legislation, so with reluctance and reservations I cast my vote for the surtax, persuaded by promises that tax reform was just around the corner.

Now, a year later, the promise of tax

reform is not enough. Promises do not put groceries on the tables of my constituents. We need major tax reforms, not one or two flashy changes. The provision packaged in with the surtax to exempt poor people from paying taxes is sure to get a lot of attention, and has my backing, but what does it do for the broad mass of middle-income taxpayers? When are we going to see some reforms which shift some of the tax pressure away from the middle-income person? The American people are not going to be satisfied by token reforms.

The personal exemption figure should be raised, and action should be taken on the oil depletion allowance, capital gains untaxed at death, special treatment for stock options, the multiple corporation loophole, the provision permitting payment of estate taxes by the redemption of Government bonds at par, accelerated depreciation on speculative real estate, foundations, and conglomerate mergers. Not to speak of enacted legislation, we do not even have strong promises from the administration on all of these points.

If the Congress extends the surtax at this time, that will take away some of the incentive for substantial tax reforms. If there is no surtax the pressure will be on to make up for those revenues by plugging tax loopholes. I believe that only by keeping the pressure on and keeping incentive strong will we get the major tax reforms which the American people have every right to expect.

If the surtax is not extended does that necessitate runaway inflation? Not if we reduce military spending by \$10 billion, and not if we have major tax reform which, besides action on the 7-percent investment credit, would mean plugging tax loopholes and consequently taking as much money out of circulation as the surtax would. The money available for spending would not change; just the spenders would be different. It can also be urged that without the surcharge the need for wage increases would be less acute.

Inflation means a rise in the cost of living. But saddling the middle-income taxpayer with the surtax is nothing else than adding to his living costs. The surtax has the same effect on the taxpayer as inflation; it means an increase in his cost of living. Rather than vote to extend that increase in the cost of living, then, I am voting to decrease the cost of living for the taxpaying American by saying "No" to the surtax.

#### ILLITERATE COURT

### HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 17, 1969

Mr. THURMOND. Mr. President, an excellent editorial has appeared in the State newspaper in Columbia, S.C., clearly exposing the fallacious reasoning used by the Supreme Court in the Gaston County literacy test case.

It is no surprise to those of us who follow the Supreme Court decisions that

such reasoning has been used and that once again the Court has refused to allow itself to be confused by the facts.

Mr. President, as I said, we have come to expect this type of travesty from the Court, and since it has become so common in recent years, we find it difficult to think of some new and different way to express our dismay. For this reason, I was very pleased to find such a fine analysis of the decision in *The State*.

Mr. President, I ask unanimous consent that the editorial entitled "Illiterate Court," published in the June 6 edition of *The State*, be printed in the *Extensions of Remarks*.

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

ILLITERATE COURT

The Supreme Court confirmed again Monday what has been apparent for some little time: where the issue is civil rights, the court recognizes no constitutional restraints. Here the court will do what it fancies to be "right," redrafting legislation and amending the Constitution as it goes along.

Thus it was that, on Monday, the court refused to allow officials in Gaston County, N.C., to resume literacy tests for voters. Such tests went out with the 1965 Voting Rights Act, which arbitrarily assumed that when fewer than 50 per cent of the eligible voters took the trouble to vote the reason had to be discrimination.

The act also provided, however, that literacy tests could be resumed if affected localities were able to show an absence of discrimination in the registration of voters. This Gaston County was able to do. It therefore was entitled to escape the provisions of the Voting Rights Act, but the court was not having any.

It made no difference, the court ruled, that Gaston County was innocent of discrimination. The county historically had maintained separate and inferior schools for Negroes. As a consequence, said the court, it had to be assumed that a large proportion of Gaston County Negroes were illiterate. This being so, literacy tests would impose an unfair restriction on Negro voters. No such restriction, said the court, would be allowed.

A major discrepancy in the court's reasoning is readily apparent. Who says the country's Negro schools were so bad that students failed to learn how to read and write? The court says so, and the evidence shows plainly that the court is wrong. Whatever the shortcomings of Gaston County's segregated Negro schools, that is no reason to believe that they graduated illiterates.

Among those testifying to this effect was Thebaud Jeffers, a Negro principal who moved to Gaston County as a teacher in 1932. To his own personal knowledge, Mr. Jeffers said, the county's Negro schools had been good enough for at least 37 years to teach youngsters to pass a literacy test. The court dismissed this testimony as "unpersuasive."

The fact is the court was not to be swayed by evidence. In civil rights cases, the issues most often turn, not on hard and impartial facts, but on the court's emotional commitment to a holy cause. And so, in ten years' time, the court has done a complete turn-about. As late as 1959, in *Lassiter vs. Northampton County*, the court refused to tamper with North Carolina's literacy requirement because, it said, the Constitution allows the states "wide scope" in determining the qualifications of voters. Now the same requirement is thrown out on grounds that Negro students once were discriminated against.

There is, one has to admit, a certain historic irony in the ruling. In times past, many

Southern whites were exempt from literacy provisions under so-called "grandfather clauses" and similarly shabby devices. Now the court has ruled that illiterate Negroes in the South have a right to vote. Ironic it may be, but what of the Constitution, which the justices have sworn to protect? And what, in the absence of that Constitution, will become of justice in the United States? These are questions the court might properly ponder before it next takes up its burden of guilt and sets off to secure someone's imaginary civil rights.

AID FOR INSTITUTIONS OF HIGHER LEARNING AND STUDENTS

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. BOLLING. Mr. Speaker, there has been a great deal of alarm expressed about requests for diminished appropriations for various Federal education programs to aid both institutions of higher learning and students. These alarms are usually couched in general terms which, while valid, lack specifics.

However, recently I received a letter from Rev. Maurice E. Van Ackeren, S.J., president of Rockhurst College in Kansas City, Mo. It is a remarkably detailed and persuasive letter that documents in compelling detail the problems that will be generated if the present level of appropriations is continued or further diminished. This Rockhurst document states clearly that tragic personal consequence of the present trend in Federal education expenditures. I am certain that other institutions of higher learning could also produce comparable documents. If this were done on a large scale, I am certain that education appropriation requests would be increased. I hope that other institutions produce similar documentations that they will send to their representatives in Congress. I recommend the Rockhurst presentation as a model. It follows:

ROCKHURST COLLEGE,

Kansas City, Mo., June 13, 1969.

Congressman RICHARD BOLLING,  
Washington, D.C.

DEAR CONGRESSMAN BOLLING: I want to thank you again for the opportunity to discuss these matters with you this morning. As I am sure you are aware, several of the national associations of higher education, especially the Association of American Colleges and the American Council on Education, have been actively engaged in trying to prevent the reductions in educational funding as outlined in the administration budget request.

Beyond this, however, both the ACE and the new Emergency Committee for Full Funding of Education Programs have mounted a campaign to increase the funding of education programs up to the full authorizations. In his June 3 testimony before the House Appropriation Subcommittee on the Departments of Labor and HEW, John F. Morse of ACE stated, "We firmly believe that education must receive a larger proportion of the total Federal budget. But most important of all we do not seek increases in one educational program at the expense of another educational program. We seek a large share of the budget for all educational programs."

Mr. Morse cited specifically the student aid programs, the construction grants and loans, library programs, and international education.

Former HEW Secretary Arthur S. Flemming speaking as a spokesman for the Emergency Committee said education appropriations were only 49 percent of authorizations in fiscal 1969 and appear to be only 37 percent for fiscal 1970. The current president of Macalester College further pointed out that "we cannot continue to keep raising expectations" through authorizations and then "replacing hope with increasing frustration and despair" as programs are not fully funded.

As president of Rockhurst College, I fully support the efforts of these two groups to achieve maximum national funding. In this letter I want to present you with my staff's estimates of the implications of the current budget requests for seven programs on the operation of Rockhurst. I have attached a copy of a background report on these seven prepared by our government relations officer. While what happens at Rockhurst is not a matter of national concern, it will effect the educational resource of the greater Kansas City area. I am confident that the material presented below is typical of many colleges throughout the United States.

STUDENT FINANCIAL AID PROGRAMS

The one unmistakable fact about these programs is that the need continues to grow. This is essentially due to the rapidly increasing cost of higher education which in a non-tax supported institution like Rockhurst will result in increasing tuition rates. At Rockhurst this has meant a tuition increase from \$800 to \$1,200 in only four years. Since at tax supported institutions these increased costs have not generally been passed along to students, the cost factors have not affected the size of composition of the student body. Indeed the ability of public institutions to keep student fees low has enabled them to enroll an increasing percentage of college students. At Rockhurst reduction in the size and changes in the makeup of the student body were less severe than they would have been were it not for the expanding programs of aid. The fact that 26 percent of our students participate in the federal aid programs and that over 40 percent receive aid of some sort is testimony to the important role student financial aid plays in private higher education.

If the funding of federal student aid programs declines or fails to keep pace with growing enrollments and accelerating costs, either Rockhurst will be forced to serve only those whose high incomes make them able to pay high tuition, or be forced to give up its fifty-year search of excellence in education in favor of a more modest, less effective, but less expensive educational program. We view neither of these alternatives as acceptable to the traditions and goals of Rockhurst nor as being in the best interests of the Kansas City area.

NATIONAL DEFENSE STUDENT LOANS

While the administration request for the NDSL program is some \$32 million less than the fiscal 69 appropriation, the estimated Rockhurst allocation is up \$4,000 last year although still \$1,000 short of our fiscal 68 allotment. Even with this increase, however, we still do not have enough NDSL funds to meet the bona fide needs of our students. The tentative fiscal 70 allocation and our 1/9 contribution plus estimated collections on past loans will result in a total of \$51,192 available for lending. We have already made awards totaling \$66,750, a 30% over-award. In addition by September 1969 we will have had need for an additional \$20,000 to meet certified student needs.

These dollar amounts translate into students who will be unable to attend Rockhurst even though they judged it to be best

suitable to their educational needs or who will have to work more hours on a part-time job than appropriate for their academic load. Our experience with the guaranteed loan program indicates that it cannot fill in the gap. In fact the 7% interest rate and the deferred pay back make it virtually impossible for new students to make these loans in Missouri and Kansas.

#### EDUCATIONAL OPPORTUNITY GRANTS

The reduction in funding for the Rockhurst EOG program was particularly disappointing. The Upward Bound project operated by the college is just beginning to produce sizeable numbers of disadvantaged students ready for college. From the beginning of this program, the college has indicated that it would admit and financially assist qualified Upward Bound graduates. In addition I have appointed a task force to investigate and report on the college's commitment to minority group students in our community.

At a time when both these efforts are beginning to bear fruit, we find our initial E.O.G.'s will be cut from \$41,060 to \$15,182. While this will be enough to assist the Upward Bound graduates (though not to the full extent of their need), it leaves little on which to base an aggressive recruitment of disadvantaged students.

Our financial aid office estimates that it would have been able to allocate \$30,000 in initial E.O.G.'s even under the new Office of Education guidelines for eligibility.

#### COLLEGE WORK-STUDY PROGRAM

Of the three aid programs, CWSP has been the most consistent in providing sufficient funds to meet student needs. The increase in the non-federal contribution from 10% to 20% has been a factor in increasing the total program.

While the allocation for fiscal 1970 is the same as fiscal 1969, student wages paid will increase this academic year. In line with the minimum wage law, the minimum at Rockhurst will advance from \$1.30 per hour to \$1.45 in February 1970 and to \$1.60 in February 1971. This will eventually affect the upper ranges as well.

Thus we will be faced with operating a program for more students at higher wages with the same amount of money. The national appropriation calls for increased funding but also at higher wages. The end result is that fewer students will be aided unless appropriations are increased.

#### INSTRUCTIONAL EQUIPMENT

As I indicated in my letter to you of March 7, 1969, the lack of a budget request for the Title VI-A program is a serious concern for us. Over the last four fiscal years, Rockhurst has participated in Title VI projects, totaling \$59,838 of which \$31,396 came from our own operating budget. These projects have enabled us to make improvements in the instructional effectiveness of ten of our departments. The elimination of this program will defer urgently needed equipment acquisitions in the departments of biology, psychology, and the social sciences. The elimination of one of the few programs specifically designed for undergraduate education is most disheartening to those of us in this worthy endeavor.

#### GRANTS FOR THE CONSTRUCTION OF UNDERGRADUATE FACILITIES

Rockhurst has relied heavily on federal assistance in the development of our physical facilities. We have received loans for three residence halls, a loan and a grant for Greenleaf Library, and a grant for the renovation of Sedgwick Hall. We will soon be submitting an application for a grant to assist us in expanding our physical education facilities. Our projected enrollment due to the admission of coeds in the fall of 1969 makes this a priority item. The lack of funding for this program will delay or eliminate this

needed facility. The administration suggestion that "colleges and universities should be encouraged to finance construction from non-Federal sources" overlooks the fact that two-thirds of the project would be so financed any way and that the administration tax reform proposals on charitable giving will make it more difficult to attract private funds.

#### DEVELOPING INSTITUTIONS

As a founding member of the Kansas City Regional Council for Higher Education, Rockhurst has been involved in the Council programs funded under Title III of the Higher Education Act. In addition we have received funds for National Teaching Fellowships.

This year we applied for a \$207,270 grant to develop a cooperative relationship with Avila College. However because appropriations were not increased, no new programs were funded.

The Avila-Rockhurst grant would have provided funds to deal with some essential, developmental problems at both schools: faculty development, student personnel programs, electronic data processing, and inter-campus transportation.

While we will continue to apply for these funds because the programs they support are of high priority, we have little hope of receiving a grant as long as appropriations do not increase.

#### COOPERATIVE EDUCATION PROGRAM

Rockhurst is one of the few schools in this area which offers a cooperative education program and the only school to offer it in the business areas. The government agencies and companies involved have all testified to its effectiveness in preparing young people for careers in business and management.

This federal program is specifically designed to assist schools in expanding and developing and establishing co-op programs. We feel that we will have an excellent chance of receiving a grant to improve our program and will apply this fall, but the lack of appropriations request will mean further delay in the extension of the benefits of this program.

Finally, we are greatly concerned about a number of the tax reforms which appear to be receiving serious house committee consideration. Particularly damaging to private colleges (but detrimental to the public institutions as well) would be the establishment of a 3% threshold for charitable gift deduction, the reduction or eliminating of the charitable deductions on gifts of appreciated securities, and the imposition of a federal tax on foundation investment incomes. These and other proposed reforms relating to charitable contributions would certainly have an adverse effect on voluntary contributions to education at a time when Rockhurst and the vast majority of colleges are in critical need of increased assistance from alumni, friends, firms, and foundations. The possible restriction of private philanthropy coupled with reductions in federal support makes even more difficult the continued strength of private higher education which HEW secretary Robert Finch has called "essential to forestall total conformity, and rigidity in American higher education."

In all of these areas, I am not suggesting or requesting that you initiate specific action with any particular agency on Rockhurst's behalf. However, I do feel you will find it helpful to be aware of our specific problems and concerns as you discuss these matters with your associates in the Congress.

I strongly urge you to use your vote and your influence to increase funding for all authorized educational programs and especially to restore appropriations for the Instructional Equipment Program, the Grants for Construction of Undergraduate Facilities, and the Cooperative Education Program; to increase appropriations for the NDSL program and for aid to developing institutions.

With regard to the tax reform measures, I am sure that the impact upon Rockhurst and other institutions of higher education will play a major part in your decision.

Thanking you again for this opportunity and for your past efforts on behalf of Rockhurst and education, I am,

Sincerely yours,  
MAURICE E. VAN ACKEREN, S.J.,  
President.

#### NATIONAL DEFENSE STUDENT LOANS

##### LEGISLATION

P.L. 85-864, Title II, National Defense Education Act of 1958, as amended.

##### PURPOSE

To establish and develop capital funds at institutions of higher education for making low-interest, long term loans to students needing them to pursue courses of study.

| Funding      | Authorization | Appropriation |
|--------------|---------------|---------------|
| Fiscal year: |               |               |
| 1966         | \$179,300,000 | \$181,550,000 |
| 1967         | 190,000,000   | 193,115,000   |
| 1968         | 225,000,000   | 187,400,000   |
| 1969         | 210,000,000   | 193,400,000   |
| 1970         | 275,000,000   | 161,000,000   |
| 1971         | 300,000,000   |               |

| Rockhurst participation | Requested | Granted  |
|-------------------------|-----------|----------|
| Fiscal year:            |           |          |
| 1966                    |           |          |
| 1967                    | \$43,844  | \$39,679 |
| 1968                    | 45,900    | 34,687   |
| 1970                    | 69,750    | * 38,760 |

<sup>1</sup> Administration request.  
<sup>2</sup> Estimated.

#### EDUCATIONAL OPPORTUNITY GRANTS

##### LEGISLATION

P.L. 89-329, Title IV-A, Higher Education Act of 1965, as amended

##### PURPOSE

To provide grants to assist in making available the benefits of higher education to qualified high school graduates of exceptional financial need who, without this aid, would be unable to obtain these benefits.

| Funding      | Authorization | Appropriation |
|--------------|---------------|---------------|
| Fiscal year: |               |               |
| 1966         | \$70,000,000  | \$58,000,000  |
| 1967         | 70,000,000    | 112,000,000   |
| 1968         | 70,000,000    | 131,600,000   |
| 1969         | 70,000,000    | 124,600,000   |
| 1970         | 100,000,000   | * 175,600,000 |
| 1971         | 140,000,000   |               |

| Rockhurst participation <sup>2</sup> | Requested | Granted  |
|--------------------------------------|-----------|----------|
| Fiscal year:                         |           |          |
| 1966                                 |           |          |
| 1967                                 |           |          |
| 1968                                 | \$58,926  | \$41,250 |
| 1969                                 | 47,250    | 41,060   |
| 1970                                 | 30,400    | * 15,182 |

<sup>1</sup> Plus whatever amounts are needed for renewal grants.  
<sup>2</sup> Administration request.  
<sup>3</sup> Initial awards only.  
<sup>4</sup> Estimated.

#### COLLEGE WORK-STUDY PROGRAM

##### LEGISLATION

P.L. 88-452, Title I-C, Economic Opportunity Act of 1964, as amended.

##### PURPOSE

To stimulate and promote the part-time employment of students, particularly students from low income families, who are in need of earnings in order to pursue their courses of study. Employment may be for

the institution itself or for a public or private nonprofit organization.

| Funding      | Authorization | Appropriation |
|--------------|---------------|---------------|
| Fiscal year: |               |               |
| 1966         | \$129,000,000 | \$99,123,000  |
| 1967         | 165,000,000   | 134,100,000   |
| 1968         | 200,000,000   | 134,300,000   |
| 1969         | 225,000,000   | 139,900,000   |
| 1970         | 255,000,000   | 154,000,000   |
| 1971         | 285,000,000   |               |

| Funding                 | Requested | Granted  |
|-------------------------|-----------|----------|
| Rockhurst participation |           |          |
| Fiscal year:            |           |          |
| 1966                    |           |          |
| 1967                    |           | \$64,871 |
| 1968                    | \$95,400  | 65,757   |
| 1969                    | 89,000    | 89,000   |
| 1970                    | 123,000   | 89,244   |

<sup>1</sup> Administration request.  
<sup>2</sup> Estimated.

**INSTRUCTIONAL EQUIPMENT**

**LEGISLATION**

P.L. 89-329, Title VI, A, Higher Education Act of 1965, as amended.

**PURPOSE**

To provide funds to assist institutions of higher education in the acquisition of TV, laboratory and other special equipment and in minor remodeling for the improvement of the quality of classroom instruction.

| Funding      | Authorization | Appropriation |
|--------------|---------------|---------------|
| Fiscal year: |               |               |
| 1966         | \$37,500,000  | \$15,000,000  |
| 1967         | 60,000,000    | 14,500,000    |
| 1968         | 70,000,000    | 14,500,000    |
| 1969         | 13,000,000    | 14,500,000    |
| 1970         | 60,000,000    | 10            |
| 1971         | 60,000,000    |               |

| Funding                 | Requested | Granted |
|-------------------------|-----------|---------|
| Rockhurst participation |           |         |
| Fiscal year:            |           |         |
| 1966                    | \$7,080   | \$7,080 |
| 1967                    | 7,154     | 7,154   |
| 1968                    | 6,982     | 6,982   |
| 1969                    | 7,152     | 7,152   |

<sup>1</sup> Administration request.

**GRANTS FOR CONSTRUCTION OF UNDERGRADUATE FACILITIES**

**LEGISLATION**

P.L. 88-204, Title I, Higher Education Facilities Act of 1963, as amended.

**PURPOSE**

To provide grants to higher education institutions to finance the construction, rehabilitation and improvement of undergraduate facilities and for the administration of related State plans.

| Funding      | Authorization | Appropriation |
|--------------|---------------|---------------|
| Fiscal year: |               |               |
| 1966         | \$463,000,000 | \$460,000,000 |
| 1967         | 482,000,000   | 460,000,000   |
| 1968         | 735,000,000   | 274,000,000   |
| 1969         | 943,000,000   | 83,000,000    |
| 1970         | 936,000,000   | 143,000,000   |
| 1971         | 936,000,000   |               |

<sup>1</sup> Administration request excludes funds for 4-year colleges.

**ROCKHURST PARTICIPATION**

Greenlease Library.  
Sedgwick Hall Renovation.  
Proposed Physical Education Facility.

**DEVELOPING INSTITUTIONS**

**LEGISLATION**

P.L. 89-329, Title III, Higher Education Act of 1965, as amended.

**EXTENSIONS OF REMARKS**

**PURPOSE**

To provide funds to assist in raising the academic quality of developing colleges and universities through cooperative arrangements and teaching fellowships.

| Funding      | Authorization | Appropriation |
|--------------|---------------|---------------|
| Fiscal year: |               |               |
| 1966         | \$55,000,000  | \$5,000,000   |
| 1967         | 30,000,000    | 30,000,000    |
| 1968         | 55,000,000    | 30,000,000    |
| 1969         | 35,000,000    | 30,000,000    |
| 1970         | 70,000,000    | 30,000,000    |

| Funding                                    | Requested | Granted  |
|--|-----------|----------|
| Rockhurst participation (excluding KCRCHE) |           |          |
| Fiscal year:                               |           |          |
| 1966                                       | 0         | 0        |
| 1967                                       | \$24,025  | 0        |
| 1968                                       | 13,000    | \$13,000 |
| 1969                                       | 32,500    | 13,000   |
| 1970                                       | 207,270   | 0        |

<sup>1</sup> Administration request.

**COOPERATIVE EDUCATION PROGRAMS**

**LEGISLATION**

P.L. 90-575, Higher Education Amendments of 1968.

**PURPOSE**

To provide grants to institutions of higher education for the planning, establishment, expansion, or carrying out of programs of cooperative education that alternate periods of full-time academic study with periods of full-time public or private employment.

| Funding      | Authorization | Appropriation |
|--------------|---------------|---------------|
| Fiscal year: |               |               |
| 1969         | \$340,000     | \$0           |
| 1970         | 6,000,000     | 10            |
| 1971         | 10,000,000    |               |

<sup>1</sup> Administration request.

**ROCKHURST PARTICIPATION**

None; but will apply to support and expand present co-op program.

**SUPPORT FOR ADMINISTRATION AVIATION PROGRAM**

**HON. HUGH SCOTT**

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 17, 1969

Mr. SCOTT. Mr. President, the graph depicting Federal fiscal support for civil aviation facilities and equipment over the past two decades is corrugated by a series of peaks and valleys. An overlay charting major air disasters during the same period would show a close correlation with this graph.

This frenetic "panicbutton" approach to national aviation planning; perhaps understandable in the earlier days of flying, is now totally inconsistent with the nature of aviation in the "air age."

A comparison of the sawtooth appropriations pattern with the curve of aviation growth in this country in terms of airline and general aviation operations is likewise interesting. Aviation growth curves show no spectacular peaks and yawning valleys when plotted across the past 20 years or when projected into the future. Instead, the growth of civil avia-

tion can be plotted in a smooth, almost steady line, sharpening at some points but climbing continually—a climb that has been getting steeper in recent years.

The question that must concern us now is what the relationship between aviation growth and the Federal support of the growth should properly be. Should not the curve of national expenditures for aviation more closely match the orderly curve of aviation growth? Now that air travel is not only an accepted but highly popular and productive form of transportation, of national as well as personal benefit, it would seem that the answer should indeed be "Yes."

A reasonable fiscal solution to this feast-and-famine situation is now before us. The "panic-button" approach to financing this country's aviation needs can be replaced by an approach that takes into account the system's shortcomings and the means for correcting them.

The Nixon administration has proposed a reasonable way out of this dilemma.

This plan is worthy of consideration if we are to do away with piecemeal national aviation planning.

**A TRIBUTE TO COURAGE**

**HON. ROBERT H. MICHEL**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. MICHEL. Mr. Speaker, the President's Committee on Employment of the Handicapped conducted their annual meeting on May 1, 1969, at the Washington Hilton Hotel, and while I was unable to be in attendance it is my privilege to insert in the RECORD today a copy of the remarks by Secretary of Labor George P. Shultz, as well as a copy of "A Tribute to Courage," delivered by Mrs. Scott Carpenter, before presentation of the President's Trophy to Mr. William Passmore, Handicapped American of the Year.

I include both texts in the RECORD at this point:

**A TRIBUTE TO COURAGE**

(Remarks by Mrs. Scott Carpenter, before presentation of President's trophy to William Passmore, Handicapped American of the Year, at annual meeting, President's Committee on Employment of the Handicapped, May 1, 1969)

In a letter sent to him from a man behind prison bars lies a clue to William Passmore: "As long as a man's life means something to someone else, it will mean something to him."

William Passmore is many things. Most importantly, he is a "someone else" to whom every other man is unique and precious.

Few of the 58,000 citizens of East Chicago, Indiana, a bustling, steel producing center, have not heard of him; most are familiar with his engaging personality and his reputation for community service; many love him because their lives have been enriched—or redeemed—by his friendship and his caring.

No one he meets—prisoner or free, young or old, black or white, sick or well, disadvantaged or affluent—has any doubt that to William Passmore and therefore, then, to him-

self, his life is important, his life is worthwhile.

What accounts for this reverence for life? What makes William Passmore not only accept, but embrace, the role of brother's keeper?

No doubt the seeds were sown in a humble, religious home. Mrs. Laura Passmore, who is with us this morning, says her son Willie was a happy child, interested then as now in everything and everybody, and with a special love of sports. When the boy was young, Mr. Passmore died, leaving his wife to be mother and father to Willie, his older brother and two sisters.

In high school, Willie's passion was football. When he was 17 and a junior, he was hurt during a practice session. What seemed at first a painful shoulder injury, turned out to be spinal column damage. The boy's legs became paralyzed. After more than two years of treatment, including extensive spinal surgery and endless months in traction, gangrene set in.

Willie was home alone when the doctor told him both legs must be amputated if he were to live.

"There were no tears," his mother recalls, as she describes how Willie broke the news to her.

"What did you tell the doctor?" she asked. Willie answered: "Well, if I can live . . ."

Because he chose life, all life to William Passmore became more precious.

After the operation he was, for a while, close to death. Pneumonia was just one of the physical complications. And fear, pain and despair were ever present. Eventual recovery he credits to the love and prayers of his family and friends; his own stubbornness and above all, the will of God.

Slowly his strength returned and at home, with the help of visiting teachers, William Passmore earned his high school diploma. Then, after training in business and accounting by the Division of Vocational Rehabilitation, he went to work as a night dispatcher for a cab company. The job was to last 11 years, and gave him the chance to meet, by phone, thousands of people. He also began to write a column for the Chicago Daily Defender called, "East Chicago on the Go." For 18 years, the column has provided still another entrée to the people and the life of his city.

At the same time, he started the practice of Sunday afternoon visits to patients at St. Catherine Hospital, where he had spent so many, many hours. Soon, he was able to chat with them in six different languages which he picked up "by ear."

The response of sick men, women and children to this smiling young man in a wheelchair, who understands their fears and sympathizes with their problems, is magical. For 18 years the cry has been going out when patients need cheering: "See if you can find Bill Passmore."

St. Catherine is the only hospital in East Chicago, so these Sunday visits have gained him thousands of new friends. Much of his influence in the community today, with business leaders, civic organizations, labor, the churches, the medical profession, people—black and white—in all segments of the city's melting pot society, stems from these bedside visits.

There are many other ways in which William Passmore serves his fellow man:

He is a regular at monthly meetings of the Anselm Forum, an interracial group that has existed for 25 years to promote brotherhood and the acceptance of minorities.

He is assistant Sunday School superintendent at St. Mark's A.M.E. (African Methodist Episcopal) Zion Church, where his lack of self pity is an inspiration to the entire congregation but particularly to the girls and boys.

He is a sponsor of "Convicts Anonymous," a group therapy organization which prepares

men in the State prison for life outside, and of "Convicts Unlimited," which finds employment for them after release. These are among the most satisfying of his volunteer efforts. He draws on endless resources to provide the prisoners with hope, material help, jobs and self respect.

A commissioner of correction for the State of Indiana says: "The people Passmore counsels don't come back to prison."

He also utilizes his relationships within the community in a broader employment crusade. As a member of the working press, he seizes every chance to bring together those who have and those who need jobs. Employers who meet Bill Passmore at their sickbeds hire his referrals later. And when he was a cab dispatcher, a businessman who called for a cab often would get, in addition, a reference for someone who was out of work.

His amazing success at this avocation led, two years ago, to his current employment as Work Coordinator for the Mayor's Committee on Social and Economic Opportunity. Here, in the Neighborhood Youth Corps, he labors as teacher, counselor, friend and sometimes father and mother to disadvantaged teenagers. The goal is to persuade them to finish their educations, to find them jobs and in most cases, a better way of life.

According to Bill Passmore's co-workers, no other man could do the job as well. He maintains close to perfect communication with youth. And if there is a failure with a young person, he regards it as his failure.

A personal testimony appears in a letter from a young infantryman in Vietnam: "I could never have found a decent clean job without your help. I worked there for four months before being drafted and I am now rest assured that employment awaits me after my discharge from the Army. East Chicago needs you. Sincerely, Your pal . . ."

Last year, the city that needs him, the city he serves so well, Paid William Passmore a singular honor.

On his 37th birthday, the people of East Chicago gave him a mammoth dinner party. Almost 600 people were there including the Mayor, friends from the Jaycees (of which he is a life member), staff and former patients from St. Catherine, fellow-members of the NAACP and the numerous other organizations to which he belongs and for which he works with a whole heart. Hundreds who could not attend, helped fill a huge scrapbook of congratulatory cards and telegrams.

During the evening, William Passmore received many gifts and many testimonies of gratitude and affection. Someone said he was honored for "that which he has given."

In the same spirit, we honor him today.

Traditionally, this spoken tribute to the Handicapped American of the Year is called, "A Tribute to Courage," and this year again we have saluted a courage that ignores handicap, denies bitterness and refuses defeat. But I would like to suggest an expansion of the title: "A Tribute to William Passmore: A Tribute to Courage—and Love."

REMARKS BY SECRETARY OF LABOR  
GEORGE P. SHULTZ

I am happy to be here to represent President Nixon. I am also happy to be here in my own right.

I am sure you know of the President's deep interest in the handicapped. If he could have possibly found a free hour—or even a free half-hour—he would have come this morning.

I am sure you know, too, that President Nixon is no stranger to the President's Committee. Back when he was Vice President, he spoke at a couple of your Annual Meetings. And his office was always available for your special events—such as the time when the President's Committee brought all the leading cartoonists in the country there for breakfast one morning.

His affection for this Committee hasn't changed over the years. But, putting it mildly, the pressure of his job has changed. So here I am in his place.

This morning, I want to establish three premises, draw two conclusions and make one suggestion.

*My first premise* is that every person in America should have the right to feel useful and to feel needed; the right to contribute to society as best he can and in whatever way he can; the right to dream, to aspire; the right to take whatever action he can to achieve his dreams and his aspirations.

In short, every person in America should have the right to be a Mr. Somebody—or a Miss Somebody or a Mrs. Somebody. Ego-fulfillment, the psychologists call it.

In a society like ours, rooted in the concept of work as being useful and desirable, it obviously is work that gives us the feeling of fulfillment.

And so, every person who has the potential for work should have the right to seek and to find work. No door should be closed to him because of his color, his religion, his nationality—or his handicap, physical or mental.

Note that I said "every" person. I did not say "almost every" person. I include all the handicapped, not just some of the handicapped. Who are we to presume to choose which of our fellow men we shall deprive of the right to self-fulfillment?

*My second premise* is that if the United States wants to remain strong and vigorous, it must make full use of all its resources. The day is long past when we could afford the luxury of wasted resources, in the smug belief that there were always more where these came from.

When it comes to our national resources, we are learning a lesson. Only last week I read of massive efforts to drill for oil on the cold northern shores of Alaska—where it's so frigid that roads and even bridges are carved out of solid ice. When summer comes, the roads turn to icy slush, stranding the work crews until the cold sets in again.

Tremendous efforts and tremendous ingenuity, to pump gas, one of our most valuable natural resources. Would we make the same tremendous efforts to make use of another most valuable resource—man?

Is an oil well worth more than a person? We are just beginning to show concern for the conservation of people resources—but we have a long way to go to treat people resources with the same care that we treat natural resources.

All of our training programs, vocational rehabilitation programs, work-study programs, poverty programs, manpower programs and all the rest—these point the way. We are heading in the right direction. But the road is long.

I can tell you now that manpower programs of the Department of Labor have played a large role in helping the handicapped to independence in the past, and will play an even larger role in serving the handicapped in the future.

These programs can and should be the keys that open new doors to them. And those keys are going to work.

*My third premise* is based on the first two—on the fact that every person should have the right to self-fulfillment through work, if at all possible; and on the fact that our human resources deserve the same efforts of conservation that we show our natural resources. My third premise is this: we must concern ourselves with opportunities for those handicapped men and women who need our concern the most . . . those who so far have been left out of the action.

I mean those with severe physical disabilities such as cerebral palsy. And those with degenerative conditions such as multiple sclerosis. And those with stigmatic disabilities such as epilepsy.

And I mean the mentally retarded—not just the mildly retarded, but those with greater degrees of retardation who could work if jobs were made simple enough for them.

And I mean former mental patients—those who need help and compassion in gaining new work skills and new social competencies.

In other words, we cannot pick and choose which categories of the handicapped we wish to serve. Our commitment has to be with all the handicapped and not with some of the handicapped. This means squarely facing up to the tough cases we are tempted to pretend don't exist.

Those were my three premises. Now for my two conclusions.

*Conclusion number one* is that we can make a dent in these problems if we tackle them with the same dedication and the same concentration that we have displayed in meeting the problems of others in need of our special concern—such as the disadvantaged.

There must be a strong groundswell of concern for the handicapped in America—and you are the people who can create it.

*Conclusion number two* is that this groundswell, this strong national concern, cannot possibly come about through Government action alone. Nor can it come about through the action of the business community alone. Nor through the action of labor alone. Nor through the action of volunteers alone.

There must be a strong partnership among all the major forces in America—public sector, private sector, management, labor, the rest.

The leadership must come from you—from the volunteers—from you, who represent the real strength of America—from this President's Committee, and from Governors' Committees in the States, and from local Committees in a thousand cities.

Finally, we come to my one suggestion. What is needed to help solve our problems is some fresh thinking about the basic meaning and nature of work—particularly work for the handicapped.

Some examples:

Why must people be compelled to work eight hours a day? Why can't the work day be shortened for physically handicapped persons who cannot stand up to the rigors of an eight-hour day? Or two? Or whatever they are capable of?

Why can't we redesign more jobs so that the physically and mentally handicapped can perform them? Why can't we combine routine, simple functions into jobs that the mentally retarded would be able to perform? Why can't we readjust the flow of work so that the paralyzed secretary doesn't have to move about the office?

Why don't we pay more attention to architectural barriers that keep out the handicapped as effectively as barbed wire fences? We have made much progress in eliminating barriers from public buildings. But what about plants and factories and offices? How much talent is business screening out, because people in wheelchairs can't get inside the front door?

Why haven't we done more about considering the psychological factors of work, in trying to match jobs to the personalities of workers? Think how many former mental patients could come into the labor market if we did more of this. Mr. A can't take crowds, so we put him to work where he's pretty much alone. Mr. B is compulsive about cleanliness, so we give him a job that demands cleanliness.

These are just scratches on the surface. So much more can be done to think freshly about work—in ways that would open more doors for the handicapped.

Who's going to do all this? Not Government alone; not business alone; not any

segment of society alone. But you and you and you and me. All of us, together.

President Nixon said it all so well, in the policy memorandum he issued last month to all agencies of the Federal Government. "I have personally observed the mutual benefits that derive from hiring the handicapped, and I want this 'good business' to continue and prosper," he said.

Mr. President, we all want this "good business" to continue and prosper. Working together, we can be sure that it does.

RESOLUTION BY THE EXECUTIVE COMMITTEE OF THE SOUTH CAROLINA REPUBLICAN PARTY SUPPORTING THE ABM SAFEGUARD SYSTEM

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 17, 1969

Mr. THURMOND. Mr. President, it is a pleasure for me to inform Senators that the executive committee of the South Carolina Republican Party unanimously adopted a resolution on June 5 supporting President Nixon's proposal for an anti-ballistic-missile system to defend our Nation. I strongly endorse this resolution and commend the executive committee for their wisdom and for their deep concern for the security of our country.

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

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

RESOLUTION ADOPTED JUNE 5, 1969

Whereas since World War II the communists have done little that would indicate that they truly desire peaceful co-existence; and

Whereas between the years 1962 and 1965 the Soviets have increased their nuclear striking power 300 percent, while the United States was decreasing its nuclear striking power by 50 percent; and

Whereas it is reported that the Soviet Union has more than 200 nuclear missiles aimed at the United States of multi-megaton destructive power; and

Whereas informed sources advise that the Soviets have surpassed the United States in numbers of land-based inter-continental ballistic missiles and are continuing to deploy ICBMs at a more rapid rate; and

Whereas the Soviets are building a Polaris-type submarine fleet at such a rate that they are expected to surpass the United States in the next five years; and

Whereas the Soviet Union now has a defensive missile of its own; and

Whereas Communist China is following the same pattern of nuclear development as that of the Russians; and

Whereas the past eight years have seen the United States move from a vast superiority in military might to a position that leaves our nation so vulnerable as to endanger the survival of the Free World; now be it

*Resolved*, By the Executive Committee of the South Carolina Republican Party, duly assembled on this the fifth day of June, 1969, hereby unanimously commends President Nixon for proposing the development of an anti-ballistic missile system to protect our homes and does urge the Congress of the United States to implement this proposed defensive missile system; and be it further

*Resolved*, That copies of this resolution be forwarded to the President of the United States, to Senator Strom Thurmond, and to Congressman Albert Watson.

AN EXCELLENT CHOICE

HON. LOWELL P. WEICKER, JR.

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. WEICKER. Mr. Speaker, I applaud President Nixon's choice of Mr. J. William Middendorf II, as the U.S. Ambassador to the Netherlands.

Mr. Middendorf is a fellow resident of my hometown, Greenwich, Conn., and has been a longtime friend.

I feel that we, the American people, and our Government are fortunate to have a man of Mr. Middendorf's intelligence, integrity, and charm serving as the representative of the United States in The Hague.

Over the years that I have known Bill Middendorf I have admired his ability to evaluate situations and arrive at clear, workable solutions to problems. This talent is probably one of the main prerequisites of service as a U.S. Ambassador.

Mr. Middendorf's reputation as a businessman in our Nation and in foreign countries is legendary. A partner in the firm of Middendorf Colgate, Mr. Middendorf has earned the esteem and admiration of the world's business community. His business ability and knowledge are well known in Holland, where he has the respect of the Dutch people who have built a lively, healthy economy by their own business acumen.

Mr. Middendorf's forward-looking approach has resulted in a keen interest in the production of fish protein concentrates, which help solve the world problem of hunger.

In the area of cybernetics, Mr. Middendorf has taken a vital interest in this key element to the future of science, industry, and technology.

With such an active business career, one could scarcely believe that an individual would have time for other activities. Mr. Middendorf however, has diverse interests which contribute to his potential of being an outstanding Ambassador.

A renowned philanthropist, Mr. Middendorf has displayed a deep concern for people.

As a patron of the arts and history, Mr. Middendorf has studied Dutch history and art, and is well versed in the background and culture of the Netherlands.

In 1960 Mr. Middendorf was a judge at the Rome Olympic Games Committee and is president of the Field Hockey Association of America.

A firm believer in the American political system, Bill Middendorf has played an active role as Republican national finance chairman, while at the same time remaining out of the public spotlight.

I have outlined for my colleagues just a few of the activities and qualifications of our new Ambassador to the Netherlands. There are many more virtues that

I could comment on but the best description of Bill Middendorf I can think of is—he is a sincere, dedicated man whom I am proud to call "friend."

I ask my colleagues to join me in wishing Bill Middendorf "bon voyage" and success as Ambassador to the Netherlands.

JAMES WARBURG

### HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. RYAN. Mr. Speaker, it is with deep regret that I inform my colleagues of the death of James Warburg on June 4 at the age of 72. Financier, former Government official, author of some 30 books, Mr. Warburg frequently questioned and opposed U.S. foreign policy.

He was a strong advocate of disarmament, always championing the cause of peace and reconciliation.

An early supporter of the New Deal, he served as monetary adviser to the American delegation to the London Economic Conference of 1933. Although he disagreed with President Roosevelt over monetary policy, he returned to Government to support F. D. R. in the allied military cause, serving as director of the Office of War Information.

As a critic of cold war policy, Mr. Warburg wrote in 1958 an open letter in the New York Times to President Eisenhower, which we would do well to recall:

The greater part of the world is in revolutionary change—change which is idle to deny and futile to resist—change which can be guided toward constructive ends only by leadership which identifies itself with the needs and aspirations of people.

James Warburg was a warm, sensitive man; and his absence will be sorely felt. I extend to his family my deepest sympathy at this time of sadness.

I include in the RECORD the obituary which appeared in the New York Times on June 4, 1969:

JAMES P. WARBURG, FINANCIER AND WRITER ON U.S. POLICY, DIES

(By Walter Sullivan)

GREENWICH, CONN., June 3.—James P. Warburg, financier, former Government official, confidant of Presidents and frequent dissenter from American foreign policy, died in Greenwich Hospital early today. His age was 72.

He apparently succumbed to a series of strokes or other circulatory impairments. A few weeks ago Mr. Warburg fell while in Florida, and then suffered a slight impairment of his vision.

Mr. Warburg, the member of an international banking family, was a prolific author, with more than 30 books to his name. He was an inveterate letter-writer to newspapers (50 of his letters have been published in The New York Times since 1949).

As a public speaker he was an eloquent proponent of his liberal-democratic point of view. An operation for cancer of the tongue in 1961 left him with a barely perceptible lisp, but was not a serious impediment to his speaking efforts.

DEALING WITH COMMUNISTS

In a sense he was the opposite of a devil's advocate. He was a spokesman of the ideal-

ists, of those who sought disarmament and accommodations with the Soviet Union and Communist China. Probably his closest approaches to the centers of power were in his associations with Franklin D. Roosevelt and John F. Kennedy.

He was an early champion of the New Deal and served as monetary adviser to the American delegation to the London Economic Conference of 1933. Two years later, he broke with President Roosevelt over monetary policy and wrote several books attacking the New Deal.

Then, as the United States drifted toward involvement in World War II he again rallied behind the President in the latter's support of the Allied cause. He rejoined the Government and eventually served as deputy director of the Office of War Information.

Mr. Warburg's roots were in three great German banking families—the Loeb, Schiffs and Warburgs—and he began his career at the National Metropolitan Bank in Washington. In 1931, at the age of 35, he became president of the International Acceptance Bank and a year later became director of the Bank of the Manhattan Company.

He also held directorships with various railroads, but then severed many of these connections, apparently because of his view that "big business" was to blame for much of what he considered misguided United States foreign policy.

#### BACKING OF POLAROID

However in about 1937 he heard of some interesting work being done by a 28-year-old man in Cambridge, Mass., named Edwin H. Land. Mr. Land had developed a synthetic process for making sheets of polaroid material that, Mr. Land predicted, could be used for a host of scientific tasks as well as for reducing headlight glare and making three-dimensional moving pictures.

As recounted today by Mr. Land, a group of bankers representing the Harriman, Rockefeller and Kuhn, Loeb firms was mustered by Mr. Warburg, who put a sizable chunk of his own assets into Mr. Land's Polaroid Corporation. The result was that Mr. Warburg made a second fortune.

Mr. Warburg's father, Paul M. Warburg, was one of two brothers who came to this country from Hamburg, Germany, where James Paul was born on Aug. 18, 1896. The other brother was Felix. Paul had married Nina Loeb, daughter of Solomon Loeb, who also came to this country and helped found Kuhn, Loeb & Co. the investment banking house.

The children of Felix included Frederick M., now a senior partner in Kuhn, Loeb; Paul Felix, who died in 1965, Gerald and Edward M. M.

Further cross-relationships in the family were forged when Theresa Loeb (a daughter of Solomon by another marriage than that to James Warburg's grandmother) married Jacob Schiff, another immigrant from Germany.

Their daughter, Frieda Schiff, married Felix Warburg and was mother to Frederick and his brothers. Dorothy Schiff, publisher of The New York Post, is Jacob's granddaughter.

A member of the family recalled today how James displayed his mental prowess at an early age. While a student at the Middlesex School his grades were so sensational that his classmates ran a pool on what they would be. The lowest figure that anyone chose (on the basis of 100 as a perfect score) was 95.

He was graduated Phi Beta Kappa from Harvard in 1917 and served as a lieutenant in the Navy Flying Corps during World War I.

Much of his life was spent as an ardent dissenter. His close association with such framers of Government policy as Dean Acheson, former Secretary of State, deteriorated as American foreign policy developed during the postwar period of the cold war.

As he became more disenchanted with

policy under Presidents Harry S. Truman and Dwight D. Eisenhower, the flow of his books increased and he took full-page newspaper advertisements to plead his cause of peace and reconciliation. He spoke for universal disarmament and, in the early postwar years, backed the United World Federalists.

In an open letter to President Eisenhower in 1958, published as an advertisement in The Times, Mr. Warburg said:

"Let us stop fighting history. The greater part of the world is in revolutionary change—change which is idle to deny and futile to resist—change which can be guided toward constructive ends only by leadership which identifies itself with the needs and aspirations of peoples on the march toward what they hope will be a better future."

He argued that American policy was determined by reaction to decisions made elsewhere. "Let us stop letting Moscow, Peking or Taipei dictate our action. Let us develop an affirmative policy of our own."

His concern over the future role of his native Germany was reflected in his books. In 1953 he published "Germany: Key to Peace," in which he warned that German rearmament would be a major impediment to an accommodation with the Soviet Union.

In the review of another work, "How to Co-Exist: Without Playing the Kremlin's Game," A. H. Raskin of The Times commented: "The refreshing thing about Mr. Warburg's latest broadside is that his failure to make any appreciable dent in the thinking of either major party has not caused him to become either hopeless or embittered."

"Too little attention," Mr. Raskin said, "has been given to where we are going and what we are doing to ourselves in the process. Mr. Warburg's earnest volume helps overcome that lack."

Such was the diversity of his interests and talents that he served, for a time, as chairman of the board of the Juilliard School of Music and was a director of the New York Philharmonic Society. He published at least three volumes of poetry.

#### REAL ESTATE INTEREST

It was said by his colleagues that, as a young banker, he exercised five horses before breakfast. In his later and more sedate years he operated successfully in Florida real estate, maintaining a winter home at Deerfield Beach, Fla. In addition to his residence on John Street in the countryside back of Greenwich, he had an apartment at 34 East 70th Street in New York.

In June 1918, he married Katherine Faulkner Swift. They had three children, April (now Mrs. B. Gagliano of Rome), Andrea (now Mrs. Sydney Kaufman of Forest Hills, Queens) and Katherine (now Mrs. Robert A. Levin of Chicago). The marriage was terminated in divorce in 1934 as was a subsequent marriage, to Mrs. Phyllis Baldwin Browne.

In 1948 he wed the former Joan Melber. Their children are James P. Jr., Jenny, Philip Neff and Sally. Also surviving is Mr. Warburg's sister, Mrs. Samuel B. Grimson of New York.

A memorial service will be held at 11 A.M. Friday at Round Hill Community House, Round Hill Road.

LET'S MAKE CERTAIN THE PEOPLE ELECT THEIR PRESIDENT

### HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. HUNGATE. Mr. Speaker, I call the attention of the House to a statement on the question of electoral college re-

form by Hubert Humphrey in the May 25, 1969, This Week magazine:

**LET'S MAKE CERTAIN THE PEOPLE ELECT THEIR PRESIDENT**

(By Hubert Humphrey)

We gambled once again in 1968 with our dangerous 18th century Electoral College system, and by a very small margin, the nation did choose a President.

But we were lucky. A change of a few hundred thousand votes could have plunged the nation into uncertainty and potential chaos.

I remember watching the returns as President Nixon was conceded Illinois' 26 electoral votes. It appeared he would be the electoral vote winner. But, because of my large vote margins in New York, Massachusetts, Michigan, Minnesota and Pennsylvania, I went ahead in the popular vote.

It brought to mind candidate Nixon's statement shortly before the election: "I think that if the man who wins the popular vote is denied the Presidency, the man who gets the Presidency would have very great difficulty in governing."

Fortunately for Mr. Nixon and the nation, he edged ahead in the popular vote and there was no doubt on November 6 who our 37th President would be. The transition of power from one administration to another proceeded smoothly.

But what if I had stayed ahead in the popular vote? Under our Electoral College system, a President can be elected with as little as 25 percent of the popular vote. Such a minority President would take office under a great handicap.

Or what would have happened if I had carried one or two more states? A shift of 111,663 votes in California, or a shift of 75,844 votes in Ohio and New Jersey, or a shift of 98,076 votes in Illinois and Wisconsin would have denied Mr. Nixon an electoral vote majority. America then would have had to wait in uncertainty for the Electoral College to meet in December. Then, probably amid rumors that third-party candidate George Wallace had made a deal with one of us, a largely anonymous group of electors would have met in their separate states to choose a President.

Let's assume that George Wallace's 45 electors stayed with him, and neither Mr. Nixon nor myself were able to win an Electoral College majority. The decision then would have gone to Congress, where the House would have elected the President and the Senate would have elected the Vice President.

In the House, each state would cast one vote. The 7,000,000 voters of California would have been equal to 70,000 voters of Alaska. Since the House is narrowly controlled by Democrats, I might have been able to gain the necessary 26 state votes. But the House might very well have deadlocked.

The Senate, meanwhile, more comfortably controlled by Democrats, probably would have elected my running mate, Senator Edmund Muskie, as Vice President. On January 20, amid uncertainty and without any effective transition from the previous administration, Mr. Muskie might have taken office as Acting President, not knowing how long he might have to serve.

This nation, the most powerful in the history of the world, cannot afford to gamble again. The experience of 1968 should be enough to get Congress to work drafting and passing a Constitutional amendment to be submitted to the states for ratification.

What are the alternatives to the outmoded Electoral College system?

1. The direct election plan would abolish the Electoral College in favor of direct popular election by the people. If no candidate received 40 percent of the vote, the top two candidates would meet in a runoff election.

2. The proportional plan would retain the electoral vote system, but would apportion

the votes, down to three or four decimal-point percentages of the popular vote, to each candidate. If no candidate received 40 percent of the electoral vote, the top two candidates would meet in a runoff election (this time decided by popular vote, not electoral vote).

3. The district plan would also retain the electoral vote system. The popular vote winner in each Congressional district would receive one electoral vote, and the popular vote winner in each state would receive two at-large electoral votes. Again, there would be a runoff if no candidate received 40 percent of the electoral vote.

Which is the fairest and best plan?

I support the direct election plan. It alone guarantees that the President will be the popular vote winner. With either the proportional or district plans, the popular vote runner-up can still be elected President. In fact, Mr. Nixon would have been elected President in 1960 under either the proportional or district plan, even though John F. Kennedy was the popular vote winner.

The direct election plan treats each citizen and each vote equally. There are no mathematical manipulations, and no decimal-point Presidents. Every citizen would have equal incentive to vote—there would be no "safe" states where citizens are discouraged from voting.

Candidates would campaign nationally, instead of by state. In the fall campaign, I concentrated my campaign on the big electoral vote "swing" states. Under the Electoral College system, a candidate need win only the 12 biggest states to be elected, so candidates naturally center their campaigns on these big states, virtually ignoring the smaller states. Under the direct election plan, candidates would be encouraged to visit cities and counties all over the nation.

The direct election plan is fairer to potential candidates, too. There is now heavy pressure to nominate candidates from big states in hopes that the candidate will bring that bloc of electoral votes with him. In the past 25 presidential elections, for example, there have been 26 New Yorkers on the national tickets.

I faced that choice in August. I rejected the "big state" temptation and picked the man I thought was most qualified to be my Vice President. Senator Muskie comes from Maine, with four electoral votes.

Opponents of change say the Electoral College should be retained because it is a key part of the Federal system. I do not agree. In 1787, the "Great Compromise" on the issue of large states versus small states centered on the makeup of Congress. The Senate, with two members from each state, represents state interests and the Federal principle, not the Electoral College.

An important issue in any electoral system change is state interests. Many residents of small states favor the Electoral College system because each state has two bonus electors plus those given each state on a population basis. Alaska thus has one elector for every 91,333 population, while California has one elector for every 482,500 residents.

But this small state advantage is more than erased by the "winner take all" feature of the present electoral system. The popular vote winner in a state takes all of that state's electoral votes. Whether the margin is one or 1,000,000 votes, all of the electoral votes in a state go to one man. So a narrow win in a big state can be more important than big victories in a number of smaller states.

The direct election plan does away with the small state advantage inherent in the electoral vote system, and the big state advantage that goes with the winner-take-all rule. The direct election plan does not discriminate against any state.

While both the proportional and district plans do away with the winner-take-all rule, they retain the electoral vote system and the resulting advantage to small states. Either

of these plans thus discriminates against larger states. Only the direct election plan is fair to all states.

The direct election plan also would discourage the divisive efforts of regional or splinter parties since candidates of such parties would have little chance of developing enough nationwide strength to deny a popular vote victory to one of the major party candidates.

It is essential, as we learned in 1968, that Americans be given the opportunity to participate equally in the contest to choose a national leader. At the Democratic Party convention, we made significant progress, despite all the disorder outside the convention hall, in reforming our party process. By 1972, the Democratic Party will have genuinely transformed itself into a party of the people, open equally to all.

We must encourage every American to take part in politics—to help select the nominees of his party and to help elect the President. The direct election plan—by eliminating the winner-take-all Electoral College system—would help encourage every American to vote. Next steps would include enabling more citizens to vote by eliminating outmoded registration requirements and by lowering the voting age.

It is time to open the nominating and electoral processes to all of our citizens—equally. It is time to abolish the Electoral College in favor of the only fair and safe alternative—direct election by the people.

The Presidency is a national office. The President represents all of the people, equally and at once. The people ought to elect the President. I believe direct election is an idea whose time has come.

LT. GEN. WILLIAM B. BUNKER

**HON. JOHN YOUNG**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. YOUNG. Mr. Speaker, on June 5, 1969, a sudden and fatal blow struck down Lt. Gen. William B. Bunker, the Deputy Commander of the U.S. Air Materiel Command. He was a preeminent intellect, manager, engineer, and, of course, a distinguished soldier. His passing must not go unheralded, for it marks the end of an era in the Army, of course, but moreover, in our National Defense Establishment. In these times it is important to reflect upon the selfless, soldierly service of this great servant to his country. In his stewardship one will find the epitome of what our Defense Establishment is all about—civilian managed as it is. Here was a top military manager who held no brief for laxity in the defense industry, who consistently implemented regulations and laws to the letter in spite of the effect upon personal relationships or widely heralded reputations of any of the giants in American industry. As chief negotiator for the Army on the difficult and arduous determinations relative to production programs, General Bunker was the key man in holding industrial titans' feet to the fire. Without addressing the comprehensive complexities of these issues in general, the point to be made is that here was a soldier, doing his job as he saw it, in spite of the great pressures of time and countless vested interests from all quarters. He never lost sight of the interests of the Army and

the national defense in dealing squarely with industry.

I would like to submit three items for the RECORD. They include General Bunker's recommendation for his recent award of the Distinguished Service Medal, the Army Materiel Command eulogy prepared by Gen. F. J. Chesarek, the commanding general, and finally the graveside eulogy delivered on June 9, 1969, by his long-time commander and friend, Gen. Frank S. Besson, currently chairman of the Joint Logistics Review Board of the Office of the Secretary of Defense:

**RECOMMENDATION FOR AWARD OF DSM TO LT. GEN. WILLIAM B. BUNKER**

Lieutenant General William B. Bunker performed meritorious and distinguished service for this nation as the comptroller and director of programs from June 1962 to April 1964 and deputy commanding general, U.S. Army Materiel Command during the period April 1964 to November 1968.

The entire period of these assignments, in positions of the utmost importance to the capability of the Army to achieve its assigned mission, and to the welfare of the nation, was marked by a constant series of significant personal contributions by General Bunker.

General Bunker made significant contributions to the success of the Army Materiel Command since the inception of the concept of such a command. As a member of the original planning group set up to organize the Army Materiel Command, he was instrumental in establishing procedures which smoothed the transition between the establishment of the command and the technical service organizations it replaced.

As the first comptroller and director of programs, U.S. Army Materiel Command, from June 1962 to April 1964, General Bunker had corporate responsibility for an annual obligation authority which exceeded twelve billion dollars. This involved the functions of ninety-two major installations and activities employing over one hundred and sixty-nine thousand military and civilian personnel. In addition to being responsible for the integrated performance of programming, budgeting, accounting, and review and analysis, he had direct control over the establishment and execution of the operation and maintenance, Army (O&MA) appropriation, military assistance program (Logistical support), Family Housing Management Account (FHMA), and the Army Industrial Fund. He was also responsible for the development, presentation and defense of programs and budgets for these appropriations. Throughout the entire period of his assignment with the command, General Bunker constantly searched for new and improved management techniques. During this period of Government-wide emphasis on cost reduction, General Bunker was a key figure in the development and realization of AMC exceeded goals, which were a major part of the Army effort in the cost reduction program.

Later, General Bunker was made the deputy commanding general of the Army Materiel Command. This job in an organization charged with the responsibility for research, development, production, procurement, testing, evaluation, maintenance, storage, and issue of Army equipment and materiel was an awesome undertaking which challenged the highly superior qualities and extremely rare professional skills of a general in a high logistics position. General Bunker's outstanding abilities, energetic determination and unparalleled management talents combined to provide the necessary leadership to the organization supplying the much needed materiel and equipment to the men and women of the U.S. Army worldwide in a timely manner. His distinguished contributions toward organizing and developing the

industrial might of the U.S. from a peacetime economy to the most efficient and effective arsenal for a democracy during a period of limited war was phenomenal.

In January 1965, there were approximately 20,000 troops in Vietnam. Annually, there has been an increase almost of 200,000, so that by early 1968 there were 550,000 combat forces in Southeast Asia. This buildup had a tremendous impact on the Army logistic system. The U.S. Army Materiel Command, with General Bunker as deputy commander, was required to provide the major portion of the logistics support required by troops in Southeast Asia, representing all the services.

Support of our troops in the United States, as well as in the rest of the world, had to be continued and improved simultaneously. The buildup of our forces presented a great challenge to the capability of AMC in providing materiel support for these various operations. New weapons systems and new uses for existing weapons had to be formulated. Projects had to be expanded and all procurements had to be accelerated. U.S. industrial might had to be re-oriented, motivated and enlarged in an economy dedicated to both guns and butter for the first time in U.S. history during a period of active warfare abroad. Eight Army ammunition plants were reopened in rapid succession in support of our Southeast Asia requirements and to replace mobilization inventory stocks. Production for small arms ammunition worldwide was accelerated 600 percent. Extreme difficulties were overcome in the acquisition of many parts and supplies to support these operations.

As a personnel manager, General Bunker assisted in guiding the efforts of 12,000 military and 160,000 civilian employees toward resolving the tremendous logistical problems presented by our military force buildup in RVN along with the 40% increase in Army strength worldwide. In addition to directing personnel in providing logistical support, General Bunker addressed the funding problem. Through his personal efforts in presenting the AMC case to the Department of the Army and the Department of Defense, he was instrumental in securing authorization for funding the AMC programs in January 1968, instead of June and July as had been the practice. All of the FY 68 funds were allocated and committed by December toward known and established requirements.

Primary emphasis through AMC's huge network of more than 190 arsenals, depots, laboratories, proving grounds, procurement offices, and other facilities has been placed upon providing the finest possible weapons, equipment, and other supplies at the lowest fair price to the Government and to our troops wherever located. Despite the ever-increasing overseas demands for supplies and the increased workload, General Bunker's outstanding ability to inspire and motivate his team to accomplish more and better work was decisive in assuring the timely completion and delivery of many new weapons systems to RVN.

General Bunker constantly searched for new managerial techniques which could be employed to shorten lead time or reduce costs. As a result, he became deeply involved in the early concepts of project management and was responsible for the initial AMC regulation governing the basic techniques for operation and control of project managers. Project management within AMC has been the primary mechanism for planning, direction and control of roughly one-half of all RDT&E and PEMA programs assigned to the command. In total, the USAMC project management effort accounts for management of new annual obligational authority of approximately \$4 billion which has been programmed against requirements to develop, procure, test, field and support the most complex, costly and combat critical materiel

in the Army inventory. Successful accomplishment of the AMC project managed effort is an absolute concomitant to continue support of Southeast Asia operations, to the future well being of the Army, to the security of the Nation.

A recognized authority on the military use of helicopters since the early 1950's, he had played a leading role in the development of Army aviation. Procurement and logistical support of Army aircraft has been expanded under General Bunker's direction as follows:

A. Expanding the aircraft inventory from about 5,700 aircraft in 1962 to over 11,000 aircraft in 1968. More than one-half of the aircraft inventory is presently operating and being supported under combat conditions.

B. The newest version of the Chinook helicopter (CH-47C), was accepted in March 1968.

C. A production contract for the OH-58A, light observation helicopter, was awarded in March 1968.

D. AMC formally accepted the AH-IG Huey Cobra, the highest speed helicopter gunship.

E. Twenty-one CH-54A "Flying Crane" helicopters have been airlifted to Vietnam.

General Bunker was also intimately involved in project Flat Top. AMC was assigned responsibility for the Army's first floating aircraft maintenance facility. Determination was first established for the overall feasibility of a floating maintenance facility. Various ship's hulls had to be studied for the one most suitable to house such a facility. During this period, seventeen ships were surveyed, including the CVE, CVS (AUT), T-1, T-2, C-2 and C-3 hulls, AR and AV classes. Concurrently, conceptual plans were developed concerning the deployment, utilization, re-supply, and manning of the ship, all of which were unprecedented in Army history.

The AV class was selected as being the most economically feasible for conversion; the concept for the project was approved by the JCS; and the Secretary of Defense approved the concept and provided \$9 million for ship conversion and \$2.5 million for capital equipment aboard the vessel.

Detailed coordination had to be effected with the Department of the Navy, which was performing the conversion, and the numerous AMC commodity commands, which were procuring the capital equipment for the facility. A Department of Defense priority was obtained on this project along with assistance from AMC depots in borrowing skilled manpower, which resulted in the conversion of the facility being completed 6 months ahead of schedule. In February 1966, the floating aircraft maintenance facility departed Conus for Southeast Asia and assignment to the U.S. Army Vietnam. This provision for on-the-scene, in-theater, depot-level aircraft maintenance support has contributed greatly to a reduction in the theater EDP rate for aircraft, and hence the fire-power mobility of the U.S. forces there.

As one of the leading management proponents in the Nation, General Bunker has kept his command in the forefront of American business management. He has worked endlessly and tirelessly to keep the command abreast of scientific and technical developments, and to insure that their potential impact has been understood by members of the command. As president of the Armed Forces Management Association, an organization composed of leading defense contractors and selected military personnel, General Bunker has continued to advance the cause of enlightened management practices throughout the defense establishment and the nation's industrial base. His efforts have earned high praise from military, industrial, and academic circles alike.

General Bunker contributed materially to the national ADP program for AMC logistics

management (NAPALM), one of the largest systems efforts in the Army and Department of Defense. During the period beginning 1 July 1966, the program had entered one of its most critical phases, involving the selection of the initial sets of equipment and the establishment of the central system design agency to complete and install the new standard system under his guidance these important milestones were achieved and the program is proceeding on schedule.

General Bunker unquestionably has rendered services of inestimable value to the entire U.S. Army and to the Government of the United States in his outstanding professional direction of base logistic support complex. The modernization and vitalization he has brought to the Army's logistic system have had the most far-reaching effects and the many benefits resulting from his abilities and unstinting efforts will continue to accrue to the Army for many years to come. As a consequence, the award of the Distinguished Service Medal to General Bunker will be a rightly deserved recognition of his many contributions.

DEPARTMENT OF THE ARMY, HEAD-  
QUARTERS U.S. ARMY MATERIEL  
COMMAND,

Washington, D.C., June 5, 1969.

For over six and one-half years, Lieutenant General William B. Bunker was a principal in shaping the Army Materiel Command and in executing its many missions. His death, just fifty-five days before his scheduled retirement, comes as a grievous shock to all his colleagues and friends.

General Bunker was a brilliant officer. An intellectual, engineer, administrator, and manager, he was admired and respected not only by his brother officers but by his wide circle of associates in the scientific, industrial, and educational communities. His contributions were legion; his dedication total; his love of the Army and his country manifested by his deeds and actions.

I know that every member of the Army Materiel Command is saddened by General Bunker's death. Our prayers go to him and Mrs. Bunker. We can honor him best by carrying on with the same dedication and drive that he displayed so brilliantly throughout the entire life of this command.

F. J. CHESAREK,  
General, U.S. Army, Commanding.

EULOGY FOR LT. GEN. WILLIAM BEEHLER  
BUNKER

As the friends and associates of Bill Bunker gathered here today well know, it is extremely difficult to reduce to words an appreciation of his life and works. He was a veritable giant in intellect and endeavor, but he was not a status seeker. We who knew him, learned his true measure gradually. We learned to respect his strength of character and incisive approach to fundamentals of problems; we learned to count on his directness and his integrity; learned to listen to his counsel, to expect his kindly humanity, to treasure his quiet humor, and to love and respect him for all that he was.

Without doubt, the keystone of his life was soldierly duty to his country. Duty always came first—and perhaps we should not have been so shocked at his death on the eve of retirement. His whole outlook was conditioned by his family environment—for his father, his brother and the husband of his only sister, all were killed in the active army service of the country—two of the three, including his father, as Japanese prisoners of war.

Duty for Bill Bunker was not just total dedication. Throughout his life he was continually studying to expand his capacity to serve. It was not idle chance that he was able to discuss, on even terms with experts, stability problems in helicopters, software design for sophisticated computers, prob-

ability formulae for systems analyses, chapter and verse of the armed forces procurement regulations, or improving the dialogue with an impatient younger generation.

The range and depth of his understanding of fundamentals did not always win him friends, because he really could not disguise his lack of tolerance for argument based on intuition or pink cloud fancy.

Caught between breadth of vision and depth of understanding on the one hand and a sort of "take it or leave it" brusqueness on the other hand, his roads to achievement and success were not always smooth. The jolts and vicissitudes bothered him, of course, but he early adopted a philosophy that they were part and parcel of the price of imaginative leadership—to be endured and shrugged off with his wry smile. He may have engendered a few misunderstandings among his superiors, but he enjoyed a host of fierce and enduring loyalties among his subordinates, military and civilian.

Today is not the day to dwell in detail on his military career, but it was unique in its variety. A cavalryman turned engineer. He evidenced his early and continuing interest in civic affairs and social issues by teaching in off duty hours, mathematics, in Spanish to Nicaraguans when he was surveying an alternate route for the Panama Canal. He bought marine and rail equipment for the transportation corps in World War II. He ran the ground terminals for the Berlin Airlift and the Korean War, and, of course, he foresaw the capability of helicopters and blue-printed their wide scale introduction into the army. As commander of the Aviation Materiel Command in St. Louis, he pioneered the large scale effective use of modern computers in the business management of Military Materiel. The advanced data system that he perfected is the primary reason that army aviation is so well supported in Vietnam today.

For the past 6½ years, as noted by General Chesarek in announcing General Bunker's death, he was a principal in shaping the Army Materiel Command. To quote, in part, from that moving announcement:

"General Bunker was a brilliant officer. An intellectual, engineer, administrator, and manager, he was admired and respected not only by his brother officers but by his wide circle of associates in the scientific, industrial, and educational communities. His contributions were legion; his dedication total; his love of the army and his country manifested by his deeds and actions."

General Bunker is no longer with us. He leaves behind his beloved Crissie whose dedication to her husband was as complete as his dedication to his duty. To Crissie, to their son Paul and to his other relatives, we extend our deepest sympathy.

For the rest of us, his friends and associates, and indeed, his Army and his Country, we will sorely miss the inspired leadership of a great and good man. We can however, be thankful that we were privileged to be around when Bill Bunker ran his splendid course, here on our troubled earth.

This eulogy was delivered at gravesite at Arlington National Cemetery, Arlington, Va., on June 9, 1969, by Gen. Frank S. Besson, Jr.

Mr. Speaker, there is little to add to these testaments from the Army, his current commander, General Chesarek, and his former commander and old friend, General Besson. However, I want the record clear that I knew this man—I knew him as a man and as a soldier who refused to cater to vested interests and insisted upon facing all issues, large or small, objectively and unequivocally. Our country has lost a trusted and true patriot of the first order. We have suf-

fered a great loss, but are immeasurably better for having known him and his selfless dedication to his duty and to this great Nation he loved and served so well.

A LOOK AT PEACE

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. KEITH. Mr. Speaker, in an era when the only young people who are heard by the press are the shouting ones, it is a relief to hear an occasional note of reason and calmness. One such note was recently sounded at the Hanover High School graduation, in Hanover, Mass.

I had the privilege of attending that commencement, and of hearing a speech by a graduating senior from Hanover, Mark A. Tirrell. He did not rant and rave about the evils of the "establishment"; he did not castigate America for all the evils of the world. Instead, he gave a reasonable, rational approach for the individual to take toward the problem of world peace. This viewpoint—which I would like to think is more prevalent among our young people than those which get all the publicity—is worth more than the passing attention of us all, and I commend it to your attention, as follows:

A LOOK AT PEACE

(By Mark Andrew Tirrell)

As he accepted the Presidential nomination in 1868, Ulysses S. Grant cried, "Let us have peace!" His words are echoed continually in the world today.

What is peace? Does it exist today? As citizens can we promote peace?

In a negative sense, peace is the absence of war and violence. More than that, it is the existence of harmony in human relationships. It's a state of public quiet free from civil disturbance and with security for all. The Roman orator Cicero said simply, "Peace is liberty in tranquillity."

If peace exists today it is certainly hard to find. There is war in Vietnam, Korea, Suez and Biafra to name only a few of the "hot spots." Organized crime in the United States operates so efficiently it is often undistinguishable from legitimate business. Race riots plague every major city in the country.

Relations among individuals, groups, and nations are cold and impersonal. There are labor strikes because employers and employees can't peacefully discuss their problems. Every city in the United States has a ghetto. Animosity is now considered a part of politics. A cold war has existed between the United States and Russia for over twenty years. The United Nations is an organization having perhaps the greatest peace-making potential in the world, yet Soviet Russia continues to boycott and veto all its major action. In Europe, France still refuses to admit England to the Common Market, even though England is virtually a financial fiasco. No, there is no real peace in the world, but the situation is not hopeless.

There is a way to world peace. It won't be easy or quick, but it's possible. World peace must start with the individual. Before there can be peace among races, denominations, and countries there must be peace between each individual and his neighbor.

This can only be attained by effort on the part of all of us. Whether we're students or

teachers, in the service or in business, married or single, rich or poor, we can help the cause. During the thirteenth century a citizen of Italy thought out the idea of individual effort toward peace. Because he happened to be a religious man, he set his solution down in prayer form. It has become known as the Peace Prayer of St. Francis of Assisi.

Lord, make me an instrument of your peace.  
Where there is hatred, let me sow love.  
Where there is injury . . . pardon.  
Where there is doubt . . . faith.  
Where there is despair . . . hope.  
Where there is darkness . . . light.  
Where there is sadness . . . joy.

O, Divine Master, grant that I may not so much seek

To be consoled . . . as to console,  
To be understood . . . as to understand,  
To be loved . . . as to love,

For  
It is in giving, that we receive.  
It is in pardoning, that we are pardoned.  
It is in dying that we are born to eternal life.

In the epic "Paradise Lost" John Milton says, "Where peace and rest can never dwell, hope never comes." As graduates today we can look at the world and see the lack of hope. We have a choice to make. We can choose to ignore the world, bury ourselves in our own affairs, and leave the problem to our children and grandchildren; or we can choose to give hope to the millions of sad, unloved, and misunderstood people of the world. Tomorrow may be too late, so let's make the choice today, while there is still time to be instruments of peace.

ADDRESS BY VICE PRESIDENT  
AGNEW AT THE OHIO STATE UNIVERSITY COMMENCEMENT

**HON. ROBERT H. MICHEL**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. MICHEL. Mr. Speaker, now that the commencement season on our college campuses has come to an end we are confronted with a veritable deluge of words of advice and counsel offered by commencement speakers all over the country. It was my privilege to contribute to that dialog by addressing the graduating class at Eureka College in Eureka, Ill., on June 1.

As we all know, commencement speeches tend to fall into a predictable pattern, however, I thought that the message presented to the graduating class at Ohio State University by Vice President Spiro Agnew was particularly significant in that he had some things to say to our own generation, the establishment so-called, or the over-30 group, or whatever label the young folks like to hang on us these days.

I was particularly impressed by his admonition:

A society which comes to fear its children is effete. A snivelling, hand-wringing power structure deserves the rebellion it encourages. If my generation doesn't stop cringing, yours will inherit a lawless society where emotion and muscle displace reason.

All in all, the Vice President's remarks provide some food for thought for people of all ages and I include the complete text of his address in the RECORD at this point:

ADDRESS BY THE VICE PRESIDENT, OHIO STATE UNIVERSITY COMMENCEMENT, JUNE 7, 1969, COLUMBUS, OHIO

Plutarch once quoted a rational appeal by Augustus Caesar at the outset of an address to a young and impatient audience:

"Young men," said Caesar, "Hear an old man to whom old men hearkened when he was young."

The quotation is powerful, if for no other reason than its recognition that there is a time to speak and a time to listen—for both youth and age.

Today your kind invitation brings me here as a speaker—not a "know it all," but a frank advocate of the American system, who seeks only your thoughtful appraisal of his case.

Your generation is not the first youth who ever questioned the efficacy of a custodial generation. You are not the first to aggressively challenge the fundamental values of a society. Such challenges are normal, proper, and the basis of human improvement.

We are not in turmoil because of your testing. We are in trouble because my generation has apparently failed to define and defend either its achievements or its inheritance from past generations of Americans.

A society which comes to fear its children is effete. A snivelling, hand-wringing power structure deserves the violent rebellion it encourages. If my generation doesn't stop cringing, yours will inherit a lawless society where emotion and muscle displace reason.

A society which looks calmly into the logic or illogic of its youth's anger and ambition, accepting the rational and rejecting the immature, is alive. Ask yourselves which kind of society you want for tomorrow—tomorrow when you are the establishment.

My purpose is not to castigate youth nor discuss why the generations differ. They differ mainly because they develop consecutively, not concurrently. My purpose is to point out the case for American democracy and to challenge you to determine whether the advantages all Americans enjoy would have developed outside our free and enterprising system.

This nation was founded upon two great concepts—liberty and equality of opportunity. Our total political system has been structured to secure these precepts.

Our Constitution—the world's oldest enduring document designed to create a free and open society—guarantees a government by laws, not men. The individual is protected by its dimorphic thrust, extending civil rights on one hand and exacting civil responsibilities on the other.

The history of this nation is a lesson in the advantages of political freedom. A government formed with lofty purpose and the overall constitutional objective of human dignity has not run from the revelation of its hypocracies but struggled over upward to match deed with word. Hard changes have been made because right is more important to us than convenience. We know that real liberty means not just an equal opportunity to be equal, but an equal opportunity to be superior if one possesses the stuff of which superiority is made.

The record shows that human progress marks our history. We have not cowered before great contests. We have lost some, won many. Over the past centuries, slave labor and child labor and unfair labor practices have been outlawed. Discriminatory laws and invidious discriminatory practices have been repealed, overruled or abandoned.

All is not perfect. The purpose of our Constitution is not to promise perfection, but to establish a more perfect union. Happiness is not a universal condition among us. Our Constitution does not guarantee happiness. But ours is the only Constitution pledged to "the pursuit" of it. Our Constitution does not guarantee perpetual equality but only the vigilant maintenance of the opportunity to be equal or to excel.

Two centuries of a people's high dedication did not result from rhetoric but recognition that this country does offer the best way of life.

Democracy is above all a highly pragmatic system. It assumes truth is neither revealed nor absolute but arrived at through experience and open debate. It assumes all men have equal rights to publish their views and to affect their destinies. It assumes the more education society gives to its citizens the better the chance that they will hold enlightened views, pursue truth more perfectly and make individual and collective choices more intelligently. Enlightened views, truth and intelligent choices breed progress.

Admittedly, no political system is perfect. Democracy's greatest flaw rests in its intransigent commitment to individual freedom. When social change depends on persuasion, rather than coercion, it comes slowly.

Totalitarian systems might deserve a higher mark if efficiency—not liberty—is considered the purpose of government.

The meteoric rise of Nazi Germany is an example of sometime totalitarian efficiency. Yet its success was short-lived. For one fact about tyranny is inescapable—as long as men serve masters not of their choosing they will struggle by any means to unseat them. If they succeed through force, chaos will ensue. There is neither progress nor civilization in chaos.

Winston Churchill has said it well: "Democracy is the worst form of government, except all those other forms that have been tried from time to time."

Even democracy is shaded by variances. American political democracy has retained its economic counterpart—a free enterprise system. Some successful democracies have opted for differing degrees of socialism.

The free enterprise system is perhaps the most arduous route, for it demands the greatest initiative from the individual. In my judgment, our results reveal rewards which justify that effort.

Socialism consciously creates economic equality by leveling the peaks rather than raising the valleys. A relatively equal income distribution may be artificially achieved. But in all too many cases, individuality is sacrificed and mediocrity becomes the standard. The right to excel is quashed by destroying the reason to excel. When security supplants excellence as the principal target, the goal of social planning is reduced to the lowest common denominator. In the absence of high goals and great dreams life becomes a frustratingly drab and preoccupation with self gradually destroys the moral fibre of a country.

The free enterprise system is not without conscience. Its social goals envisage elevation of the valleys—bringing all to higher levels. Competition, not legislation, must be the principal instrument of achievement. Individual success is considered the foundation of social progress.

We believe that, just as truth and wisdom are the products of freely competing ideas, higher living standards for all result from competing economic forces.

The facts give confidence to our convictions. America discovers more, produces more, earns more, possesses more and invests more than any nation in the world. Our young people are better educated, our elderly better cared for, and our impoverished better served.

This has not been the result of a single volcanic revolution. It has evolved through the perpetual orderly revolution which is embodied in the routine functioning of our political system.

I have lived half a century. Perhaps our accomplishments during my lifetime furnish a reasonable test of progress.

The breaching of scientific barriers has been phenomenal. I can remember when Charles Lindbergh landed his single engined

"Spirit of St. Louis" in Paris. Now I look forward to America's lunar landing next month.

The computer, the transistor, television, jet planes, radio astronomy, the laser, and nuclear energy were developments of the past fifty years.

In the last twenty-five years alone, mankind has acquired more scientific knowledge than in all of previous history. Ninety per cent of all the scientists that have ever lived and worked are alive at work today.

Life expectancy has increased; infant mortality decreased. The dread diseases of polio, typhus, malaria, measles, small pox, pellagra and rabies have been virtually eradicated.

America's ideas on social progress have made dynamic advances. In the year of my birth, the overwhelming majority of Americans thought that government had no business in business; that government could not prevent abysmal depressions or sky-rocketing inflations; that government might protect its people from war but not from poverty in their old age, ill health or inadvertent unemployment.

Today, we take for granted social security, unemployment insurance and medical assistance programs. We use the federal monetary system to stabilize the national economy. We have a Security and Exchange Commission to safeguard investments and a National Labor Relations Board to protect the rights of labor and management.

This year, this state alone will confer thirty-four thousand undergraduate degrees. This approximates three-quarters of all undergraduate degrees conferred in the United States fifty years ago.

Changes did not occur overnight, but progress that in the past took generations has been telescoped into decades and years. Reform in most cases has come peacefully and legally.

There is no reason to believe that this pattern of persistent and ever accelerating progress will not continue . . . no reason unless the vision of America changes.

There is great danger in confusing growing up with growing old. As America matures she need not grow old. Her vision need not become dim, nor her focus myopic.

I am reminded of a saying of Cicero: "For as I like a young man in whom there is something of the old, so I like an old man in whom there is something of the young; and he who follows this maxim, in body will possibly be an old man, but he will never be an old man in mind."

I see no end to progress so long as there is freedom for every voice to be heard and every idea to compete.

I see no end to progress so long as successive generations test new leadership, new ideas, new purpose in the arena of free choice.

I see no end to progress so long as Americans refuse to accept either physical or spiritual barriers in this country, world and universe.

Right now we have a choice. Will we treat all that is wrong with America as a challenge . . . or an indictment? Will we attack these problems or just weep over them? Will we condemn our institutions or correct them? Will we repudiate democracy because it moves slowly or revitalize it so its pace quickens?

The answers are far from self-evident. The jury is still out. I trust that the ultimate response will be positive. I trust that Americans understand history well enough to see in our imperfect past the promise of a more perfect future.

I trust we will not permit selfishness to narrow our vision or fear to corrode our confidence.

Today, we must decide anew whether to be bound by the illusory barriers of the past or to explore the potential of limitless boundaries in space, under the sea, and in human understanding.

This nation, I assure you, is not too poor in resources to meet this challenge. The question remains whether this nation is too poor and timid in spirit to test itself against all the perils of majestic undertakings.

The question remains as to whether the summation of a recent British study of the United States is right or wrong . . . it said: "The American people have lost the will to be world leaders."

The answer rests with all the American people and particularly with the new Americans represented by the Class of 1969. I pray your answer will be affirmative and your response strong.

## SOLID WASTE DISPOSAL

### HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. TIERNAN. Mr. Speaker, in yesterday's New York Times there appeared an article by Gladwin Hill which pointed out the critical situation that many cities are facing in dealing with the problems of air and water pollution.

I feel strongly that the Congress must begin to focus more attention on the problems of the environment that surrounds us if we are to successfully manage the same.

I urge my colleagues to peruse this most important article. The article follows:

MAJOR U.S. CITIES FACE EMERGENCY IN TRASH DISPOSAL—GROWING NATIONAL PROBLEMS MAY PARALLEL THE CRISIS IN AIR AND WATER POLLUTION

(By Gladwin Hill)

LOS ANGELES, June 15.—An avalanche of waste and waste disposal problems is building up around the nation's major cities in an impending emergency that may parallel the existing crises in air and water pollution.

Some features of the situation are being described by conservative Federal officials as "a national disgrace."

Experts feel that resolution of the problems may require radical changes in people's patterns of consumption and disposal, major shifts in municipal administration and sweeping revision of the nation's attitude toward its environment.

These are the conclusions and implications that emerge from interviews with leading authorities in the field and a 13-city check by The New York Times of what is becoming known as "the third pollution": the problem of solid wastes and their disposal.

#### REFUSE BURDEN GROWS

Every man, woman and child in the country, on average, is now generating more than five pounds of refuse a day—household, commercial and industrial—ranging from garbage to iron filings but excluding vastly larger amounts of uncollected trash such as agricultural waste.

Collection and disposal facilities are staggering under the load, and the load is increasing rapidly.

"The major metropolitan areas are standing in front of avalanche, and it is threatening to bury them," says Karl Wolf of the American Public Works Association, which has been conducting research projects on waste disposal.

#### WHERE IT COMES FROM

Since 1950, the nation's population has increased 30 per cent, but the waste load has increased 60 per cent and is expected to in-

crease another 50 per cent in the next decade.

The increase results from increased population, increased consumption of commodities and affluence, which has brought the regular discard of things that once were saved.

"We used to get few newspapers—people would save them to make money in paper drives" says Detroit's Public Works Commissioner, Robert P. Roselle. "Now we collect them all. The telephone company used to collect old phone books for their paper value. Now we collect them."

In San Francisco even with no population increase, waste has increased by a third in the last decade. In Chicago it has been rising 2 per cent a year despite a slight decline in population. Cities across the country are also grappling with mounting numbers of automobiles, a physical and fiscal nuisance, although their mass is minuscule in the total waste picture.

"Half the communities in this country with populations of 2,500 or more," said Wesley Gilbertson, the first Federal Solid Wastes Program director, "are not doing even a minimally job of solid waste collection and disposal."

#### ONLY A PARTIAL ANSWER

Once community trash could be disposed of simply by dumping it on the outskirts of town or burning it. Now with cities growing, outskirts have become fewer and farther away.

And incineration can only be a partial answer, because of the 20 per cent ash residue, the large volume of noncombustibles and air pollution problems.

So, from New York to San Francisco, the cry is going up that cities are running out of disposal space. A year's rubbish from 10,000 persons covers an acre of ground seven feet deep.

Philadelphia has been short of space for years and has had to shift largely to incineration. But it now is near the end of its rope because of incinerator obsolescence and high replacement costs.

New York City has been using up many acres of dumping space a year, with little space left. Even Tucson, Ariz., surrounded by desert, estimates that it will run out of disposal space within the next three years.

The problem is economic. Close-in urban land has become too valuable for dumping; other local dump sites are too far away because of trucking costs. And costs are rising.

Boston's refuse collection costs jumped last year from \$2.6-million to \$3.9-million just because of payroll increases. New York City's sanitation department, concerned primarily with solid wastes, has 14,000 workers, and its budget has climbed to nearly \$150-million a year.

In Milwaukee, annual rubbish-removal charges for a household have risen in a decade from \$26.40 to \$35.25. Albuquerque's rate went up from \$30 to \$36 this year. In Portland, Oreg., the monthly rate goes from \$2 to \$2.25 next month.

#### ALTERNATIVE SYSTEMS SOUGHT

These trends have touched off a scramble for alternative refuse disposal systems somewhere in the range of present costs.

The average community outlay for refuse collection and disposal, according to a survey made in 1968 by the Public Health Service's Solid Wastes Program, is \$6.80 a person a year.

But in some Washington suburbs, household rates run as high as \$46.20 a year. New York City figures it costs \$30 to dispose of a ton of trash.

San Francisco, where the current household charge is \$22 a year, is planning to ship its refuse 375 miles by railroad to a desert disposal area in Lassen County.

Philadelphia is close to completing an arrangement for railroading its rubbish to dis-

tant abandoned mine pits. Chicago is considering a 250-mile haul.

Milwaukee has a rail-haul plan, but has not been able to find an amenable disposal locality. Philadelphia figures it now costs about \$7.50 a ton to get rid of refuse by incineration; under the railroad plan it would pay a contractor only \$5.35 a ton.

Chicago and Detroit are experimenting with trash compaction into blocks; Japanese researchers say that the blocks can be used as building materials.

Pneumatic tube waste-dispensing systems have been tried in Europe, and the Walt Disney organization is planning such equipment for its new Florida development.

Some organizations have been working on ways of macerating household trash, in a device like a garbage grinder, and forcing it in liquefied form to treatment centers. However, this would take care of only part of a community's waste.

Similarly, there has been a lot of talk lately about devising more easily destructible packaging, particularly bottles and cans. But if all packaging were abolished completely, it would reduce the waste load only about 15 per cent.

#### BACK YARDS STUDIED

Despite all the quests for solutions, some experts believe that the most serviceable short-range answer may lie in cities back yards.

Around 75 per cent of the nation's trash, by tonnage, still goes to open dumps, with about 15 per cent going into incinerators.

The Public Health Service found that 94 per cent of the dumps and 75 per cent of the incinerators were inadequate in respect to sanitation and pollution and termed this "a national disgrace."

Only 5 per cent of refuse is disposed of by the "sanitary landfill" method, in which each day's deposit is covered with six inches or more of compacted dirt, making it rodent-proof and odorless. The process, according to the Public Health Service, in a typical situation costs only \$1.27 a ton, against 96 cents for obnoxious dumping.

#### NO SIMPLE SOLUTION

There is no simple answer to the nation's refuse problem experts say, because it is a composite of myriad problems that hinge on local economics.

These can vary greatly even in different sections of the same city. In New York, scrap metal contractors pay the city from 21 cents to \$4.03 to pick up abandoned automobiles in the Bronx, Brooklyn, Queens and Staten Island.

In Manhattan, because of logistic difficulties, they pay nothing.

Across the country, scrap metal prices vary sharply, depending on transportation and the nearness of metal works.

If Milwaukee could find a disposal area, it is estimated that railroad removal would cost from \$5.45 to \$6.23 a ton, \$2 less than its present dumping and incineration system.

Yet Denver backed off from a plan to haul its trash by train 75 miles to a point near Colorado Springs because estimates were that within a decade it would cost \$419,000 more than local disposal.

Apart from such variables, the quest for new disposal methods starts from the most disorderly of economic bases. Across the country, trash systems have evolved from the primitive town dump, and there is no uniformity or consistency in methods or financing.

Roughly half the nation's refuse collection is by public agencies and half by private collectors, either franchised or dealing directly with customers.

In many places, householders are billed specifically for the service; in others the service is financed from general tax funds.

Sometimes the charge is calculated at cost; sometimes it is pegged to yield a profit. Some-

times the service is given below cost with the differential coming from taxes. The profits of franchised collectors may or may not be subject to regular public scrutiny.

#### INEFFICIENCY FOUND

Thus, in many cases citizens have little way of knowing whether they are getting their money's worth and whether the cost of an alternative system would be justified.

Inefficient approaches to waste disposal are the rule rather than the exception.

"Most of what is wrong with solid waste management in the United States," says one official, "can be attributed to fragmenting responsibility down to small political jurisdictions which lack sufficient resources for the job."

In Los Angeles County, 70 communities share rubbish collecting depots and disposal sites. But elsewhere in California, Federal researchers found one area where 80 public agencies were running 70 separate disposal systems.

The hazy economics of some municipal systems, experts have observed, provide a field day for officials and agencies to juggle funds—not necessarily into their own pockets, but to the detriment of efficient refuse disposal.

What is being done about the waste problem nationally?

Congress got the word on the impending waste glut as far back as 1965 and passed the Solid Waste Disposal Act. It gave the Public Health Service primary responsibility for a program of research and technical assistance and matching grants to states and localities to help in the development of disposal programs.

Most of these states have availed themselves of these grants, the average being about \$50,000. But total appropriations for the solid waste program have remained less than \$20-million a year.

#### NO CURE-ALLS FOUND

While much valuable basic information has been amassed—(nobody knew anything about the national waste disposal picture before)—and a number of experimental projects launched, the program has not yet come up with any cure-alls.

The general line of thinking is that, as with air and water pollution, each area will have to work out a solution fitted to local circumstances and that waste collection and disposal will have to be handled regionally, with localities pooling efforts.

Ultimately, coping with solid waste, it is believed, should be part of an integrated system covering also liquid and gaseous effluents.

"One of the most significant items of progress," says Richard D. Vaughan, current director of the Solid Wastes Program, "is that state budgets are starting to show specific items for waste disposal work."

"There is public concern about this, where three years ago there wasn't any."

Senator Edmund S. Muskie, the Maine Democrat has fostered basic water pollution legislation, has turned his attention to solid waste and has a bill pending that would increase financing of the solid waste program tenfold, to a level of more than \$200-million a year.

Seemingly there are only two things that can be done with rubbish—burn it or bury it, in the ground or in the ocean.

But there is an often overlooked third possibility, and some scientists think it is the only one for the long run. That is to reclaim refuse—to break it down into its main constituents for reuse.

That has been the dream of many people, but it has not been realized, except for a small amount of scrap metal and paper salvage, because it has been cheaper to procure new materials.

A number of ingenious experimental factories for converting trash into garden com-

post have been established around the country, but most of them closed down because there wasn't a market for that much compost.

#### USE AND DISCARD

So the nation's economy has continued on a "use-and-discard" pattern. But there comes a point where the cost of getting rid of used material gets so high that the cost of renovating it would represent an economy.

That point is already being approached with the commonest commodity, water.

The same tactic is even more applicable to solid waste. Dirty water, if not renovated, disposes of itself one way or another. Solid waste does not; it just piles up. And scientists foresee the day when accumulation of rubbish, and gases from its incineration, will be as troublesome over the face of the globe as are the wastes in a spacecraft.

The latter are systematically "recycled." The same recycling eventually will be imperative with everyday wastes, it is felt, and may as well be undertaken soon as a decisive answer to the refuse problem.

A scientific report prepared for the Senate Public Works Committee last year said:

"It is now evident that the industrial economy of the United States must undergo a shift from a use-and-discard approach to a closed cycle of use and salvage, reprocess and and reuse . . . or else faces the alternative of a congested planet that has turned into a polluted trash heap, devoid of plant and animal life, depleted of minerals, with a climate intolerable to man."

Short of this long-range solution, the public is confronted with some early large-scale expenditures just to get relief from current rubbish bugbears.

Mr. Vaughan estimates it will take an outlay of more than \$2-million a day—\$835-million a year—for five years, just to "upgrade existing collection and disposal practices to a satisfactory level."

This is a sizable sum, but only a fraction of the \$4.5-billion a year the Public Health Service estimates is being spent to deal with all types of solid waste.

Relief may be some time in coming. Frank Stead, a former official of California's Department of Public Health and one of the nation's leading environmental experts, said recently that it would take 16 years to bring about basic changes in solid waste management.

"Two years to convince the public that new concepts will be successful, four years to put through the necessary legislation and 10 more years to put the changes into effect," he said.

#### ST. LOUIS POST-DISPATCH ABHORS "ARROGANCE FROM RAILROADS" CONCERNING WATERWAYS LEGISLATION

#### HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mrs. SULLIVAN. Mr. Speaker, very serious concern is being expressed up and down the Mississippi-Ohio River system by all those served by the inland bargelines over the fate of H.R. 8298, a bill to modernize the bulk exemption of the inland bargelines. Hearings have just been completed by the Subcommittee on Transportation and Aeronautics and a very clear record made of the public interest in approving this bill. The ICC has set July 1 as a deadline at which time the efficiencies of the large new towboats will be handicapped and costs and rates artificially increased unless this bill is

passed. Everyone agrees that this bill is in the public interest. Virtually the only opposition comes from the railroads.

The St. Louis Post-Dispatch on May 28 published the following editorial on this important mixing rule bill which I believe will be of interest to my colleagues:

**ARROGANCE FROM RAILROADS**

For two years the railroads have, virtually alone, prevented Congress from removing an obsolete and wasteful restriction on the water carriage of freight. The Transportation Act of 1940 stipulated that not more than three commodities exempt from regulation could be moved in a single tow, and that exempt commodities could not be mixed with regulated commodities in a single tow without loss of the exemption.

As tows have grown larger and larger these restrictions have become more and more senseless. They would have had the effect of breaking up single large tows into several small ones, arbitrarily and at heavily increased cost. Accordingly for 27 years the Interstate Commerce Commission interpreted the "mixing rule," as it is known, so as to permit sensible operations. Then two years ago it reversed itself, to the consternation of the barge industry.

This simple matter could have been resolved with no trouble had not the railroads seized upon it as a stick with which to beat Congress into exempting them from all rate controls by the Interstate Commerce Commission. Extensive hearings have been held in Congress and the House Commerce Committee has just completed three days of additional hearings. Certainly Congress should be able now to make up its mind.

The railroads are meddling in an internal affair of the bargelines which is really none of their business. They are following a "public be damned" policy toward that large part of the public which ships and receives freight by inland waterways. How long will Congress continue to go along with that arrogant attitude?

**BURN BURSAR, BURN**

**HON. JOHN P. SAYLOR**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. SAYLOR. Mr. Speaker, in a truly perceptive article, Mr. Andrew Rooney has said in Life magazine what I know thousands upon thousands of parents must be feeling about the crisis on the college campuses. I have wondered if the college administrators, who are so willing to capitulate to the demands of a militant student minority, have ever considered the demands of the parents of the nonviolent student majority. Apparently not. Parents of college students are not expected to have "rights," they are expected only to pay. Talk about a disadvantaged group.

Parents of college students are in that category of "forgotten Americans" mentioned by President Nixon. The Congress of the United States, at long last, has recognized that this group of middle-income citizens must be heeded and that is the reason behind the drive for a meaningful tax reform. If this group of middle-income taxpayers can move the Congress, perhaps they can move the college administrators to pay more heed

to the sensibilities of those who pay the college bills.

Mr. Rooney's article follows:

**BURN BURSAR, BURN**

(By Andrew Rooney)

Parents, it's our turn. Now that commencement exercises are getting rid of all those noisy college students, why don't we move in? Let us seize the bursar's office, barricade the doors, ransack the files and find out what the hell they've done with our tuition money. Colleges and universities have been crying poor for so long and there has been so much talk about multimillion-dollar government grants and private endowments that no one seems to remember that there are several million of us breaking our backs to scrape together enough cash to pay the bills. The \$3,800 we put down for the 150 days the child spends in college hardly warrants a petty cash receipt.

One evening this spring I was minding my business, watching television, and my wife was minding hers, our finances.

"We are paying about \$16,000 for the kids," she said.

"I didn't even know we had to buy them," I said. "I thought they were already ours."

"For tuition, books, room and board. Education," she said.

"My God," I said. "Is that more or less than I make?"

She explained it all to me and it turns out we fall in the most unfortunate category of all. We have four kids. They are all smart enough to get into good colleges but too dumb for scholarships. I make too much money to apply for government help but not enough really to be able to pay the bills myself.

My big complaint is not paying the money I can't afford; it's that I don't know what I'm getting for what I'm paying. If the kids think the college establishment leaves them out of it, they ought to see what parents get by way of communication from the institution. We have paid for a total of six college years so far, and we still have ten to go. In that time we have heard from two colleges about five times. Three of the letters were notices that we were late with the money and would have to pay a \$12 penalty fee, two were invitations to Parents' Weekend.

The fact is, the schools are saving their stamp money to use on money-raising mail for the rest of our lives and the rest of the kids' lives. My wife and I both went to one private school and one college each. Our son has gone to two private schools, and our three girls are going to two colleges. The only ones we don't hear from are the two current colleges. From the others, the ones we're done with, we get as many as ten pieces of mail a week, all telling us how much more it cost to educate us than we paid them. I just wish some college would tell us how much it does cost to educate a kid. I'd be happy to pay them if I could and be done with it. They could endow a chair with the money they save on stamps for me alone.

I don't know where colleges send report cards anymore. Not to the dues-paying parent. I have the feeling most professors have given up marks that mean anything, not so much from deep-felt principle but because they don't know my kid from the 50 others in the class.

Even more than a report card, I'd like to see the professor's class attendance record. I'd like to compare the blue sky fiction in the college catalogue with what actually takes place in a course. My oldest girl chose and was accepted at a first-class university because of a paragraph in the catalogue extolling the virtues of its Chinese language studies department. The catalogue was better than the department. By the time classes began, two of the five professors had left,

two were on sabbatical and the fifth was translating the Bible from Chinese into Sanskrit.

If the professor who attracts people to the college in the first place isn't too busy consulting in Washington or isn't on sabbatical or writing a book, he usually finds other reasons for not being in class. Several times this year one of my daughters has come home for a long weekend or early vacation because, she said, there were some disruptions on the campus and everybody knew the professors wouldn't show up for class. No one ever informed me or mailed me a rebate.

When I think of paying someone to teach my children, I think of him doing it five days a week for an hour each day with from five to 30 other students in the classroom. No college course meets more than three days a week anymore. A typical class is more likely to meet once a week for 45 minutes in an auditorium with 200 in attendance. And the professor very often can't be there because of something.

It would hurt too much to count up what I have paid for each classroom hour of instruction. I would guess the professor's per head rate compares favorably with the fee of a brain surgeon.

Most colleges hold classes on about 150 days a year. You think college students just have the summer off, but 150 days leaves a lot of summer days. Schools open in October and close in May. We hardly have time to get the beds made and the downstairs room cleaned up after the Christmas vacation before the kids are back home for their mid-semester post-exam break. The mid-semester break is the one that immediately precedes the long spring vacation. That has been extended in recent years because it takes the kids so long to get to and from Aspen or Fort Lauderdale. I'm waiting to see the first college announce a calendar for the school year in which the Christmas holiday, the mid-semester break, and the spring vacation run uninterrupted into an early closing date caused by "trouble on the campus."

I have twins who go to the same college. During their years at home we always felt vaguely guilty that we didn't have enough space to give each one a room of her own. They are living now in a dormitory, under conditions they could only have been prepared for if our family of six had all lived in one room together. The three roommates don't flip to see who gets the top bunk. They flip to see who gets out of bed first because there's only floor space for one of them to be out of bed at a time. For this lodging, I pay \$600, or about \$4.00 a night. From the three occupants, the college gets \$12 a night for a room the Holiday Inn wouldn't give to an ice-cube maker.

Seizing control of the bursar's office is the only way that we parents can hope to learn the truth about what is being done to us. But we must all be prepared for what will happen to us afterward. As soon as our sit-in ends, we will all get bills from the colleges, charging us rent for the time we spent there.

**WE HAVE 3 OR 4 YEARS**

**HON. HASTINGS KEITH**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. KEITH. Mr. Speaker, we are all too aware of the calamity that has struck the Santa Barbara area of the west coast. The undersea oil leak there has fouled miles of the areas most beauti-

ful beaches, and the damage it has caused to the ecology of the region is incalculable. Now we are told that the only solution to the problem is to continue pumping oil out of this reservoir—a process that may take up to 20 years before all the oil is gone.

The message is clear: The experts who can find this undersea oil, and drill for it, are at a loss when it comes to stopping it.

In my own area of New England, these same experts are eagerly eyeing the undersea terrain for signs of oil deposits. Within 3 or 4 years, some estimate, oil drilling will begin in that area—and the prospect of a tragedy like that which hit Santa Barbara is now looming in Cape Cod's future. That is, unless we do something now to prevent it. Or will it take a layer of oil on the Cape Cod National Seashore before we take action?

The Falmouth Enterprise recently ran an editorial on this very subject. Their comments were so cogent and perceptive that I felt they deserved a wider circulation, and it is with that in mind that I commend the following editorial to your attention.

#### WE HAVE 3 OR 4 YEARS

It is almost certain that commercial petroleum will be found on the North Atlantic continental shelf, according to the New England Marine Resources Information Program at the University of Rhode Island's Graduate School of Oceanography.

A spokesman for the federal government said actual drilling may be three or four years away.

Meanwhile out on the West Coast.

The undersea gusher that erupted Jan. 28, drenching the Santa Barbara beaches with sticky, black oil, has dwindled, but there is a steady small leakage of oil. Bulldozers, trucks, rakes and shovels labor week in and week out to keep 80 miles of resort beach superficially clean.

The oil companies that fouled the Santa Barbara beaches paid for regional newspaper ads asserting cheerfully that "Santa Barbara Is As Enjoyable Today As Last Year."

"It simply is not true," said the Santa Barbara newspaper. There are many days when oil or oily debris makes bathing or strolling along some beaches unpleasant. Our tourist promotion must be fair and candid. We must be concerned not just for the current year's business volume, profits and tax returns, but for those of coming decades."

The experts have been trying to figure out what to do about the continuing oil leak. The best answer they have come up with so far is to keep on pumping until this pocket of oil is emptied. They admit that this pocket may be connected with other pockets and it may take 20 years to empty the leaking oil reservoir. So much for the ability of the oil companies to cope with ruinous accidents.

And in the meantime they are discovering that there are no laws to protect the public from pollution and ruination of the offshore waters.

"Here is perhaps the most aggravated case of water pollution in the country today," said one conservationist. "Everybody's against water pollution. Yet nothing is being done about this."

The New York Times commented: "Suits have been filed, but litigation obviously is a poor remedy; citizens could smother in pollution before the questions are finally adjudicated."

And on these shores we apparently have three or four years to brace for the coming of the oil rigs.

#### DISCOVER FLYING CAMPAIGN EMPHASIZES IMPORTANCE OF GENERAL AVIATION IN U.S. TRANSPORTATION SYSTEM

### HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. SHRIVER. Mr. Speaker, during the month of June a nationwide campaign called "Discover Flying" is reaching a climax. The general aviation industry has united with one voice in an effort aimed at stimulating interest in, and knowledge of, general aviation's role in the total transportation system.

Some 55 companies have donated time, money, and talent to help inform the nonflying public.

This is an industry with a \$5 billion direct and indirect impact on the economy, with 126,000 airplanes and 700,000 pilots flying close to 4 billion miles each year in and out of 10,000 airports. Every day there are 65,000 general aviation flights. General aviation accounts for between one-third and one-half of all the people traveling in intercity air transportation.

Recent studies reveal that general aviation activities in 1967 accounted for \$2.2 billion of the total U.S. gross national product, and by 1980 this figure will reach \$7.1 billion, an increase of over 222 percent.

America has led the world in flying, starting with the Wright brothers historic flight at Kitty Hawk, N.C., in 1903.

It is imperative that the United States continue its leadership in aviation.

In this regard, I am proud to represent a congressional district which has contributed so much to America's aviation leadership. Fifty-six percent of the commercial aircraft manufactured in the United States are produced by Beech, Cessna, and Lear Jet, all located in Wichita, Kans.—the air capital of the world. Of the Nation's eight leading business-private aircraft firms, these three account for about 70 percent of the total dollar sales.

Boeing Airplane Co.'s Wichita division also plays an important role in military and commercial aviation.

Mr. Speaker, it is appropriate that as the Discover Flying campaign reaches its peak that we recognize the impact of general aviation upon our lives and our economy. In the years ahead, general aviation will play an increasingly important part in the Nation's transportation system.

In planning for the future, general aviation and the way it fits into the total scheme of transportation of people and things must be given fair consideration.

Yesterday, President Nixon in his message to the Congress on the future of air transportation recognized general aviation's role. He proposed \$25 million in grants in fiscal 1970 to aid in the development of airfields used solely by general aviation.

The President's message encompassed other important recommendations de-

signed to improve the safety and convenience of air travel for the American people.

The administration's recommendations provide the basis from which adequate, equitable, and appropriate legislative action can evolve.

No area of activity is more vital to the national well-being than transportation. Our economic, social, and technical progress moves forward through transportation, on the surface and in the air.

America's superior strength in air transportation is solidly based on the broad capabilities of the 126,000 aircraft in general aviation, the 2,300 commercial airliners, and her 38,000 military planes—as well as the hundreds and thousands of men and women who are engaged in production, maintenance, operational support, and piloting of the aircraft.

The Discover Flying campaign is a well-conceived and valuable method of informing the public of one of America's great assets—the general aviation industry.

#### EXPRESSION OF NEED

### HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. BOLLING. Mr. Speaker, Computer World in its issue of June 11, 1969, discussed in an editorial the compelling need for providing the Congress with current, comprehensive information in order that we may better fulfill our responsibilities. In the course of the editorial, it focuses on a praiseworthy objective established by Representative WILLIAM S. MOORHEAD. It quite properly pays tribute to Representative MOORHEAD's succinct statement of the need and the problem. It follows:

#### EXPRESSION OF NEED

Rep. William S. Moorhead's recent description of what Congress needs also defines Congress' information problem. "What we need," he said, "is somebody with the capability to respond to Congress, and to say, 'In our opinion the question and the judgment factor is this, or is that.'"

The capability to respond; the capability to locate a question; the capability to locate a judgment factor.

Quite a need. No wonder that Rep. Jack Brooks, who is a practical man now very well versed in the realities of the data processing situation, commented that the project of computerizing Congress is a long term one, and the thrust is a long way off.

Yet Moorhead's comments should not be underestimated. He stated the need—and the need is genuine. He did not state that the need should be fulfilled by a computer system. He understood that point so clearly that he accepted the role of computers in the provision of this vital service. He also understood that a person would probably also be involved.

The day we can come near to designing the system Moorhead describes is far off. Our attempt nowadays are faltering steps along the way. Yet they are movement, and they are movement in the right direction. Some-

day when, someone will make another step forward in this direction.

Hopefully when he does so, someone will recognize it as a step forward and will see that it comes into fruition and gets the support that is needed.

In rounding up support for the right step, he may think of Rep. Moorhead's remarks. For they can be used as a target, or as a test of whether the new idea is really a step forward, and not a step back. They can help us discriminate the useful from the useless, and perhaps from the worse-than-useless.

Computer systems, no less than men, need targets at which to aim. Our thanks to Moorhead for giving us a good—if currently unattainable—target.

#### SDS PICKS CHICAGO FOR ITS CONVENTION

**HON. ELFORD A. CEDERBERG**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. CEDERBERG. Mr. Speaker, some time ago I brought to the attention of my colleagues a number of documents which were being distributed by the radical Students for a Democratic Society. In my remarks at that time I noted the fact that these anarchists would more properly be called the "Students for the Destruction of a Democratic Society" and that their activities were a threat to all segments of our society. Recent weeks have seen a rising awareness of the intention of this group to invade and destroy not only our institutions of higher education, but also factories and even our high schools.

It was with a great deal of pleasure, therefore, that I noted in last Thursday's Washington Post that this organization had been refused the facilities of every college and university which it had approached in connection with a site for its 1969 convention. Moreover, it would appear that every other meeting place which it had attempted to obtain also refused its services. To me, this refusal to allow this organization to be legitimized by offering it the use of facilities which are supported by the society they are trying to destroy is praiseworthy. I wish to congratulate the people who refused to aid this group; and I commend the article to the attention of my colleagues:

[From the Washington Post, June 12, 1969]

#### SDS PICKS CHICAGO FOR ITS CONVENTION

CHICAGO, June 11 (UPI).—The radical Students for a Democratic Society, barred from holding its 1969 convention on campuses throughout the Nation, announced today it will hold the meeting in Chicago beginning June 18.

"We don't want any trouble, and if there is any it will be caused by Mayor Daley and his fascist pig police," Bernardine Dohrn, an SDS national secretary, said in a news conference.

Chicago was the site last August of bloody clashes between police and demonstrators during the Democratic National Convention.

Another national secretary, Michael Klonsky, said he expected 1500 delegates to show up for the convention. He said the meeting would be held in private facilities, possibly

on a campus. Three sites are under consideration, he said.

A spokesman for Daley said he knew of no special provisions the city would make for the convention. A Police Department spokesman had no comment on the selection.

The SDS' quest for a convention site has been difficult.

Klonsky said his organization had been refused by at least 37 colleges and universities and by at least 25 meeting halls, parks and camps.

A poll by United Press International today showed that college administrators had rejected the convention for reasons ranging from a lack of space to a frank statement that the SDS was bent on destroying American education and had no place on their campus.

#### STATEMENT ON "THE CASE FOR THE ONE-BANK HOLDING COMPANY"

**HON. ROBERT TAFT, JR.**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. TAFT. Mr. Speaker, it is my understanding that sometime in the next month or so, the Committee on Banking and Currency may report the one-bank holding company bill, and that the House may then have a chance to consider it.

While, along with other Members, I am engaged in studying the measure and have as yet made no judgment upon my position with regard to it, I have recently noted an article in the May 15 issue of Fortune magazine entitled "The Case for the One-Bank Holding Company" by Sanford Rose. Since this article provides a considerable amount of background information about the operation of one-bank holding companies, that it might be helpful to Members in their consideration, I am including the article at this point in the RECORD:

#### THE CASE FOR THE ONE-BANK HOLDING COMPANY

(By Sanford Rose)

Since the summer of 1968, banks in growing numbers have been asking their attorneys to split them in two. Where once just a bank stood, now there is a bank and atop that a one-bank holding company. The Chase Manhattan Bank has become a subsidiary of the New Chase Manhattan Corp., Continental Illinois Bank is now a unit of Conill Corp., and Morgan Guaranty is now under J. P. Morgan & Co., Inc. More than a hundred institutions, with close to a third of the nation's deposits, have so far indulged in this bit of organizational fission, including twenty-one of those on FORTUNE's list of the fifty largest commercial banks.

The aim is freedom to diversify into fields now closed to banks by court rulings and government regulators. For most banks, this freedom would be used to create a sort of supermarket of financial services, free of all geographical fetters. A few banks have the far grander dream of entering manufacturing and commerce. If the Nixon Administration has its way, the banks may get freedom to expand into other financial activities but will be walled off from nonfinancial fields. If Representative Wright Patman gets his way, banks will be restricted to what is now viewed as "banking," i.e., the holding-company exercise will have gained them nothing.

Under present laws—the laws that both the Administration and Patman are trying to change—the opportunities presented by the one-bank holding company are virtually limitless. The underlying bank continues to be regulated, but the overhanging holding company is an unregulated business, free to launch into any activity except the securities business. (The Glass-Steagall Act bars any bank affiliate from becoming a securities dealer.) The holding company can thus buy a steel mill or a bowling alley just as easily as it can an insurance firm or a factoring company.

One-bank holding companies have been around for over a hundred years. But they have typically been small-town affairs: the local kingpin owned the town bank, the lumber company, the general store, etc., through the family holding company. When Congress decided to regulate bank holding companies in 1956, it knew of these small companies and, determining that they were doing no harm, specifically exempted one-bank holding companies from regulation. A bank holding company was defined in the 1956 Bank Holding Company Act as one owning 25 percent or more of the voting shares of at least two banks. Congress clearly did not foresee that big banks in major cities would someday turn themselves into one-bank holding companies. Nor did it foresee the recent rise of conglomerates, many of which are interested in owning banks.

#### THE VIEW FROM NIGHTMARE ALLEY

The prospect of august banking institutions rushing into unregulated businesses, many of which have relatively thin capital resources, disturbs a lot of people and raises the specter of all sorts of abuses. The bank, it is said, might exercise favoritism in lending funds to its sister organizations within the holding company. Even worse, to ward off the failure of one of these new ventures, the holding company might raid the bank's resources—including both its capital and its presumably sacrosanct deposits. Nor do the nightmarish visions cease there. Some worriers see a linkup between banking and commerce as a threat to the free-enterprise system. According to Secretary of the Treasury David Kennedy, unless the government moves quickly to forestall such tieups, "we would find ourselves in a structure dominated by some fifty to seventy-five huge centers of economic and financial power—each of which would consist of a corporate conglomerate controlling a large bank or a multibillion-dollar bank controlling a large nonfinancial conglomerate." Some Administration spokesmen have suggested that the U.S. economy might come to be dominated by something akin to the zaibatsu—the giant banking-industry combinations that dominate the Japanese economy.

To combat these and other alleged dangers, the Nixon Administration has proposed legislation that would put all bank holding companies—one or "multi"—under a revised Bank Holding Company Act. All will be restricted to financially related businesses (except for those in other enterprises as of mid-1968, which would get "grandfather" protection). It will be the responsibility of the Federal Reserve and its sister regulatory agencies, the FDIC and the Comptroller of the Currency, to decide which businesses are indeed financially related—and their decisions must be unanimous.

Reactions to the Administration's bill are anything but unanimous. The position taken by Representative Patman, and by some other Congressmen who have traditionally been suspicious of "big eastern bankers," is that the proposed law is a ruse. True, it would keep banks out of commerce and industry and put their other financially related businesses under regulation. But the Congress-

men are suspicious. They suspect that the Administration is inducing bankers to support its bill by promising to encourage permissive application of the law, to the benefit of the big banks and the detriment of the small.

The bankers' position on the bill is ambivalent. On the one hand, they are somewhat unhappy about a provision under which expansion into financially related business would require the unanimous agreement of the three regulatory agencies, including the Fed, which has been most unfriendly at times. But they are overjoyed at another provision that would protect them from conglomerate take-overs. In the past year and a half about twenty banks, with deposits of close to \$2.4 billion, have succumbed to tenders from nonbank corporations. In February, 1969, the banking community got its severest jolt when Leasco Data Processing made an effort to acquire the Chemical Bank, the nation's sixth-largest bank. Though the effort was beaten off by pressure from the banking community (one might say "their reaction was Chemical"), the community hasn't stopped quaking.

The conglomerates, of course, deplore this aspect of the legislation. From their standpoint, the Treasury's effort to maintain the barriers between banking and commerce just looks like protecting the inefficient—i.e., the inefficient bank.

#### THE END OF A COZY RELATIONSHIP

The real point is that the nation can benefit from the formation of one-bank holding companies. There are, for one thing, definite efficiencies that could be realized by financial supermarkets operating on a nationwide basis. Certainly there is great inefficiency in the present pattern, in which financial services are fragmented among many institutions, and the nation's 13,488 banks—85 percent of which have less than \$25 million in deposits—are geographically restricted by branch-banking laws. Furthermore, the major fears, particularly fears for the safety of deposits, are based upon ignorance of the many legal and regulatory safeguards that already exist. Even a linkup between banking and industry is not as dangerous as it appears. There are some risks, to be sure, but the Treasury's talk of zaibatsu-like conglomerates is more scary than relevant, and it simply overlooks the existence of antitrust laws. On the whole, the good in bank-industry conglomerates outweighs the evil; and the potential abuses that are discernible could be controlled by minor amendments to existing law.

The holding-company movement is the latest and most dramatic evidence of a long, gradual transformation of banking from a custodial function to a competitive industry. Until the 1960's few businessmen extolled competition so much and practiced it so little as the average banker. As one of the country's leading security analysts puts it: "The banker has traditionally gotten his kicks from depositor safety and golf with other bankers—not from rising earnings per share." It is only in recent years that the average banker has focused on earnings per share. Concentrating on earnings, however, risked the displeasure of the large depositor, who was generally regarded as the guarantor of the bank's safe, secure existence.

The relationship of large depositor to stockholder has always been one of love-hate. The depositor gives the bank its raw material—money—and in the past often gave it on a nearly free basis, in the form of demand deposits. But he exacted a price. He bestowed his demand deposits only on condition of heavy capitalization and large investments in low-yielding government securities.

This was understandable from his viewpoint. The difference between a bank's assets (mostly loans and investment-grade

bonds) and its liabilities (mostly depositors' money) is the stockholder's capital, or net worth. The bigger the capital cushion, the more leeway there is for loan and bond losses without insolvency. And the more riskless government bonds the bank holds in its asset portfolio, the more remote is the possibility of serious losses. The interests of the shareholder are opposite. The larger the government's portfolio, the smaller is the more profitable loan portfolio. And the larger the ratio of capital funds to assets, the smaller is the percentage return per share.

This conflict is apt to be most clear-cut in small banks but can be real enough even in large ones. For example, Du Pont classifies all banks with which it does business as A, B, or C institutions. The breakdown depends on the bank's liquidity and capital adequacy, as measured by more or less conventional ratios. If a bank—even a large one—slips from an A to a B, Du Pont might move its money to another institution, company officials say.

The regulator always seemed to side with the depositor and against the shareholder. He ceaselessly demanded more capital, and if not more capital, more government bonds. This was natural; the regulator's business, after all, was depositor safety and not shareholder protection. Though allegedly the servant of the owners, the bank manager was also as likely as not to be found playing on the depositor's team. It was generally easier that way, partly because the depositor had a bigger, more visible lobby. He represented concentrated power and usually sat on the bank's board of directors to boot. On the other hand, bank shareholding, especially in large institutions, was and is widely diffused, with the typical owner generally undemanding. Also, more than in most industries, managerial salaries in banking are determined less by profitability than by the sheer size of the institution.

This comfortable situation began to change about a decade ago, when a new generation of corporate treasurers, spilling out of the business schools and into corporate offices, recoiled at the size of their companies' interest-free demand deposits. It made far more sense to put the money into Treasury bills or to lend it out through the intercorporate paper market than to leave it idle at banks. While it took time for the corporate treasurer-banker relationship to break down, it did eventually crumble. Banks found it increasingly necessary both to buy their money from corporations and to compete more aggressively for consumer time deposits. This adjustment was initially quite painful. Profit margins—measured as the realized yield on loans and investments less interest payments and expenses—began to skid, although the erosion in most big banks was confined to the years 1961-65.

#### LOOKING AROUND FOR FEES

The high cost of money prompted the more venturesome banks to look into virtually capital-free areas of potential business—areas in which compensation was not in rates but in fees. Since computers were already in the bank, why not sell bookkeeping and data-processing services as widely as possible? Since investment specialists were already on hand, both as trust officers and as adjuncts to the commercial-lending operation, why not use them to run a financial consulting business? Or a mutual fund that the small saver could buy a share in? And since banks traditionally provided travel services to their corporate accounts, why not run a travel agency for the man off the street?

The freer spirits also began to see new horizons in lending. The return on commercial and industrial loans—the traditional bread and butter of most banks—is limited somewhat by national monetary policies. If government policy makers, for example,

wish to keep short-term money rates high and long-term rates low (as they did in the early 1960's for balance-of-payments reasons), bank earnings can be adversely affected. But if a bank puts a higher proportion of its assets into specialized areas of lending where the charge, or interest rate, reflects service factors as well as money-market conditions, it may earn more and avoid being squeezed. The types of lending with a strong service component include accounts-receivable financing, consumer lending, leasing (in reality, a form of term loan), mortgages, and construction lending. Smart bankers got the message.

Unfortunately, to enter many of these fields—whether service or lending-cum-service—banks required the blessing of regulators, who were accustomed to viewing banks as institutions that made loans and bought bonds with the leavings. A big exception was the office of the Comptroller of the Currency, which regulates all banks with national charters (there are now over 4,700). Comptroller James Saxon and his successor, William Camp, believed that banks should be permitted to perform any financial service that does not impair their solvency and liquidity. Emboldened by their advisory opinions, national banks began expanding into leasing, mortgage servicing, and even a type of mutual fund. Saxon and Camp were even kinder. Believing that standards of capital adequacy were too restrictive, they permitted banks under their jurisdiction to hold less capital per dollar of assets than many state institutions. Innovative banks responded by trading their state charters for national ones. Over the past seven years, 152 state banks, with over \$23.8 billion in deposits, have become national institutions.

With so many banks slipping out of the fold, the Fed finally got religion—if in a less evangelical form than the Comptroller of the Currency. On August 14, 1968, it issued a ruling permitting state member banks to establish operating subsidiaries and "loan-production offices." The latter are places where traveling bank-loan salesmen can hang their hats—in other words, near-branches in areas where banks can't legally have branches.

In practice, neither the Comptroller's nor the Fed's policies gave the banks very much freedom. Virtually every time the regulators said a bank could do something it hadn't been doing before, up popped a competitor to challenge this in the courts. Travel agencies, messenger services, service bureaus, mutual funds, etc., argued that a bank is a bank—and it doesn't belong in our businesses. The courts frequently agreed.

Banks simply got fed up with this yes-you-can, no-you-can't jockeying. As David Cates, vice president of Loeb, Rhoades & Co., put it: "The Fed did not grant a power, it only removed a restriction." To get the power that would secure this freedom, banks had no choice but to operate their new businesses through unbanks—i.e., holding companies. The idea was first implemented, not by a lifelong banker, but by an interloper from the insurance industry. In 1967, Harry Volk had only ten years in banking, yet that had been enough to know that the future of the banking business lay with the "finance industry." Accordingly, he turned his Union Bank of Los Angeles into a *de novo* commercial corporation called Union Bancorp, which became the owners of the bank.

After a year or so of hesitating—and duly noticing Union Bancorp's impressive earnings—other banks soon followed, first stepping, then pushing, finally stampeding into line. The accelerating rush was more than an example of "an idea whose time had come." Bankers sensed that Congress might impose new restrictions but might also provide some sort of "grandfather protection" for those who got there first.

## A LITTLE NET WORTH GOES A LONG WAY

So far most bankers have been holding themselves on a reasonably short tether, either in anticipation of the restrictive legislation or because many of them lack the managerial resources for quick diversification. One area of intense acquisitive activity is real estate. Here the advantages of the holding-company structure vis-à-vis that of a bank are exceedingly clear. A mortgage-banking subsidiary of the holding company can take a piece of the equity in, say, a shopping center as part of its loan package. It thus gets the depreciation tax shelter that is denied to a bank. Beyond real-estate and some insurance ventures, however, banks have generally been unclear about their acquisition plans.

If bankers have not yet spent much time on acquisitions, they are certainly thinking and talking a lot about an essential precondition for acquisition: leverage. Since their holding companies initially have a lower price-earnings ratio than many industrial firms or conglomerates, they prefer not to merge by exchanging equity. That would, at least, be an expensive way to buy earnings. The holding companies would obviously seek to borrow funds for acquisition—provided the I.R.S. rules governing the deductibility of interest expense on debentures used in acquisitions remain the same.

But how much money can the company borrow when its principal asset, at least in the beginning, is a bank that is already operating with about 92 percent borrowed funds (money owed to depositors and external debt)? A great deal more, many feel: though a bank is limited in its external borrowings to roughly one-third the book value of its equity—if it exceeds this ratio, the regulators tend to frown exceedingly—the holding company can breach this limit. Since it is unregulated it can borrow as much as lenders will lend and some bankers think that could conceivably be four or five times the market value of its stock.

The holding company may capitalize its new businesses on very little net worth. A North Carolina banker states: "The capital requirements that slow us up in a bank wouldn't prevail in the holding company. A leasing company with assets worth \$11 million can have equity of only \$140,000, and a finance company with assets worth \$41 million can have equity of \$1,700,000. You can't get ratios like that in a bank." Another North Carolinian, C. C. Cameron, president of First Union National Bank of North Carolina, says: "An independent mortgage banking company can make 16 percent to 25 percent on its net worth. A mortgage department of a bank usually earns less than half that. Part of the difference is the equity kicker. Another reason is that there is just too much net worth in a bank."

## WILL BANK DEPOSITS BE MILKED?

The advantages of the holding company seem formidable indeed—to the shareholder. But what about the depositor? Aren't there substantial risks when banks are allowed, via non-banks, to enter unregulated businesses? And if there are additional risks, what, if any, are the offsetting benefits to the public?

Paradoxically, there seem to be fewer risks to the depositor when new financial businesses—or any activities, for that matter—are conducted through the holding company than when they are carried on by the bank itself. If, for example, leasing were a department of the bank and a bank-leased plane crashed, the injured parties could look to the bank's assets for recovery if the insurance was insufficient. The bank can reduce this risk, even without a holding company, by placing its leasing business in a wholly owned subsidiary. The separate corporate shell usually protects all the bank's assets except for the equity invested in the affiliate.

This equity is vulnerable, however. Since it is an asset of the bank, it really represents the funds provided by depositors and shareholders. If several wholly owned bank subsidiaries fail, the loss in bank assets could conceivably be greater than the capital cushion, and the bank would lack sufficient resources to meet its obligations to depositors.

This need not happen if the subsidiaries that failed belonged to the holding company. The holding company gets its investable funds from the sale of equity, from external borrowings, and from dividends paid out of the underlying bank's earnings. None of these sources involves depositors' money. If the holding company gets into trouble, the price of its stock can fall below the book value of the bank's equity—indeed it can fall to zero—and this still does not touch the bank's safety by hair, provided, of course, that the law is properly enforced.

But suppose, say the skeptics, that a major subsidiary were in jeopardy. Would not the holding company then "milk" the bank's capital, its deposits, or anything it could get its hands on to save the business? It might try, but it would clearly be blocked. Because the subsidiary bank is regulated, its capital and surplus cannot be touched; it can remit dividends to the holding company only out of undistributed profits. And before it remits any dividends it must first transfer from undistributed profits to capital surplus the funds necessary to support any additional deposits and replenish any bond losses. In cases where unrealized bond losses are substantial, the regulators could require it to feed the kitty even more.

If milking of the bank via dividends is impossible, what about other types of raids? Suppose the holding company were to order the bank to lend enough money—i.e., depositors' money—to the stricken affiliate to save it. This conduit too is regulated. Insured banks may lend no more than 10 percent of their capital and surplus to any one affiliate, and no more than 20 percent to all. More significant, the collateral requirements are so stringent it isn't worth the trouble. A bank can lend to a nonaffiliate on any unsecured basis or upon the pledge of machinery, real property, or accounts receivable. But when an affiliate borrows it must put down solid gold collateral—e.g., 110 percent of the value of the loan in state and local government bonds, or 120 percent in other marketable securities.<sup>1</sup> If it has that kind of money, the affiliate isn't in trouble to begin with. Says George Moore, chairman of First National City Bank, "When we owned Carte Blanche we wanted to lend them money but we just couldn't do it. We had to send them to another bank where they could get a better deal."

The legal obstacles to unsound banking practices are indeed impressive, particularly at the federal level. Enforcement powers derive from the National Bank Act, as well as the Federal Reserve Act and the Federal Deposit Insurance Act. In 1966, Congress passed the Financial Supervisory Act, which gave regulators broad authority to order a bank to cease and desist any time evidence of unsound policies is uncovered. This power applies to banks that are owned by holding companies or by a large number of unrelated shareholders. Says a noted bank lawyer: "Where traffic is so carefully controlled, the ownership of the vehicles is unimportant."

## HALTING A RUN ON A BANK

Those who are nevertheless leery of one-bank holding companies might point out that some of the penalties for unsound prac-

<sup>1</sup>The securities might be its own stock, provided it is publicly traded. To prevent any abuse of these rules, Congress probably should amend the definition of "marketable securities" to exclude equity in the holding company or any part of its corporate family.

tices are so Draconian that they would rarely be applied. A regulator, for example, could demand that a bank get rid of certain loans. If the bank refused, it could be kicked out of the Reserve System, its charter could be lifted, or its insurance canceled. Quite naturally, the regulatory agencies would be chary of using such powers. When a bank is recalcitrant, and the infraction is not particularly serious, the temptation is to forget it. This absence of a "graduated response" is unquestionably a serious problem in bank regulation; but it might easily be remedied by granting the regulators power to, say, impose fines or suspend bank officers.

It will pay to take note of one other much discussed scenario in which the depositor is imperiled. If several subsidiaries of the holding company failed simultaneously, the depositors, despite all their protection, might not feel safe if the subsidiaries were publicly associated with the bank. If the depositors get scared, they might stage a run on the bank. At this point the regulatory agencies would immediately go out of their way to reassure the public. But let us press this horror story further: suppose even the regulators' explanation did not satisfy depositors. A serious run on the bank would still not be allowed to jeopardize deposits, if only because the Federal Deposit Insurance Corporation has no intention of paying off insured deposits under \$15,000 (and letting big depositors go begging) in a bank of appreciable size. If it allowed a big bank to close its doors, the failure would wipe out correspondent balances of numerous smaller banks, many of which could also be forced into insolvency. The chain reaction would put a big dent in the FDIC's \$4-billion assets.

At the first hint of a serious run, then, the agency would quickly move into the community, seeking eligible merger partners for the bank in trouble (as it did in the case of the Public Bank of Detroit, with deposits of only \$108 million). The upshot would be union with an "untainted" bank. The only ones to lose from this deal would be the stockholders of the original bank, that is, the holding company, whose equity might be diluted or even wiped out. It is difficult to believe that any depositors in the banks, large or small, would ever lose a dime.

## BLUEPRINT OF A BANKING SUPERMARKET

The public would not merely avoid losing with the holding company; it would probably emerge the gainer. The biggest benefit of the financial conglomerate would be increased competition. Currently, branch banking laws, buttressed by the local banking lobbies in state legislatures, artificially segment the nation's credit market. Sears, Roebuck and the A & P can have outlets in fifty states, but a New York City bank is limited to the city's five boroughs, plus Westchester and Nassau counties; a Philadelphia bank to four contiguous counties, and a Chicago bank to a single building. This does not disturb the large corporate borrower a bit. He can come to the bank; the bank need not go to him. But it seriously handicaps the retail borrower, or the small-business customer, who is left with relatively few and often only one source of credit. The holding company can change this. Its small-loan or commercial-financing affiliates, being nonbanks, are not subject to branching restrictions. They can open offices anywhere. They might even benefit small borrowers in populous areas. If a New York holding company were to open an office of its small-loan affiliate in San Francisco, and vice versa, this could heat up the competitive climate, as, for example, the 1960 move of First National City Bank into Nassau County did. It made personal loans at one-half to three percentage points below the local banks' going rate.

The one-bank holding company might bring other benefits. It would make it easier to create financial supermarkets—all services

under one roof—an obvious convenience. Also, there appear to be certain economies in combined operation. If insurance can be joined with banking, automobile casualty insurance could be granted at the same time and as a result of the same credit investigation that authorized the automobile loan. House and personal liability insurance could be sold at the same time that mortgage credit was extended.

These are only teasers, however. Fertile brains are working on ideas that could really turn the financial supermarket into a socially significant idea. Dr. Frederick Hammer, an economist who recently moved from the Bankers Trust to Leasco, likes to discourse on the possibilities in a complete personal financial-planning service. "The consumer is visited by a 'financial planner,' accoutered with a portable terminal that is connected to a remote computer. While speaking to the prospect, the planner feeds his financial information to the computer. The specialist and the computer give the man a 'best allocation' of his total resources—casualty insurance, life insurance for himself and his family, savings-account level, trust accounts for his family, and loan levels for, say, his mortgage, automobile, etc. . . .

"In actual operation," Hammer continues, "the service could automatically transfer funds between accounts. Within specified levels, if the checking account grew too large, funds could be transferred to savings; when savings grew past a 'trigger level,' funds could be invested in a mutual fund or in trusts. Deficiencies in accounts could be made up with short-term installment loans. Routine bills—mortgages, insurance premiums, utility bills, etc.—could be paid automatically. The 'man in the street,' unsophisticated financially, could be equipped at virtually no cost to himself with access to the most sophisticated thinking available."

#### THINKING THE UNTHINKABLE

A large part of the public might concede the case for allowing banks to become financial supermarkets. But what about the holding company that became a real conglomerate, embracing both banking and industry? Unquestionably, the same protections for the depositor and the public that apply to the purely financial conglomerate would be in force. And while there is no great benefit to society in a bank moving into industry, there are situations in which the opposite might be socially desirable, i.e., the take-over of a bank by an industrial corporation. After all, there are still plenty of uncompetitive and unprofitable banks in the U.S. Many, particularly small ones, have low loan-deposit ratios and portfolios overloaded with Treasury bills (although the recent inflation has temporarily changed this). They are in effect poor service banks. The community should have a way of prodding the weak bank into a profitable, service-oriented stance. It generally doesn't.

If a weak bank is a relatively small factor in its market, it may be able to merge with another bank. But if it is relatively large, it cannot do so because the Justice Department probably won't let it. Bank of California, for example, is a perennial laggard in its state market. It lends a lower percentage of deposits than its two leading competitors. Its earnings growth over the past ten years (2.12 percent compounded) is the worst of any bank on *FORBUNE's* list of the fifty largest. And since it currently makes only 9.8 percent on an already well-leveraged net worth (most big banks are now up to 12 percent), this bank is clearly not building a capital base adequate for future expansion of risk assets—adequate, that is, by normal regulatory standards. By all logic, Bank of California should be merged with, say, Wells Fargo. Not so, the antitrusters would say.

While a bank big enough to merge with Bank of California is effectively precluded from touching it, an industrial corporation still can—at least, it probably can. (In recent years the Justice Department has allowed a number of such mergers.) This form of take-over, then, is virtually the only way that a sleepy but relatively large bank can be rescued, apart from a stockholder revolt. This is not to presume that the industrial corporation's management would naturally be superior to that of another major bank. It is just that the industrial might be eligible to take over Bank of California and pump in the fresh capital and managerial talent currently unavailable to the bank. Institutions like Wells Fargo or Crocker-Citizens simply can't.

Unfortunately, the Treasury's bill would slam the door on such a rescue even if Justice allowed it. In effect, the Treasury argues that when an industrial corporation takes over a bank—or even threatens a take-over—the risks outweigh the benefits. These risks, in the Treasury's view, take two forms: special solvency and liquidity dangers and new and substantial kinds of economic concentration.

The Treasury's solvency and liquidity argument has two parts. First, the threat of conglomerate take-overs might force independent banks into speculative loans and investments. The banker might say: "Well, I didn't make enough bankable loans before, but now that the conglomerate is at my heels I'll make a lot of risky loans in an effort to become more profitable overnight." This behavior seems farfetched and, of course, there is the suggestion that the regulators would be dozing. But even if the banker were so restless, the depositors, as noted, would not be hurt except in the case of very small banks. And perhaps this is an acceptable price for an affluent society to pay to improve its credit-creating mechanism. Adequate safety has not been the banking industry's major problem for over thirty years. Adequate service has.

The other part of the Treasury's solvency argument seems more plausible: while some conglomerates might be good for banking, others—particularly the purveyors of "Chinese money," i.e., the convertible debenture—would be disastrous. These conglomerates, the argument goes, might buy and resell banks simply to manipulate their price-earnings multiples. In short, they might treat a bank, whose principal asset is its reputation for stability, as an investment pawn.

This argument underestimates the difficulty that really disreputable conglomerates would encounter in taking over a bank—especially one of some size. For good or ill, the large depositors would have an effective veto over the take-over by threatening to remove their deposits. As a further safeguard against take-overs that are essentially stock manipulations, Congress could require some sort of character check. At present, when a group applies for a bank charter to found a new bank, it must present evidence of good character; why should acquirers be treated differently from founders? While the Treasury bill does not require a character check, a bill introduced by Senator Sparkman would prohibit anyone from acquiring control of a large bank without the approval of the bank's regulatory agency.

Unfortunately, this bill would apparently work to prevent even healthy take-overs. It would force the prospective acquirer to go first to the regulators, then to the stockholders. Since the former would have five months in which to make up their minds, the take-over effort would probably collapse of its own weight. A take-over that is not speedily consummated tends to fall apart. Probably it would never even get to the stockholders. A more sensible approach would be a pro-

cedure that did not interfere with the tender bid but obliged the regulators to approve or disapprove the resultant merger within, say, thirty days—and to offer written reasons for their decisions. This would provide the character check but would not thwart all would-be acquirers.

#### THE ZAIBATSU SYNDROME

When pressed, advocates of restrictive legislation generally concede that the solvency and liquidity issue is really less meaningful than the concentration argument. To many, the issue is at bottom a visceral one; they simply feel that "there is too much bigness in the economy." If they are right, the anti-trust laws should be more vigorously enforced. But most businessmen are under the impression that these laws are pretty well enforced right now. Under existing statutes and court rulings an acquisition by any corporation, industrial or banking, is subject to the most careful scrutiny for possible anticompetitive effects. In addition to the burden of proof that every acquirer bears, the Treasury bill would now ask some corporations to shoulder an additional one: it says in effect that the acquisition of a bank by an industrial corporation or the purchase of a non-financial business by a bank-run holding company, is *prima facie* evidence of anti-competitiveness. This is discriminatory legislation, pure and simple.

Perhaps to clothe the nakedness of this legislative intent, many in Washington are busy cataloguing potential abuses of power inherent in any union of banking and industry. One much-feared abuse is the tie-in: a bank that is part of a complex that includes a steel mill will say to the business borrower: "If you want that loan you'll have to buy my affiliate's steel." This kind of tie-in deal is against the law, of course, as it violates Section 1 of the Sherman Act and Section 3 of the Clayton Act. The number of cases of successful prosecution is legion.

#### VETOED BY THE MARKETPLACE

Quite apart from the law, the marketplace provides built-in safeguards against this type of abuse. Conceivably, the bank might be able to force a borrower to buy its steel in a period of tight money, when the borrower is more or less helpless. But if the seller's market in credit disappeared, the borrower would take his business elsewhere. Even with only a few hundred industry-bank conglomerates—or perhaps only fifty to seventy-five, which the Treasury fears might emerge if its bill doesn't pass—the borrower shouldn't have trouble finding a conglomerate that would lend to him without requiring that he buy its steel, simply because the underlying bank would need customers. The first conglomerate would certainly know this and would be exceedingly foolish to insist on an illegal tie-in arrangement to begin with. If it persisted, it would face yet another penalty. If any such deal became known, every independent steel company and those affiliated with other conglomerates would promptly pull as many of their deposits out of the bank as possible.

Market forces can also act to curb a related abuse: excessive lending to the customers of holding-company affiliates. William Sherrill, the newest member of the Federal Reserve Board, believes that this is potentially the gravest danger in any bank-industry tie-up. His fear is that the holding company will force the subsidiary bank to divert a large proportion of its loanable funds to the customers of its nonbank affiliates—again, in periods of tight money. Since competitors would lack the advantage of such a relationship, they would lose sales to the holding company's affiliates. In such a situation, Sherrill worries, these competitors would tend to throw themselves into the

arms of the nearest conglomerate complex that included a bank.

But a bank that practiced such shenanigans would as a matter of course lose the deposits of all the companies in the affiliate's industry. More significantly, in order suddenly to shift lendable funds to the customers of its affiliates, it would be forced to rupture established business relationships with its regular customers at the time of their greatest presumed need, namely, a time of tight money. If that didn't seriously damage the bank, what would?

The mere threat of such discriminatory lending policies, in fact, would prompt the competitors to retaliate. To finance their accounts receivable, for example, they could form acceptance corporations. This possibility has been mentioned by, among others, Kalman Cohen, professor of economics at Carnegie-Mellon University. More likely, the holding company would have had some difficulty persuading its bank to undertake this pattern of lending to begin with. Bankers don't like to be managed by nonbankers, particularly if the result is the destruction of a sizable portion of the bank's earnings base, to the putative benefit of the corporate whole. A conglomerate that tried such arm twisting would find itself with a serious personnel problem.

#### THE FEAR OF SHADOWS

This may help explain why the conglomerate record in banking has not thus far been impugned. Though large conglomerate one-bank holding companies already exist—among them C.I.T. Financial Corp., Signal Oil & Gas, Gulf & Western Industries, and D. H. Baldwin Co.—there have never been documented instances of abuse of power by such companies. William McChesney Martin, chairman of the Federal Reserve Board, recently all but admitted this. Testifying before the Patman committee, Martin said, "I wish I had some evidence of abuse that I could present to this committee. But the evidences . . . are not here at the present time in any substantive amount."

But Martin is nevertheless one of many who feel that the mere linkage of banking and nonbanking must inevitably lead to abuses. As T. H. Milner, Jr., president of the National Bank of Athens (Georgia) and a spokesman for small banking interests, puts it: "I personally do not believe that any banker can give a clear-cut, unbiased decision on credit if he is connected, however slightly, with a string of other nonbanking businesses in the community his bank serves. There has to be a conflict of interest . . ."

Milner would probably have to admit that there are conflicts of interest even when a bank is not involved in other businesses. Large depositors, after all, at times pressure bank managers into granting unusually favorable credit terms and induce them to pigeonhole credit applications from competitors. But, say the proponents of restrictive legislation, this is no argument for permitting a situation in which abuses of power can multiply.

Surely abuses can result when banks diversify into other businesses—financial as well as industrial. If such potential abuses materialize and become widespread, however, they can be handled by potential legislation. The benefits of the financial supermarket, on the other hand, seem immediate, and palpable. The possible contribution of the industrial corporation to wide-awake, service oriented banking also is clear and undeniable—though if the Justice Department abandoned its counterproductive merger policy, the rescue of inefficient banks by such corporations might be unnecessary. The real public-policy question is: Shall we allow both bank stockholders and consumers of credit to be damaged by what have been de-

scribed as the Three Big Fears—the regulator's fear of working, the banker's fear of competing, and the legislator's fear of shadows?

#### TRIBUTE TO COLEMAN HAWKINS

### HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. HUNGATE. Mr. Speaker—

The man that hath no music in himself,  
Nor is not moved with concord of sweet  
sounds,

Is fit for treasons, stratagems, and spoils;  
The motions of his spirit are dull as night,  
And his affections dark as Erebus:  
Let no such man be trusted.

—SHAKESPEARE.

Coleman Hawkins, the great musician, who lately died, was a man worthy of humanity's trust. Some appropriate remarks about him appeared recently in the New Yorker:

[From the New Yorker]

#### THE TALK OF THE TOWN

The godlike offer too much and they demand too much. They seem cold because they have only themselves to match. They are shameless perfectionists and their light hurts the eyes. Such was Coleman Hawkins, the great tenor saxophonist, who died last week, at the age of sixty-four. Hawkins invented the jazz saxophone, and, more than that, he spent forty years tinkering with his invention—remodeling it, streamlining it, polishing it. Most artists, of whatever kind, find a style that, like the Boston matron's hat, sustains them for life, even when sheer use turns it to self-parody. But Hawkins, instinctively detesting commercialism, changed his style every ten or fifteen years. He began—in the twenties, with Fletcher Henderson—as a nervous, serio-comic performer who spent notes by the thousand. This adolescent choppiness subsided, and he became a classic Romantic with a big-breasted tone and an Echo Mountain vibrato. Then his style lost weight, revealing a fluent, tough, muscled attack—the attack that produced his seminal 1939 recording of "Body and Soul." He passed into his fourth, and final, phase ten years ago, and it was unsettling. The best of his earlier modes was still there, but there was a new element—a naked, hellfire crying out that suggested he had finally discovered what life is and didn't like what he saw. Hawkins' musical adventurousness—which kept musicians twenty years younger running—was simply a by-product of his unstemmable creativity. He spent most of his life improvising, which means that he altruistically gave part of himself away night after night, month after month, year after year. A sculptor can touch his work, a painter can stare at his finished canvas, but improvisation—except in the rare instances when it is recorded—is borne away the second it is uttered. Hawkins' generosity changed jazz, and jazz has changed Western music. One example will do. Harry Carney, the baritone saxophonist, has since 1927 been the rock that Duke Ellington has built his band on, and the Ellington band remains revolutionary and incomparable. Carney idolized Hawkins.

Hawkins' majesty was quietly embodied in his person. He was a handsome, straight-backed, medium-sized man who dressed impeccably and spoke distinctly in a low voice. Even in his later years, eroded by alcohol and the demands of his profession, he was sei-

gnorial. He offset his frail, stooped appearance by growing a patriarchal beard. He was always a lesson to watch. Eight years ago, he was hired as an accompanist for Ida Cox, the oldtime blues singer, who had been unearthed and brought to New York to make some recordings. He overslept on the day of the session, but when he came into the studio—his eyes still three-quarters closed, a black felt hat jammed evenly on his head, his suit razor-sharp, and his walk very fast—he was the Chairman arriving, not just a tardy musician. Not long before that, he played almost every concert of the fledgling Great South Bay Jazz Festival, on Long Island, despite having to work in New York at the same time, and he played with a passion and invention that made the whole enterprise unforgettable. And one evil night several years ago at the Village Vanguard, after the bassist Charlie Mingus had spent an hour berating the audience and his musicians for something or other, Hawkins countered Mingus' rudeness by turning his back on him and playing magnificently into a corner of the bandstand. He courted no one, but he had friends, and Roy Eldridge, the trumpeter, was perhaps the closest. "Coleman was a first-class cat all the way down the line," Eldridge said last week. "He was the old school. He never traveled economy, and, of course, he was like a genius on his horn. I guess I knew him as well as anybody. I got my first job—for twelve dollars a week, in 1927—through him, by copying his solo, note for note, off Fletcher Henderson's record of 'Stampede.' And I was the first person near him after he came back from five years in Europe in 1939. I had a Lincoln and he had a Cadillac, and we followed each other to gigs—double things like that. He was a person people were afraid to talk to. If anything went wrong on a job, they wouldn't go to him, they'd always come to me. He was proud, but he wasn't cold, and he had a sense of humor. He just stayed away from cats he didn't like. People said he didn't like Lester Young, who was supposed to be his great rival. Man, I remember Coleman and I sat up all one night with Lester in the fifties, when we were with Jazz at the Philharmonic, trying to find out why Lester was up so tight. We never did. The last five years, Coleman was sick, and he just about quit eating. All he had eyes for, when he ate at all, was Chinese food, like Lester. But I'd call him in the evening and tell him what I was cooking. I'd tell him such-and-such, and he'd say, 'That sounds pretty good. I'll have to go out and get me some.' The next day, I'd call again, and he'd forgotten everything. Coleman always had money, and he always spent it the right way. He'd have a Leica and a Steinway and three-hundred-dollar suits, but before anything else he always laid out six hundred dollars a month to take care of his rent and his wife and children. I often wondered if he had a little income of his own, but I never knew, because money was one thing we didn't discuss. Just a while ago, I went out with Coleman when he wanted to look at a Rolls-Royce to buy, and I said to him, 'You'd look ridiculous riding around in that.' So he bought a Chrysler Imperial. Eight thousand in cash. I don't think he got to put more than a thousand miles on it."

Just a year ago it was my privilege to hear him in the program "Jazz Runs at Laurel." He gave meaning to these lines of T. S. Eliot:

Music heard so deeply  
This it is not heard at all but you  
Are the music  
While the music lasts.

When all in this Hall are dust, men will hear and stand in awe of "The Hawk."

## THE DANGEROUS DELAY IN STARTING ARMS NEGOTIATIONS

**HON. LUCIEN N. NEDZI**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. NEDZI. Mr. Speaker, as the nuclear arsenals of the superpowers grow ever more awesome the margin for political decision grows ever more precariously thin. As the danger to the world increases, thoughtful men realize that it is in our national interest and in the world's interest that the United States and the Soviet Union reach some agreement on arms control.

This may be one of those moments of opportunity in world history when a turning point has been reached. If this moment passes, the consequences may be devastating. It behooves us, therefore, to get arms control talks moving. In this regard, I believe the June 16, 1969, column by Marcus Childs in the Washington Post is worthy of our attention. The delay in starting arms negotiations is explained. The reservations on the part of President Nixon are only partly justified, in my opinion. Without assessing blame I believe that we should more readily move to the conference table.

Under leave to extend my remarks in the RECORD, I insert the Childs' article in the RECORD:

**NIXON IS TO BLAME FOR DELAY IN STARTING ARMS NEGOTIATIONS**  
(By Marquis Childs)

Like duellists sparring in the dark, the United States and the Soviet Union confront the opportunity, if indeed the opportunity still exists, to slow the nuclear arms race. When the Pentagon curtain is lifted, the peek into the mysteries of that race are calculated to scare the innocent bystander into believing the risks of a slowdown are almost too great to take.

The Nixon Administration has held up the start of the arms talk for nearly six months for reasons obscured by controversy and clouded by a lack of hard facts. The following sequence, much of it hitherto undisclosed, throws a little light on that delay.

It begins with the preparations for the Nixon takeover after last November's election. One of the President-elect's law partners approached Secretary of Defense Clark Clifford to ask him to stay on in that office. After long consideration and a search of the past showing that a Cabinet officer of one party had never been carried over into the Cabinet of a President of another party, Clifford said no. He felt it would be impossible to serve responsibly in a Nixon Cabinet.

But, having a close liaison with the new men, Clifford argued the case for beginning the arms talks at the earliest possible moment. Under the chairmanship of Secretary of State Dean Rusk, he had sat in the high-level committee that worked out in detail the agreed American negotiating position. A set of negotiating principles put down on paper were initialed by both American and Soviet officials.

Then on Aug. 20 came the Soviet invasion of Czechoslovakia. For President Johnson it was the most crushing disappointment of his presidency. Plans had been set for Mr. Johnson to fly to a summit meeting to proclaim the start of talks that could ease the awful arms burden.

Toward mid-November, the number of Russian divisions in Czechoslovakia was reduced from 20 to about two, and hope was revived that the talks could start at a low level. The argument was that, having begun, they would

gain a momentum that another Czechoslovakia, say in Rumania or Yugoslavia, could not halt.

At this point, the Nixon men expressed their opposition. They wanted a chance to review the whole matter after they took over. To make sure Moscow understood their stand, word was conveyed directly to the Soviets of their unwillingness to sanction talks started by the outgoing Administration.

That was delay No. 1 as the newcomers prepared for a lengthy review that seemed, to outgoing officials, who had labored long and hard, to ignore the achievement of an agreement of principles by both sides. Hitch No. 2 was at least as serious in its consequences.

Clifford had made the case for straight arms talks uncomplicated by the profound political differences between the two sides in several areas. The Nixon men believed that arms negotiation should be tied to political concessions by Moscow in Vietnam and the Middle East. If they want arms reduction so badly, so the argument went among some Nixon advisers, let's make them pay for it. At his first press conference in January the incoming President said:

"What I want to do is to see to it that we have strategic arms talks in a way and at a time that will promote, if possible, progress on outstanding problems in which the United States and the Soviet Union, acting together, can serve the causes of peace."

On the face of it this sounded reasonable enough. But to Clifford and the others, aware of how swiftly a new and even more costly round in the arms race was shaping up, it seemed a big obstacle in the way of success while time and hope ran out. Feeling a great sense of urgency, Clifford devoted one of his rare public speeches—rare since he left office—largely to arms negotiation. On Feb. 17 he said:

"The hard fact is that we may never again expect to be in as favorable a position as we now enjoy for entry into talks about a freeze in strategic nuclear armaments. The Soviet Union continues to produce and perfect its nuclear missiles. Technological developments may well make any arms limitation agreement more difficult to develop and enforce a year from now or six months from now than it is today."

That point of no return is closer at hand by four months than when Clifford spoke—it may already have been passed. The reason is not so much the antiballistic missile system, embattled in the Senate, as the many-headed missile with each warhead aimed at a separate target, MIRV in Pentagon jargon. The United States has conducted 14 tests of MIRV beginning last August, seven on Minute Man III and seven on Poseidon. A news story inspired by the Pentagon had the headline: "Soviet Gain Seen in MIRV Program." The implication was that with MIRV requiring on-the-spot inspection, the prospect for limiting this newest round was all but ruled out.

As the Cabinet level planned the start of the talks, the cards would be put on the table—how far have you gone with MIRV? How many missiles do you have? How many whopping SS-9s? The dark would be dispelled and negotiation could begin. It may have been impossible then. The odds are far longer now—six to nine months later.

**BALTIC STATES FREEDOM REMEMBERED**

**HON. CORNELIUS E. GALLAGHER**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. GALLAGHER. Mr. Speaker, 29 years ago, the flame of freedom was cruelly and illegally snuffed out in the lands of the Baltic States.

Twenty-nine years ago, the free and independent states of Lithuania, Latvia, and Estonia were betrayed by wanton aggression.

Twenty-nine years ago, the two decades during which these states enjoyed the blessings of liberty became just a memory for the Baltic peoples.

Today, we Americans remember the tragic events of 29 years before. We recall the inhuman deportations of more than 200,000 human beings from the Baltic States to the barren and desolate terrain of Siberia. Wrenched from their homelands, these brave people became captives in a foreign prison.

Mr. Speaker, these events give us all cause to reflect on the fragile nature of human freedom. When the Soviet Union invaded the Baltic region, it violated a solemn, international treaty—signed in 1920—in which the Soviets renounced "voluntarily and forever" all sovereign rights over the people and territory of the Baltic region. But a treaty is no more effective than the motives which prompt its creation and the honorable intentions of the men who enforce its provisions. The peace and tranquility of the world community depends on international agreements for its existence; when these agreements are wilfully, indeed brazenly violated, there can be no peace or freedom.

If there is a message to be taken from the dark days of June 1940, when the Communist world marched on Lithuania, Latvia, and Estonia, it is that eternal vigilance is the price which the free nations of the world must pay to preserve their liberty. The Baltic peoples provide us all with a courageous and inspiring example of human beings so dedicated to their independence that they were willing to make the ultimate sacrifice for its preservation.

Today, then, let us not commemorate the captivity of the Baltic States. Rather, let us celebrate the bright, albeit brief, period of freedom which these states enjoyed after the First World War. And let us look forward to the time when honor among nations is the strongest weapon in our arsenal of defense.

**CONFEDERATE MEMORIAL DAY,**  
1969

**HON. JOHN R. RARICK**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. RARICK. Mr. Speaker, the fallen sons of the South are not forgotten. "Lest we forget"—these were Americans who died in defense of their homes.

An understanding of the South and its undying traditions comes only with the realization that no other Americans have been defeated in war—subjected to a hostile occupation—and "reconstructed."

It is because of this that we of the South react quickly to every encroachment on our liberties, and in our desperate attempt to warn other Americans of impending danger, we are many times misunderstood.

The contributions of men of the South—past and present—both in peace and at war—speak for themselves in tribute to their fidelity and dedication to the truest principles of constitutional government.

June 3 is Jefferson Davis' birthday and the first Sunday in June, the 8th this year, the annual Confederate Memorial Services were held at Jackson Circle in Arlington National Cemetery, the hallowed national shrine to our country's heroes who lie buried on the former estate of our great military leader, Robert E. Lee, of Virginia.

The annual ceremony is conducted by the Confederate Memorial Committee, Washington, D.C., and is dedicated to the memory of the Confederate veterans and their descendants who served our country.

No more fitting tribute or remembrance could be said than the few short words emblazoned on the Confederate monument at Jackson Circle:

Not for fame or reward, not for place or for rank,

Not lured by ambition, or goaded by necessity

But in simple obedience to duty, as they understood it

These men suffered all, sacrificed all, dared all . . . and died.

The orator for the memorial service was Dr. B. H. Webster of Nashville, Tenn., commander in chief, Sons of Confederate Veterans.

Mr. Speaker, I am honored to include Dr. Webster's address for our colleagues perusal:

ADDRESS BY DR. WEBSTER

Compatriots, Daughters, and Guests: Thank you for your fine introduction. I appreciate very much the invitation to speak on this glorious and grand occasion at Arlington with the combined Sons of the Confederate Veterans and the United Daughters of the Confederacy cooperating.

Let us discuss this afternoon the valor and heritage of the South which is dear to my heart! I was born and bred a Southerner, and I am proud to be a Southern Patriot.

I am reminded of an anecdote of my friend, Thurman Sensing, Executive Director of the Southern Industrial Council, that everyone loves a Southerner; that you can travel all over the world and see signs that read, "Go Home Yankees," but nowhere have you seen signs that say, "Go Home Southerner," so everyone loves a Southerner.

It is always intriguing to proclaim the valor of the South. In the Preamble of the Sons of the Confederate Veterans, we declare in the name of a reunited country that we pledge allegiance to the Constitution of the United States which was largely written and expounded by Southern men and always clung to by Southern people as the very Magna Charta of our liberties.

We believe in the right of all sections of the country to confer power upon the Federal Government, and an opposition to further amendments. We adhere to the principles of the Great Charter of Runnymede, 1215 A.D. We associate ourselves in one united, compact body of all men of Confederate ancestry, so that we may cultivate, perpetuate, and sanctify the ties of fraternity and friendship, and aid and encourage the recording and teaching of all Southern history from Jamestown to the present era.

We must urge, aid, and assist, in the erection of suitable and enduring monuments and memorials to all Southern valor, military and civil, wherever they may be. May we always honor and revere the memory of our

heroic ancestors, who by their sacrifice perpetuated unto us and our descendants that glorious heritage of valor, chivalry, and honor which we now hold and venerate! May we instill into our descendants a devotion to and reverence for the principles represented by the Confederate States of America, to the honor, glory, and memory of our fathers who fought in that Cause!

The South is remembered forever because of the preeminent statesmen, political and military leaders which it developed. Moreover, there has never been a given time or situation in all the world that has produced such renowned individuals. Let us recount a few of these remarkable men.

George Washington, a Virginian, was the Father of Our Country. Thomas Jefferson, a Virginian, wrote the Declaration of Independence. James Madison was the Father of the Constitution. George Mason wrote the Bill of Rights. John Marshall, was the first Chief Justice, and founder and foremost exponent of the American System of Constitutional Law, or we might say the Father of Constitutional Law.

The geographical picture of the United States as we know it today was largely brought about by the leadership of Southern leaders. The Thirteen Colonies were developed into the United States of America under Washington's leadership. Thomas Jefferson's administration annexed the Louisiana Purchase which later numbered fifteen states, more than all the original Thirteen Colonies together. Under the administration of James Monroe, Florida was purchased.

Texas became independent under the leadership of Sam Houston and Stephen Austin. The Alamo sired the spirit of Texas through Southern heroes such as David Crockett.

The generalship of Zachary A. Taylor and Winfield Scott won the war with Mexico in 1846, along with the heroism of such stalworth Southern patriots as Robert E. Lee, Jefferson Davis, and John A. Quitman of Mississippi. Under the presidency of James K. Polk of Tennessee, by the Treaty of 1848, Mexico ceded claims to Texas, California, Arizona, New Mexico, Nevada, Utah, and much of Colorado. During the same administration, under the statesmanship of John C. Calhoun, the Oregon Claims were settled with Great Britain, and the nation became a major power.

Also, soon after the War Between the States, one of the great grievances against Andrew Johnson, a Tennessean, was the purchase of Alaska for \$7,200,000.00 which was one of the best investments that the country has ever made. As we now know, this brought another state into the Union.

Many other Southern leaders such as Andrew Jackson, Patrick Henry, John Sevier, and Cordell Hull who was the Founder of the United Nations, will long be remembered. The literary and poetic heritage of the South is both memorable and time honored. This would make an excellent paper for some future speech.

As a result of their illustrious Southern forebears, the Confederates became the political and spiritual heirs of the Founders of the Republic. George Washington became the Centerpiece of the Great Seal of the Confederacy with the inscription of February 22, 1862, as the official birthday of the Confederate States of America.

The War Between the States has produced greater study and imagination than almost any conflict in history. A new biography of a leader, a battle, or some memoir comes off the press practically monthly.

Military circles abroad and European observers have made special studies for the major European armies. Without doubt, this war constituted an important chapter in military history.

June 3rd having been the 161st birthday of Jefferson Davis, I should like to memorialize again that great patriot who was a

United States Congressman, a United States Senator, Secretary of War under President Franklin Pierce, and a West Point Graduate who served brilliantly in two wars.

Of particular interest to me is the fact that he founded the Army Medical Corps. Let us not forget that he was the President of the Confederacy, and gave freely of his time and talents for the direction of the helm of that government through the four years of its existence. Due to his great achievements and magnificent service, he has been nominated for election to the Hall of Fame.

How fitting that former President Dwight D. Eisenhower gave a magnificent summary of how he felt about Jefferson Davis when he said:

"Having long held the conviction, a conviction reinforced by my reading of Hudson Strode's Biography of Jefferson Davis, that the President of the Confederacy was one of our outstanding ante-bellum Americans, I have been impressed by the worth of both his military and civil service to the nation, and have admired his selflessness, courage, and dedication to America—He nobly tried to do what he thought right."

And, I like to remember again that there is no lost Cause!

Yes, we lost our last battle, but we never lost our Cause.

Our Cause was never a Lost Cause. It is just as right and just as much needed today as it was in 1776 and 1861. All of those who hope to live in the land of the free and the home of the brave must believe in it, stand up for it, and fight for it.

The South is rising again. There is great industrial development everywhere in the Southland. The hope of the Country lies in Dixie.

May the valor and wonderful heritage of the South ever persist and become the stalworth ramparts of the nation.

KENMORE JUNIOR HIGH SCHOOL  
ACHIEVEMENT

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, I should like to call the attention of our colleagues to a magnificent achievement on the part of the coaches and players of the Kenmore Junior High School in Arlington, Va., which is located in my congressional district.

Of the four sports in which the Kenmore Junior High School participates, they hold a record of 25 victories and no defeats during the school sports year just completed. I believe this may establish a national record, and that the players and coaches in the school should be commended.

Under leave to extend my remarks, I am including at this point in the RECORD two articles which appeared in the Northern Virginia Sun on May 29, 1969, concerning the school and its successful sports year:

KENMORE JUNIOR HIGH COMPLETES FOUR-SPORT YEAR WITH 25-0 MARK

Good coaching, average athletes and an extreme desire to win was the formula Kenmore Junior High of Arlington used to finish a 25-0 four-sport year.

Setting the standards for the other teams, the football squad won its five games and

completed the first undefeated season in any sport in Kenmore's history.

Coached by Bob Rimmer, the Braves relied primarily on a running offense from the winged-T formation. The first defensive unit gave up only six points all season while Kenmore defeated Gunston 20-6, Stratford 13-0, Williamsburg 27-6, Jefferson 33-6 and Swanson 6-0.

Four football players helped carry the winning spirit as starters on the basketball team which won 10 games and averaged 48 points to the opponents' 36 points.

Coach Robert Lewis said the record was built with the use of tough, aggressive defense, outstanding ball handling for junior high level play, plus a tremendous desire to bring a second straight county championship to Kenmore.

The wrestling team wasted no time in extending the winning streak for Kenmore which in years past had been the league's doormat. As in basketball and football, Swanson was the toughest opponent but was defeated 29-22. Against Jefferson the unbelievable score of 66-2 was posted. Other scores were Gunston 42-16, Stratford 36-22 and Williamsburg 37-19.

Five of the fifteen weight classes had undefeated wrestlers.

Three wrestlers, George Kult, 80 pounds, Wally Frankland, 153 pounds, and Richard Tuten, 174 pounds, had five victories and no defeats. Mark Gaughan, 97 pounds, and Steve Sherwood, 135 pounds, both had four wins and one tie. Coach Don Gardiner guided the grapplers to Kenmore's third consecutive county championship of the school year.

As track practice began, the thought of the fourth championship for Kenmore was uppermost on the mind of everyone and especially that of the principal, C. Clinton Cone, who had known some lean years as head of the newest school in the county and one with many losing records.

Track coach Dale Pigg realized that he was under the gun as the season opened and was most satisfied with the first victory against Gunston by a score of 96½ to 29½. The second meet against Stratford was also relatively easy, 91 to 35.

The toughest dual meet was against Jefferson, 66½ to 59½. Last week the Braves beat Swanson 84½ to 41½.

Only one competitor participated in all four sports. He was Ben Vaught. There were eight who started in three of the four sports: Harry Thomas, Bobby Meeks, Wally Frankland, Larry Murray, Gary McInturf, Carl Butler, Richard Tuten and Brian Marth.

Eight Braves also were in two sports: Jim Barbe, Pat Barton, Don Birdseye, Joe Constantz, Ted Soper, Clarence Stewart, Ed Hoeg and Jeff Braucher.

Results of Kenmore games and participants in each sport:

## FOOTBALL

Kenmore 20, Gunston 6.  
Kenmore 13, Stratford 0.  
Kenmore 27, Williamsburg 6.  
Kenmore 33, Jefferson 6.  
Kenmore 6, Swanson 0.

First Team Offense—LE, Harry Thomas; LT, Bobby Meeks; LG, Gideon Brown; C, Bob Kidwell; RG, Joel Constantz; RT, Wally Frankland; RE, Larry Murray; QB, Gary McInturf; TB, Ted Soper; FB, Carl Butler; WB, Rodney Mullins.

First Team Defense—DE, Rodney Mullins; DT, Clarence Stewart; MG, Richard Tuten; DT, Ben Vaught; DE, Wally Frankland; LB, Gary McInturf; LB, Nick Derzls; CB, Ed Hoeg; CB, Carl Butler; S, Larry Murray; S, Brian Marth.

Co-Captains: Carl Butler, Gary McInturf.  
Head Coach: Bob Rimmer; Assistant: Dale Pigg.

## BASKETBALL

Kenmore 54, Gunston 45.  
Kenmore 47, Stratford 32.  
Kenmore 38, Williamsburg, 22.

Kenmore 71, Jefferson 35.  
Kenmore 34, Swanson 30.  
Kenmore 54, Gunston 53.  
Kenmore 42, Stratford 37.  
Kenmore 46, Williamsburg 36.  
Kenmore 44, Jefferson 32.  
Kenmore 47, Swanson 42.

Members of the Kenmore Varsity squad were: Ricky Adams, Jim Barbe, Pat Barton, Jeff Braucher, Mark Dickson, Herman Eason, Rich Healey, Eddie Hoeg, Tom Kinert, Brian Marth, Larry Murray, Harry Thomas, Ben Vaught, Steve Williams. Managers were Jim Hendricks and Dick Thomas. The Braves are coached by Robert Lewis.

## WRESTLING

Kenmore 42, Gunston 16.  
Kenmore 36, Stratford 22.  
Kenmore 37, Williamsburg 19.  
Kenmore 66, Jefferson 2.  
Kenmore 29, Swanson 22.

The Squad—George Kult, 80 pounds; Mark Gaughan, 97 pounds; Steve Sherwood, 135 pounds; Wally Frankland, 153 pounds; Richard Tuten, 174 pounds; Stuart Blue, 87 pounds; Martin Chretien, 87 pounds; Neill Blue, 105 pounds; Mark Crisp, 114 pounds; Don Birdseye, 122 pounds; Eddie Beams, 129 pounds; Ted Soper, 129 pounds; Carl Butler, 140 pounds; Gary McInturf, 147 pounds; John Benton, 160 pounds; Ben Vaught, 160 pounds; Bobby Meeks, 167 pounds; Clarence Stewart, Unlimited.

## TRACK

Kenmore 96½, Gunston 29½.  
Kenmore 91, Stratford 35.  
Kenmore 66½, Jefferson 59½.  
Kenmore 84½, Swanson 41½.  
Kenmore 85, Williamsburg 41.

Head Coach: Dale Pigg; Assistant: Bob Rimmer.

Shot put—13 yr. old: Bob Hagler, George Grant, Dale Atkinson; 14 yr. old: Brian Marth, Jim Barbe, Wally Frankland; 15 yr. old: Dan Saravia, Bobby Meeks, Gary McInturf.

High jump—13 yr. old: Allen Cogswell, Abey Albert, Pat Boyle; 14 yr. old: Dave Painter, Harry Thomas, Larry Murray; 15 yr. old: Joel Constantz, Pete Jankiewicz, Ben Vaught.

Broad jump—15 yr. old: Larry Linten, Rick Healey, Bob Hagler; 14 yr. old: Bill Lemnitzer, Wally Frankland, Carl Butler; 15 yr. old: Richard Tuten, Gary McInturf, Larry Waldow.

Sprints and relays—13 yr. old: Rick Healey, Chris Lemons, Allen Cogswell, Larry Linten; 14 yr. old: Carl Butler, Wally Frankland, Harry Thomas, Larry Murray; 15 yr. old: Pat Barton, Larry Waldow, John Coleman, Richard Tuten.

660 yard run—Don Birdseye, Ben Vaught, Gary Duncan.

## BRAVES COMPLETE SWEEP OF JUNIOR HIGH SPORTS

Kenmore's Braves completed a sweep of Arlington County Junior High School sports yesterday by defeating Williamsburg, 85-41, in the final track meet of the season at Kenmore.

Kenmore went through the football, basketball, wrestling and track seasons without a defeat and won 25 events during the school sports year.

The Braves won 12 of the 16 events on yesterday's program as the school closed the track season with a 5-0 record.

The summaries:

## 13-YEAR-OLDS

50-yard dash (6.1)—1. Healy Kenmore; 2. (tie) Hall, Williamsburg and Lemmons, Kenmore.

High jump (5.1)—1. Hall, Williamsburg; 2. Hughes, Williamsburg; 3. Boyle, Kenmore. Shot put—(41-6¼)—1. Atkinson, Kenmore, 2. Grant, Kenmore; 3. Hall, Kenmore.

Broad jump (16-1½)—1. Hagler, Kenmore;

2. Boyle, Kenmore; 3. Papuga, Williamsburg 220-yard relay (27.7)—1. Kenmore; 2. Williamsburg.

## 14-YEAR-OLDS

70-yard dash (7.9)—1. Murray, Kenmore; 2. Reeves, Williamsburg; 3. Butler, Kenmore. High jump (5-2)—1. (tie) Thomas, Kenmore, and Murray, Kenmore; 3. Reeves, Williamsburg.

Shot put (49-5½)—1. Frankland, Kenmore; 2. Barbe, Kenmore; 3. Clapp, Williamsburg.

Broad jump (18-¾)—1. Butler, Kenmore; 2. Fields, Williamsburg; 3. Frankland, Kenmore.

440-yard relay (48.7)—1. Kenmore; 2. Williamsburg.

## 15-YEAR-OLDS

100-yard dash (10.6)—1. Tuten, Kenmore; 2. Waldon, Kenmore; 3. Coleman, Kenmore. 660-yard run (1:28.3)—1. Murphy, Williamsburg; 2. Birdseye, Kenmore.

High jump (5-3)—1. Allen, Williamsburg; 2. Vaught, Kenmore; 3. Clark, Williamsburg. Shot put (55-6¾)—1. Mahon, Williamsburg; 2. McInturf, Kenmore; 3. Meeks, Kenmore.

Broad jump (18-2¾)—1. Murphy, Williamsburg; 2. Tuten, Kenmore; 3. Heggi, Williamsburg.

440-yard relay (48.6)—1. Kenmore; 2. Williamsburg.

## BILL SCOTT REPORTS

## HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. SCOTT. Mr. Speaker, since election to Congress, I have prepared a monthly newsletter which is mailed to all residents of the 8th District of Virginia who have indicated a desire to receive it. This month's issue is set forth below for the information of my colleagues:

## YOUR CONGRESSMAN BILL SCOTT REPORTS

## COMMUTER TAX

District of Columbia officials in presenting their tax proposal to Congress have again urged the imposition of a commuter tax. An estimated 300,000 suburban residents work in Washington and the D.C. officials feel that a levy of ¼% tax on gross income would raise \$3.5 million dollars annually while a 1% salary tax would raise \$14 million. However, commuters already pay sales and gasoline taxes to the District government as well as taxes to operate their own local and state governments. Since Washington is the capital city, it would seem reasonable to raise the Federal contribution if revenue is needed beyond what is reasonable for Washington residents to raise. Citizens throughout the country contribute to the Federal contribution and this seems more equitable than obtaining supplemental funds from area residents only. While some other large cities have a commuter tax, they do not receive a Federal subsidy. The Chairman of the House District Committee has been advised of these views.

## TAX FORM

It is evident that people are concerned about inequities in present tax laws. Our mail indicates they feel that there is an unfair burden on taxpayers in the middle income bracket while some citizens pay little or no taxes. The House Ways and Means Committee has announced tentative decisions on some of the reforms which they have had under consideration. Possible reforms include

restrictions on private foundations; a general tightening of tax laws in the areas of charitable contributions, losses from farming operations, multiunit corporations and certain types of corporate merger transactions; and extending the unrelated business income tax to churches, social welfare clubs, civic leagues, social clubs and fraternal beneficial associations. Another proposal affords more generous moving expense deductions to those persons who must move their residences because of their job. While this is only a preliminary "progress report" of the Committee's work on tax reform, it is hoped that the ultimate tax reform bill, which they expect to have completed by mid-August, will be at least a step in the direction of an equitable system of taxation. Another upcoming tax activity will be consideration of extension of the income tax surcharge which will very likely come before the House for approval in a few days.

**PREVENTIVE LEGISLATION**

The House passed a bill prohibiting the issuance of a permit on any real property within the District of Columbia owned by or under governmental control for camping, sleeping, sitting-in or other overnight occupancy, or for constructing or erecting any temporary building except for governmental activity. This, of course, is an outgrowth of last year's Tent City occupancy near the Lincoln Memorial and you may recall that the Virginia Members of the House joined in introducing a similar proposal last year. Public buildings and grounds in the capital city are the property of all of its citizens and, in my opinion, should not be utilized by demonstrators.

**SAFETY IN CONSTRUCTION**

Both the construction industry and organized labor supported a measure passed by the House last week to strengthen the federal construction safety program. The measure authorizes the Secretary of Labor to set safety standards for contractors when federal funds are involved. However, it does not prevent the states from passing similar safety measures or allow arbitrary action by the Secretary of Labor. He is required to hold hearings on proposed standards, consult with an advisory board, and act only against a specific violation. It is hoped that the measure, if adopted by the Senate, will reduce the \$3 billion annual loss to the construction industry and the loss of life and time to the construction worker.

**CIGARETTE LABELING BILL**

Congress is considering H.R. 6543, the Public Health Cigarette Smoking Act of 1969. This legislation would require that all packages of cigarettes sold in the United States bear a warning message reading as follows: "The Surgeon General has determined that cigarette smoking is dangerous to your health and may cause lung cancer or other diseases." The present law which expires at the end of the month requires a warning message that reads: "Caution: cigarette smoking may be hazardous to your health." The pending bill is considered a stronger statement of the danger.

**LORTON BILL**

In view of the continued concern of constituents with conditions at the D.C. Correctional Institutions at Lorton, I have introduced a bill to transfer jurisdiction over them to the U.S. Bureau of Prisons. While it is expected that the House District Committee will soon hold hearings on Lorton disturbances, the transfer of jurisdictions may solve some of the problems that have plagued the institutions in recent years.

**PAY TELEVISION**

We have been receiving many letters from constituents who are concerned about the possibility of having to pay to watch television. In December of last year, the Federal

Communications Commission established rules authorizing pay television. This authorization was to become effective in six months—June 12, 1969. The delay was provided to allow time for Congressional and court review. Although legislation was introduced to prohibit the establishment of pay TV, the bill was never reported out of Committee or brought to the floor of the House for consideration. It is my understanding that pay TV, as currently contemplated by the FCC, would permit only one station to be licensed for this purpose in areas which have at least four other regular stations. The unscrambling unit, which would enable a person to receive a pay channel, would be rented by the viewer only if he desired to view pay programs. No one would be deprived of free TV viewing or forced to subscribe to the pay channel.

**POST OFFICE PLANS**

The Post Office Department has furnished me with the following list of new construction projects in our district approved as of May 2, 1969:

| City                | Net interior (square feet) | Date of approval | Status                     |
|---------------------|----------------------------|------------------|----------------------------|
| Centreville.....    | 11,500                     | January 1969.    | Seeking a site.            |
| Chantilly.....      | 2,993                      | April 1968.....  | Do.                        |
| Colonial Beach..... | 2,054                      | .....do.....     | To be advertised May 1969. |
| Fredericksburg....  | 18,458                     | January 1969.    | Seeking a site.            |
| Great Falls.....    | 4,500                      | April 1968.....  | Do.                        |
| Leesburg.....       | 14,954                     | May 1966.....    | Under construction.        |
| Louisa.....         | 5,280                      | August 1967..... | Awarded April 1969.        |
| Ocoquan.....        | 864                        | April 1968.....  | Under construction.        |
| Rockville.....      | 864                        | .....do.....     | Do.                        |
| Tappahannock.....   | 5,006                      | .....do.....     | Under advertisement.       |
| Woodbridge.....     | 9,046                      | February 1967.   | Seeking a site.            |
| Waterford.....      | 1,000                      | February 1962.   | Advertised April 1969.     |
| Woodford.....       | 1,152                      | April 1968.....  | Under construction.        |
| Vienna.....         | 16,818                     | .....do.....     | Seeking a site.            |

Since the list was prepared, plans have been approved for a new postal facility at Irvington, with interior measurements of 2,017 sq. ft., and the Department is presently seeking a site for this building; the new post office at Ocoquan is scheduled for dedication on June 28 at 2:00 P.M. and the Department is considering improved postal quarters in the Manassas area.

**POSTAL REFORM HEARINGS CONTINUING**

Almost everyone agrees as to the need for change in mail service but differ as to how it should be accomplished. The House Post Office and Civil Service Committee is continuing to hold hearings on a wide variety of bills. The proposal for a Postal Corporation is a comprehensive measure which would eliminate the Post Office Department, substitute a Postal Service Corporation headed by a Board of Directors and remove the Postmaster General from the Cabinet. More than 700,000 employees would be removed from the competitive Civil Service system and be subject to long-term employment contracts between the Board of Directors and employee representatives. Disagreements on salary and working conditions would be settled by a Board of Arbitration. The Corporation would be authorized to borrow up to \$10 billion and could set postal rates, subject only to a 60-day right of Congress to veto rates. My thoughts on the matter were expressed in a House speech about 10 days ago. Let me know if you would like a copy.

**WASHINGTON COUNTRY PARKWAY**

A number of constituents have inquired as to the status of plans of the National Park Service to establish a parkway connecting Mt. Vernon to Yorktown by way of the

Northern Neck. Congress would have to authorize this project and appropriate the necessary funds before any action could be taken by the Park Service and it is my understanding that no hearings are contemplated and no action will be taken this year.

**DISTRICT OFFICE**

Should you desire to discuss any matter and find it inconvenient to come to Washington, I plan to be in the office in the Fredericksburg Post Office all day on Fridays, June 20 and July 11.

**SOMETHING TO PONDER**

"Lawless are they that make their wills their law"—Rochefoucauld.

**BLAME INFLATION FOR INTEREST BOOST**

**HON. WILLIAM A. STEIGER**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, a comprehensive and judicious analysis of the economic forces at work behind recent increases in interest rates was prepared by Mr. Lee Silberman for the Milwaukee Journal of Sunday, June 15.

Mr. Silberman is a graduate of the University of Wisconsin and former banking editor of the Wall Street Journal. He presently is a vice president of a New York investment house.

Mr. Silberman's article is relevant to the work of every Member of Congress and I recommend its review by every Member:

**INFLATION, STRAIN ON CREDIT BLAMED FOR INTEREST JUMP**

(By Lee Silberman)

Just what is behind the recent sharp increase in interest rates?

With money costs in this country now at historic highs this question is of more than idle interest to consumers, businessmen, home buyers, school board members, governmental officials and everybody else who has to borrow funds.

In an issue this vital there is no single answer. The reasons for rocketing money costs, rather, reflect a combination of circumstances including:

Inflation, a chronic condition in this country since World War II, resulting from more and more spending dollars chasing relatively too few goods, and reflected in an almost endless rise in prices.

Steadily rising demands for credit by each of the major segments of the economy—business, individual and the public sector (federal, state and local). These demands have led to economic overheating in recent years, under the growing strain of financing both the Vietnam conflict and business as usual at home.

The recent evolution of a restrictive national economic program aimed at curbing excessive economic growth and inflation and slowing both to a sustainable pace.

These restraints, first instituted in the spring of 1968 with the imposition of the income tax surcharge and federal spending limitations, have since been broadened to include and increasingly restrictive monetary program by the federal reserve system. It is designed to further constrain excessive economic demands specifically through the tightening of credit supplies. Some people contend the federal reserve may have been too heavy handed, threatening a new "money

crunch" similar to the one in the summer of 1966, when credit markets almost ground to a halt.

These then were the basic factors that were behind last Monday's explosive 1% increase by the nation's larger banks in their minimum or "prime" interest charge, to a record 8½%. It is the interest charged on loans to their most reliable borrowers, usually national corporations.

#### MAY HIT CONSUMER

Since most other bank lending rates are scaled upward from the prime rate, the increase may also lead to higher bank rates on consumer, real estate, securities and other kinds of loans—if they have not already taken place.

The larger "money center" banks resorted to the dramatic prime rate action as a means of relieving a squeeze in which they had increasingly found themselves. It was caused by a continuing strong demand for credit, mainly by businesses and by the federal reserve's stringent policy of severely limiting the banks' supply of loanable funds.

The prime rate boost, initiated by Bankers Trust Co. of New York and quickly followed by practically all of the nation's major banks, was the fourth in a round of increases that started late last year when the federal reserve first began putting on the credit brakes. The rate rise came after three prior increases of .25% and one of .5%, carrying the rate up from an already moderately high 6¼% in early December.

#### SUFFERED IN SILENCE

But unlike the earlier increases that were suffered in silence, the jump to 8½% hit a nerve and triggered a loud outcry, notably from Washington. Rep. Wright Patman (D-Tex.), chairman of the house banking and currency committee and inveterate critic of the banking industry, charged that the action had "outraged and alarmed the American people and has sent a shock wave throughout the economy."

Patman ordered an investigation into the rate increase to determine if remedial legislation was required. Hearings are set for June 19, with Treasury Secretary David M. Kennedy as the first witness.

Kennedy, formerly a Chicago banker, for some weeks quietly had been urging bankers to curtail their lending activity to avoid another raise in rates.

#### WORST FEARS REALIZED

Kennedy clearly was worried that high bank interest rates could erupt into a political issue and might be used in Congress to club the administration's proposal for extending the income tax surcharge that expires on June 30.

Kennedy's worst fears have been justified. Opponents of extending the surtax argue that last year's tax increase in the income tax was supposed to restrain inflation and void monetary moves that might send interest rates careening upward. With rates shooting up anyway, there is no longer any point in retaining the surtax, they maintain.

Surtax renewal is caught in still other ploys. These include a maneuver by congressional liberals to obtain more fundamental tax reform as the price of their surtax support.

But on the question of surtax extension versus higher interest rates, Chairman William McChesney Martin of the federal reserve board left no doubt where he stood.

Early last week, Martin warned that without the surtax monetary policy "would be called upon to carry a larger share of the burden" of the government's deflationary economic program. He suggested that removal of the surtax could lead to even higher interest rates.

#### INTENSE DIALOG

The intense public dialog that has erupted in the wake of the banks' latest rate action

is hardly surprising. The government long ago staked out an interest in basic price changes, be it in steel, lumber or money.

The reason in the case of money is not difficult to perceive: A nation's money and credit are deeply fraught with public interest, since the very essence of the value of a nation's currency depends on how effectively its money is managed.

The principal responsibility for this rests with the federal reserve system.

The system, consisting of a seven member appointed board of governors in Washington and 12 district reserve banks throughout the country, serves broadly as the commercial banks' bank, accepting their deposits, collecting their checks and making them loans.

Above all, the federal reserve's purpose is to provide a crucial element of flexibility in the nation's monetary and banking system.

#### OVERCOME RIGIDITY

But while the architects of the system sought to overcome the rigidity that had caused a succession of depression spawning money panics—the federal reserve act grew directly out of the panic of 1907—the reserve system at present, some critics contend, may have ironically turned the credit screws so tightly as to again freeze the money mechanism in place.

Whether the federal reserve is nurturing another credit squeeze that may force a breakdown in bond markets, as some experts say occurred briefly in September, 1966, remains to be seen. More to the point, the Patman prime rate inquiry is almost certain to look into just how strenuously the federal reserve has been tugging at the credit reins, and the extent to which this stringency may be responsible for the latest sharp rate increases.

There is no denying that the commercial banking system, through which the federal reserve transmits monetary policy, has been under particularly severe pressures to accommodate requests for credit by customers.

#### TAX DEADLINE NEAR

A good indication of just how large the loan demands on the banks have been lately will be seen in the banking statistics issued by the federal reserve authorities later this week.

Monday is the deadline for the payment by corporations of their mid-June federal income tax installments, which are expected to bulge, reflecting recent sizable profits and the surtax. If this is true, the corporations should step up their borrowings sharply over the tax date. Many companies, moreover, increased borrowings substantially last week to provide temporary financing of their June dividend payments to stockholders.

Major New York city banks, which account for roughly 25% of the business lending of all banks in the country, reported last week that their commercial and industrial loans stood at \$25.1 billion, up \$600 million from the start of this year. A year ago, these loans totaled \$22.5 billion, an increase of only about \$320 million from the start of 1968.

#### DEPOSITS DECLINE

Besides the rise in loan demand, which has been bigger than most large banks would have liked under the circumstances, the money pinch has been accentuated by a sharp run-off of deposits that bankers feel possibly could not have come at a worse time. The decline in deposits has specifically come in savings and interest bearing funds that corporations have been keeping in banks in large quantities.

These deposits, called certificates of deposit, are normally issued by banks in large denominations of \$100,000 each on which banks pay interest up to a maximum of 6¼%.

#### LOSS BATTLED

However, because of the sharp rise in interest rates outside commercial banks in recent months, corporations have found they

can invest temporarily idle funds in other kinds of short term investments at rates well over 8%. As a consequence, the total of large certificates of deposit have dropped a sizable \$4.2 billion since the start of 1969 in New York city banks alone (the drop in all United States banks in the corresponding period has exceeded \$7 billion). The banks in turn have scrambled to make up for the loss of these deposits by obtaining funds through any other sources, such as temporary borrowings from other banks and by tapping vast pools of dollar deposits owned abroad—known as Eurodollars.

These funds have grown exceedingly expensive, as the rigors of tight money spread through the economy. The interest charge for interbank borrowings in recent weeks soared to unprecedented levels of 10%, while the Eurodollar rates stood at 11% and 12%.

In view of the extremely high costs that banks suddenly found themselves having to pay for funds, executives of the larger banks said they had no choice but to raise the structure of charges, pegged to the prime rate, that they assess for loans.

Only last Thursday, a panel of bankers attending the annual meeting of the New York State Bankers association at Lake Placid, N.Y., suggested that even at 8½% the prime rate might not be high enough unless some easing takes place soon in the demand for loans.

#### SELL GOVERNMENT SECURITIES

The banks have turned to the sale of government securities from their own portfolios. It is an approach they undertake reluctantly in present weak bond markets for good reason. Massive liquidations of this nature, such as the banks already have been forced to make, not only mean they might incur serious price losses in the transactions, but they drive the markets down further to depreciate the values of securities they still hold. Distress selling on such an enormous scale can cause securities markets to freeze up, as was fleetingly the case in 1966.

#### STOP BUYING

In the bond markets, declining prices mean a commensurate rise in yields, which move inversely to price. The banks historically are important investors in these bonds, a great many issued by state and municipal governments to finance capital improvements.

Because of the increased credit stringency, however, banks in general ceased adding to their holding of these bonds earlier this year at the very time when the needs of state and local governments were swelling the potential volume of this kind of financing. As a result of the sharp depreciation of municipal bond prices, a popular index of the average tax free return on municipal bonds has now risen about 5.60%.

But while these yields are pleasant for investors to contemplate, they are bad news for instrumentalities that need the financing. This is particularly true of states and localities that are governed by debt ceilings which have already been pierced by the accelerating market rates. These governing bodies have had to cancel or postpone offerings until such time when market conditions turn more favorable.

How soon this is likely to occur depends, of course, on the monetary authorities. Basically, the federal reserve seeks to permit the amount of credit in the economy to rise at a faster or slower rate of growth in line with what the authorities believe it requires at a particular time.

Hence, in pursuing its mission of "flexibility," the federal reserve tightens up on credit during periods of inflationary economic activity and, conversely, loosens credit during slack times to spur spending.

#### MAINTAIN STABILITY

The principal objectives of monetary policy, on balance, are to maintain a stable price level, high employment and a sustainable

balance in the nation's international payments.

In determining whether they are proceeding on target, the monetary authorities have to make two major kinds of continuing evaluations—one of the relative strength and direction of the economy, the other of the suitability and effectiveness of monetary controls.

If the federal revenue's posture in a restrictive program such as the present one is pushed too far, either deliberately or simply through an incorrect reading of the economic and monetary indicators, it risks economic "overkill"—a recession.

Many economists, worry that this may now loom as a very real danger. Some believe, however, that the federal reserve will pull back before pushing over the brink. These observers believe that the federal reserve has tightened controls as far as it is prudently feasible. Moves toward a somewhat less restrictive policy may become evident in the next month or so.

#### IMPACT FELT

Although federal reserve policy affects the economy broadly, monetary policy acts to influence the cost and availability of credit in the economy primarily through the commercial bank, and secondarily in the bond and other credit markets, as we have already observed.

Yet the fact that commercial banks bear the initial brunt of monetary policy does not insulate the other financial institutions from feeling the impact, although the effects are indirect and may be delayed.

Because of the generally high prevailing interest rates, life insurance companies have again been beset, as they were in 1966, by mounting requests by policyholders for loans based on the policies. Most life companies are contractually committed to lower loan rates than are in the present market. Because companies are now paying out many more millions of dollars in additional policy loans, they have that much less money available to invest in mortgages and bonds, thus contributing to the rise in yields on those obligations.

The federal reserve's strategy has been clear: By deliberately retaining the 6¼% ceiling in the wake of the rise in short term interest rates on competing investment media, it priced the certificates of deposit out of the market and forced vast amounts of these deposits to be withdrawn.

#### "C.B." WEAPONS

### HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. BOB WILSON. Mr. Speaker, I would like to warn against the danger of "C.B." weapons. I am speaking not only about chemical-biological weapons but also Chinese-Bolshevik weapons. The Chinese and Russians have created the real threat of insidious chemical and bacteriological warfare by their massive research and development programs.

We have heard a great deal in recent weeks about the accidental death of some sheep in Skull Valley, Utah. There have been emotional and exaggerated attacks on the Defense Department's efforts to research and understand the complex nature of the C.B. agents that may be used against us. A misguided, almost hysterical, drive is underway to force unilateral American withdrawal from this grim aspect of defense.

Attacks are made on the "military-industrial establishment" because of the relatively modest efforts to develop antidotes to protect our citizens and military forces from enemy C.B. weaponry. Our military people are pilloried because they dare plan for our defense and consider the possibility of deterrence.

The germ warfare experts are busy in Peking. I am not speaking about the Asian or Hong Kong flu. I refer to experiments for contaminating the people of the United States, and any other people who Chairman Mao perceives as villains who must be destroyed. What about the thousands of possibilities of fungi and viruses, anthrax and typhus, that the Chinese may be preparing for mass use?

Are we to take the ostrich approach and force our own Government to desist from seeking means for detection and protection?

The Soviet Union today is better equipped militarily—offensively and defensively—for C.B. warfare than any other nation in the world. Soviet military scientists have placed much emphasis on these systems. They are incorporated into the Russian military machine.

Moscow has a wide variety of chemical munitions. The Soviet order of battle envisages the use of tactical chemical weapons in conjunction with nuclear weaponry or separately, as suits Soviet strategy. The Russian stockpile includes C.B. agents capable of creating horrendous effects including the destruction of humans without destroying the material properties or means of production.

Marxism quickly accepts C.B. weaponry as moral. The end justifies the means. Adolf Hitler possessed lethal chemical agents in World War II. But even the Nazi madman desisted when notice was served upon him by the Allies that immediate retaliation would be made in kind. We have our Chemical Warfare Service to thank for saving millions of lives in that war by perfecting proper gas masks, the means of detection, and the capacity to assure deterrence by a credible stockpile of chemical weapons.

This country must make sure that potential enemies are convinced that it is not to their advantage to use C.B. weapons against us. If the opponents of C.B. weaponry really wanted to prevent the unleashing of such arms, they would not take potshots at our defenders, but instead assure that an adequate budget is provided for thorough research and development.

Moscow considers C.B. weaponry as just another weapon in the Communist arsenal. Communist troops receive intensive training in offensive chemical warfare. The Soviet soldier is conditioned to the use of C.B. weaponry. Moscow ignores the Geneva Protocol of 1925 that condemns use of such agents.

In considering the biological weapons, one does not need to compromise U.S. intelligence sources to disclose the development by Communist scientists of mutant types of disease that would defy present known methods of treatment. Such new diseases would be extremely

difficult to diagnose. Detection and treatment might be further complicated by using various mixtures of agents, such as those causing tularemia and typhoid. What is so terrible about our own people studying the possible combinations of micro-organisms that others are developing for use against us?

Individual defense—civilian and military—rests on detection, protection, treatment. Time is the vital factor. We must know as early as possible what germs are being used and how to cope with them. We must have the antidote ready. At least we have the right to try. I cannot conceive of aggressive use of such weaponry by the American people. I, therefore, deplore the calculated efforts to undermine our defense.

This is not a partisan issue involving one administration or another. In February 1967, Cyrus R. Vance, then Deputy Secretary of Defense, reported on American policy on C.B. warfare. Mr. Vance said:

We have consistently continued our de facto limitations on the use of chemical and biological weapons. We have never used biological weapons. We have not used lethal gases since World War I and it is against our policy to initiate their use. We have used riot-control agents in Vietnam—agents similar to those used by police forces throughout the world. . . .

I have indicated that we seek international understanding to limit chemical and biological warfare and that we have not used weapons of the sort condemned by the Geneva Protocol. I should also point out that we have at the same time maintained an active chemical and biological program. In the past few years, we have placed increasing emphasis on defensive concepts and material. As long as other nations, such as the Soviet Union, maintain large programs we believe we must maintain our defensive and retaliatory capability.

It is interesting to note that a nation much concerned about world health, a country that has more physicians and medical research per capita than the United States, the State of Israel, is opposed to pressures to force a unilateral American withdrawal from C.B. defense programs. The Israeli intelligence may know more about Communist plans than we do. I refer to a recent report by Milton Friedman, chief of the Washington bureau of the Jewish Telegraphic Agency, the news service for Israel newspapers and Jewish periodicals. It is worth considering, and I, therefore, include this report in the RECORD as a portion of my remarks:

HALT IN C.B. RESEARCH MAY JEOPARDIZE ISRAEL  
(By Milton Friedman)

The efforts of American intellectuals to halt appropriations for "CB" (chemical-biological) military research may jeopardize Israeli security. Israel is receiving gas masks, detection equipment, and technical assistance from the United States for Defense against possible Egyptian CB attack.

The Soviet Union has placed great emphasis on chemical and biological warfare. The Soviet stockpile includes a wide spectrum of agents capable of creating military effects over a broad range. Egypt has obtained Soviet assistance on CB weaponry. Russian CB technicians are believed to be among the Soviet military advisers in Egypt.

Moscow is thus supplementing the CB program that President Nasser started years ago by employing former Nazi scientists who

tested poisonous gasses and fatal bacteria on Jewish victims in concentration camps.

Communist China has supplied rockets and other weapons to Arab terrorist groups. Peking is known to have developed capabilities in the area of CB weapons although no such weapons have yet been reported released by Chairman Mao to his various clients abroad with the possible exception of some "CS" tear gas to North Vietnam.

#### SNEAK C.B. ATTACK

In any event, the Israeli defense forces take very seriously the possibility that Nasser may unleash a sneak CB attack. Immediately prior to the outbreak of the Six-Day War, in June, 1967, Israel made frantic efforts to obtain gas masks for children and key personnel. Several thousand masks were obtained from West Germany. Israel's rapid victory, especially the achievement of aerial supremacy, obviously deterred Nasser from unleashing CB weapons.

Today a new situation exists. Thousands of Israeli troops are confined to bunkers and complex fixed fortifications along the Suez Canal. Egypt possesses chemical agents that can be fired in artillery shells. Such agents are colorless, odorless, and tasteless. Saturation firing would penetrate the deepest dug-outs.

The first indication that chemical weapons were being used would probably be the actual appearance of casualties. Biological agents would be even more difficult to detect.

Surprise might thus be achieved for an Egyptian thrust across the canal to seize a limited area and thus re-open the entire United Nations cease-fire issue.

Nerve gases could be put down in heavy concentrations to catch troops before they could put on protective masks. Lethal chemical agents include those known as nerve agents, GB and VX. Both are liquids that are disseminated as aerosols. VX is a persistent compound that can penetrate the skin and normal combat clothing.

It is virtually impossible to detect GB and VX with the ordinary senses of smell, sight, and taste. They can enter the body through the skin, can be breathed in, can even enter through the eyes. Action is rapid. Small amounts will cause death, paralysis, prostration, while microscopic amounts will impair vision, cause nausea and muscular non-coordination.

To detect chemical agents, the U.S. Army has recently developed a portable automatic chemical detector and alarm, light enough to be carried on a soldier's back. Laboratories are also working on alarms to detect biological agents—living micro-organisms.

Treatment for nerve agents must be administered rapidly to counter their quick reaction. Atropine syrettes can be effective against some types of aerosols if used promptly. Artificial respiration also can counter reactions—if applied in time.

#### IMMUNIZATION AVAILABLE

While U.S. scientists are striving to perfect better masks and protective clothing, the Army has also produced a chemical biological pod which can be carried on a light truck complete with filtered air pumps. It can serve as an aid station, command post, communications center, and so forth because the pod provides an all-encompassing gas mask for several men simultaneously.

The Soviet Union has experimented with a wide variety of bacteria, rickettsia, viruses, and fungi as well as lethal organisms causing plague, anthrax, tularemia, thyroid, typhus—and various mixtures.

Biological agents could be sprayed across the Suez Canal from aerosol generators or in missile warheads. It is also possible to unleash infected insects with prevailing winds.

American liberals are trying to end CB research because a number of sheep were accidentally killed at Skull Valley, Utah, during research. There is also a mood of resent-

ment because military non-lethal tear gas was used against demonstrators at Berkeley, Calif., and in the course of operations in Vietnam.

Termination of such research would encourage the preparations of the Egyptians, Russians, and Chinese, many observers feel.

The U.S. Defense Department still operates on the premise of deterrence. During World War II, notice was served on Hitler that use of German gas on allied troops would bring instant reprisal. He used none although SS scientists perfected the deadly Zyklon-B in concentration camp experiments. The Israelis tend to subscribe to the deterrence concept. They do not share the desire of U.S. liberals for unilateral stoppage of CB research.

The following material explains our activities in the R. & D. area. It was prepared by the U.S. Department of Defense and defines our national policy toward the whole subject:

#### CHEMICAL AND BIOLOGICAL WARFARE RESEARCH AND DEVELOPMENT FUNDING

The following is a listing of research and development funding by Fiscal Year for chemical and biological research and development. In general, more than half of these R&D funds are for defensive concepts and material. In addition, it includes expenditures on smoke, flame and incendiary, herbicide and riot control agents; all unrelated to the basic chemical and biological threat. A sizable fraction of the remainder is spent on studies and other efforts to define the nature of the threat.

With respect to total expenditures for research and development since World War II, the precise figures are not available prior to FY 1957. It is estimated however that approximately \$223 million dollars was spent in research and development from 1946 through 1957. Since that time the funding has been as follows:

|      | [In millions] |      |
|------|---------------|------|
| 1958 | -----         | \$37 |
| 1959 | -----         | 38   |
| 1960 | -----         | 49   |
| 1961 | -----         | 59   |
| 1962 | -----         | 79   |
| 1963 | -----         | 116  |
| 1964 | -----         | 126  |
| 1965 | -----         | 117  |
| 1966 | -----         | 115  |
| 1967 | -----         | 109  |
| 1968 | -----         | 89   |
| 1969 | -----         | 94   |

Thus there has been a total of some \$1,250 million dollars expended for research and development in the area of chemical and biological warfare since World War II.

Our purpose in maintaining a chemical and biological program is for our own protection. Unfriendly nations are known to have large stockpiles, a vigorous testing program, and an active military operational capability. To counter this threat we require a strong R&D program, a modest defensive effort, a minimal offensive program sufficient for a credible retaliatory capability to insure that these weapons will never be used against us, and a capability to test our defensive systems with modern and effective weapons.

Our position on the use of chemical and biological warfare is clear. We have never used biological warfare and we have not used chemical warfare since World War I, when it was used in retaliation. During World War II President Roosevelt announced the policy that the U.S. would not be the first to use chemical warfare. This was reiterated by President Truman, by President Eisenhower, and by President Johnson's administration, and has been so stated before the General Assembly of the United Nations. Speaking in support of the Hungarian resolution that all nations should adhere to the Geneva Protocol of 1925 (which proscribes chemical and

bacteriological warfare), our representative, Ambassador Nabrit, stated on December 5, 1966 (in part):

"While the United States is not a party to the Protocol, we support the working objectives it seeks to achieve . . . We were not the first to engage in gas warfare in World War I and we have not engaged in it since that time . . ."

A concise statement of the U.S. position on chemical warfare was made to the Subcommittee on Disarmament by the Honorable Cyrus Vance on February 7, 1967, when he was Deputy Secretary of Defense. Briefly, he stated that we are actively seeking the limitation of chemical and biological weapons through the United Nations, while maintaining a credible technological and military capability to the extent necessary to deter the use of these weapons by our adversaries.

#### THE BATTLE FOR BUNKER HILL

#### HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. O'NEILL of Massachusetts. Mr. Speaker, today I have introduced legislation that would make the Bunker Hill Monument in Charlestown, Mass., a national monument.

Every schoolchild knows the importance of the Battle of Bunker Hill in the success of the American Revolution. One hundred and ninety-four years ago today, the American revolutionaries met their British adversaries at Bunker Hill.

The battle's importance was not solely because of its tactical and strategic value, but because it was the first major step in a long, hard-fought war for independence.

Thomas Bolyston Adams, descendant of the Adams family of colonial and Revolutionary times, wrote an article for the Boston Globe of Sunday, June 15. Mr. Adams understands the significance of the Battle of Bunker Hill, and perhaps, more importantly, evaluates the various forces and circumstances that led to the victory of the Americans.

I am happy to share his article with my colleagues. Mr. Adams is an historian of great note. He, like all good historians, speaks of the past so that we may better understand the present, and provide for an improved future.

I recommend this article to my colleagues. In it you will find some history and a lesson for the present:

#### A BATTLE FOR A HILL

(By Thomas Bolyston Adams)

The strength of rebellion is the stupidity of the establishment. Seldom has this axiom been better illustrated than by the Battle of Bunker Hill on the 17th of June 1775.

The American forces occupied and fortified the heights above Charlestown during the previous night. To do this they crossed a narrow causeway onto Charlestown Neck. They left their rear entirely unprotected. The British enemy had total command of the sea with heavy batteries on ships in the harbor and shallow draft, easily moved gunboats. On the rising tide—it was high at 2 p.m. on the 17th—the British could have landed sufficient forces on the causeway under protection of heavy artillery to have cut off retreat. Thereafter it would have been necessary for the British merely to wait

quietly for a few hours until the Americans came down to surrender or came out to be killed.

Instead the British chose to make a frontal assault against a heavily fortified hill. They suffered terrible losses. Fortunately for the Americans, whose powder ran out, they were obliged to flee just as the British were beginning to move their floating batteries to cut off retreat.

But this was not all. Military bad tactics required the destruction of pleasant and prosperous Charlestown. Some snipers from thence were harassing the British flank. The destruction was efficiently accomplished with hot shot and fire bombs. Four hundred houses, with churches and public buildings, burned in a tremendous fire to ashes in an afternoon. The American people were, sufficiently persuaded of the atrocious nature of the adversary. After the 17th of June, no civilian counted his life, his wife, or his property safe from savage attack. A red-coated soldier was as horrible to the American mind as was a red Indian at the time of King Phillip's war.

On that famous day the British high command had it in its power to crush at a single stroke almost the whole concentrated military strength of the revolting colonies. The Continental Headquarters at Cambridge might have been captured. In the subsequent rout and demoralization the British army probably would have been free to intimidate the whole countryside. George Washington would have had no army to assume command of on Cambridge Common. It would not have been necessary to evacuate Boston. American independence might have been postponed indefinitely—just possibly forever.

But that is unlikely. The combination of military seniority and protocol at the head of the British forces in Boston and Tory ignorance and affluence at the head of the British government in London was unbeatable—for the British.

At Bunker Hill the Americans had built an elaborate trap for themselves and walked into it. But the British General Gage carefully examined the trap, consulted his subordinates and ignored their wisest advice. He then issued orders to approach the trap, as it were with bare hands, and drive the animals out of it.

Of course the British were terribly mauled. They lost more than a thousand men, fully half their effective force, as compared with some four hundred Americans, barely a tenth part of their potential. But the British had captured the hill and so it was reported that the provincials had been defeated with great loss and their army "severely drubbed," while the British "came off completely victorious." The number of American casualties was rather incorrectly estimated. They were assumed to have carried off great numbers of wounded, and to have buried in a mysterious trench during the course of the battle numerous dead.

Gradually more accurate information got across the Atlantic. The British losses were considered to be serious but the fact of capture and occupation of the hill was incontestable. The real figures of American losses were not firmly established until after the end of the war. Many Americans considered the battle a defeat. The British insisted it was a victory. Historians are agreed it was a British disaster.

The whole business was furiously debated in the British Parliament that same November. There was a motion before the House to approve the action of the government in sending more troops to America, stepping up shipments of supplies and escalating the war as rapidly as possible.

John Wilkes, Lord Mayor of London, said, "Every man, either of the navy or the army, who has been sent by the government to America, and fallen a victim in this unjust

contest, has, in my opinion, been murdered by administration and his blood lies at their door. What have we conquered? Bunker's Hill only and with the loss of 1200 men. Are we to pay as dearly for the rest of America?"

But the government whips moved in. Where necessary members were reminded of patronage. The amateur strategists were castigated. The loyalty of all good British subjects was called upon. The motion passed 270 to 108.

It took another seven years of bitter fighting, tragic loss, waste, taxation and inflation for the truth to sink in. But the fire lit in Charlestown would not be put out. After Bunker Hill almost no one in America was capable of believing in the good intentions of the British government. Not until the last foreign soldier had left could there be peace.

DR. V. D. MATTIA—B'NAI B'RITH  
HUMANITARIAN

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. RODINO. Mr. Speaker, recently my good friend, Dr. V. D. Mattia, president of Hoffman-La Roche, Inc., received the Humanitarian Award from B'nai B'rith.

This highly distinguished award could not have gone to a more worthy and deserving recipient, for Dr. Mattia has labored long and effectively in the cause of brotherly love. At the dinner honoring Dr. Mattia, I was deeply impressed by the wisdom and nobility of his remarks, and would like at this time to share them with my colleagues.

The address follows:

THESE ARE OUR YOUTH AND THESE ARE OUR BROTHERS

An age of destruction is a time for dissent—dissent with what is wrong and unjust. Our youth were born in an era of violence, disillusioned by a humanity gap—between what is said and what is done, between what should be and what is. Our youth have seen the impact of violence on the history of our day. Their ideals have been shattered and they recoil when a few with bullets outweigh millions with ballots. They cannot understand why billions of dollars carry men safely to the moon while millions of our people are maimed physically and mentally, spiritually and intellectually by the lack of food and jobs, of housing and education. Our youth see this. They feel it intensely. They try to speak—but they are inarticulate. They wish to serve—but they act chaotically. They are trying—almost incoherently and even desperately—to articulate a philosophy for a better life. The trauma of their behavior is obscuring, and sometimes negating, the nobility of their intent and the integrity of their goals.

In some instances their actions are certainly counterproductive, if not, in fact, utterly destructive of their principles and goals. I seek neither to condone nor condemn them. I submit, however, it is essential that we understand their motivations; for if we do not comprehend the etiologies, we cannot influence the effects.

Let us never forget that in every period of crisis in our history, our youth have fought and sacrificed—first to lay the foundations of our society and then to preserve our union. Our youth answered the call to "make the world safe for democracy" in

World War I, then to thwart the threat of tyranny in World War II.

And during these critical years, a young president summoned them. They met his challenge. They joined his Peace Corps. But suddenly his life, and their ideals, were struck down by violence. The cause of civil rights summoned them—and again they rose to work for their beliefs. But again an inspiring leader and a cause were struck down by violence. Another young leader sought to show them that change could be achieved within the structure of our political system. He, too, was struck down by violence. Then, in their frustration with a war they did not want, they forced out a president they could no longer believe, only to confront the events of Chicago.

There are many among us who believe that the actions of our youth are related to a permissive society. I submit, however, that they have drawn their unhappy conclusions from the obscene success of the few who have, with violence, vetoed the wishes, the hopes and the aspirations of the many.

Our youth have never failed us. They will never fail us. But we must not fail them. It is we who must justify their faith in us—even though it may be a questioning faith. It is we who must justify their faith—even as they challenge our faith in our institutions.

Our universities must become far more than foundations of learning. They must become springs of initiative. As a source of inspiration for ideals, our universities must provide the pioneering conceptions and plans to capture the imagination and challenge the aspirations of our youth. Our laboratories must forge—not ever escalating weapons of destruction, but new instruments, new discoveries for peace and for life. Our factories must throb with the building of the essentials for a good life—clean, unpolluted and unpoisoned—for a better fulfillment for man. Our homes must reflect the love and the understanding that bind men together, the mutual respect which will unite us as a people.

Our youth intuitively respond to our needs. They are sensitive to our hurts. They aspire to a world that is greater and better, richer and fuller. Their voices appear confused but the message that they are desperately trying to give us is simple. We must hear what they are trying to say, for they seek to proclaim, "Every man of every creed, these are our brothers."

Our world is moving toward an age beyond the industrial era, beyond the atomic age—to an age that must preserve not only the heritage but also the continuity of man, to an age in which each man recognizes the dignity of his fellow man of every color, of every country, and of every creed—an age dedicated to all men, for all mankind.

ADMINISTRATION'S PLANS PERIL  
NEGRO STRIDES IN POLITICS

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. CLAY. Mr. Speaker, I have referred previously to the "insensitivity" of this administration toward black people and poor people who deserve a chance to participate in and to reap rewards of this American system. Unfortunately—the American system has yet to open up to these people and their efforts to become a part of it are often nipped in the bud.

I call to the attention of my colleagues the following account of one more threat

against black citizens. I commend Don Oberdorfer for pointing up this unfortunate attitude which prevails in the Nixon administration. I regret the constant catering to the Southern white establishment which is so clearly evidenced by the actions and/or the refusals to act by this administration.

Mr. Oberdorfer's column, which was carried by the Washington Post, Thursday, June 5, follows:

ADMINISTRATION'S PLANS PERIL NEGRO STRIDES  
IN POLITICS

(By Don Oberdorfer)

ATLANTA, GA.—In the immediate aftermath of the sit-ins and freedom rides which ushered in this decade of racial protest, leaders of the U.S. Government, private foundations and civil rights groups met to chart a way to redress the black man's grievances in the South without tearing the society apart. The course they chose was as old as the Constitution—not white power or black power but political power through the ballot box on a free and equal basis, one man, one vote.

This effort has achieved dramatic strides though far from complete success. Today it is threatened by Congress and the Nixon Administration. Decisions to be made in the next several months will determine whether the Nation will scrap this drive to update the Constitution in the case of the Southern Negro.

The concept of political and social change through the ballot box is, as they say, as American as apple pie, but its application to the black man in many areas of the South was long denied. In 1962, according to the best available data, less than 30 percent of the voting age Negroes in the 11 southern states were on the registration rolls.

This was the starting point for the Voter Education Project put together by the Southern Regional Council with the cooperation of major civil rights groups notably the NAACP, SCLC, SNCC and CORE—and with funds from private foundations and encouragement from the Federal Government. From its headquarters in Atlanta, VEP has funneled more than \$1.2 million from a dozen major foundations and other givers to local voter registration drives throughout the South. The campaign was strengthened immeasurably by the Voting Rights Act of 1965, which suspended much-abused literacy tests and authorized Federal examiners in areas where Negroes were denied the vote.

By last summer, according to the latest statistics, some 62 per cent of southern blacks were registered—roughly double the percentage of six years before. Though this falls short of the 78 per cent registration ascribed to southern whites, and though the power of the black man at the ballot box is still limited by many circumstances and contrivances, the rise of the Negro voter has had a substantial and generally healthy influence on southern politics. Some 461 Negroes are now serving in elective posts throughout the South, more than six times as many as in 1965.

At this point, one might expect that the southern voting campaign would be receiving widespread and even perhaps exaggerated accolades as an example of the vitality of the embattled American political system. Instead, it is facing the possibility that Washington officialdom is about to wring its neck.

One line of attack is on the foundation money which has supported the drive. As part of the Nixon administration's tax reform program earlier this year, the Treasury Department recommended to Congress that private foundations be prohibited from financing any activity "intended to affect a political campaign" specifically including voter registration drives.

The recommendation arose from the Ford

Foundation's grant of \$175,000 to the Cleveland, Ohio, chapter of CORE a few months before the 1967 election there. Much of this money went to CORE's registration drive in the inner city which helped nominate and elect Mayor Carl Stokes over white opponents.

A few weeks ago, executives of four major foundations—Ford, Carnegie, Taconic, and Field—met with presidential assistant Daniel P. Moynihan to plead that the voter registration campaign in the South should not be sacrificed because the incident in the North. On May 9, the Treasury issued an almost indecipherable press release intended to show—as Treasury officials later explained—that the Government did not mean to interfere with "publicly-supported" registration drives such as that of the Southern Regional Council.

Last week the House Ways and Means Committee announced a tentative ban on "direct or indirect" foundation sponsorship of any activities intended to influence an election, including voter registration drives. While the text of this proposal has not been made public, the indications are that it would stop the funds to the southern campaign.

At the same time, the Nixon administration has shown signs of hesitation about the extension of the Voting Rights Act, which expires next year. The civil rights groups engaged in the voting drive—probably the healthiest surviving remnants of the civil rights movement—have appealed for the Act to be strengthened to eliminate abuses. Now they fear that it will be weakened instead or even junked.

It is true, that Mr. Nixon and the Republican Party have won the support of very few of the 1.6 million southern Negroes who are reported to have registered since 1962. However, the broad principles and object lessons involved clearly outweigh any political advantage or disadvantage in this region of 18 million registered voters.

The Nixon Administration, like the Kennedy and Johnson administrations before it, has appealed to protesters to channel their energies within the system. Mr. Nixon has argued that violence and disorder are unjustifiable because legitimate means are available to deal with the problems at hand.

At the moment, the evolutionary process which Mr. Nixon extolls is being threatened in Washington. If he means what he says about the merit and vitality of the American system, he will not let the voting rights campaign go down the drain.

HON. FRED. A. HARTLEY

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. RODINO. Mr. Speaker, when I returned recently from Geneva, where I was attending a session of the Intergovernmental Committee for European Migration, I was deeply saddened to learn that my predecessor in the House, the Honorable Fred A. Hartley, has passed away.

Fred Hartley's career was one of distinguished public service. As I grew up in the 10th District of New Jersey, I well remember the popularity and esteem in which he was held. He was a genuine constituent Congressman, always willing to lend a helping hand to others.

I extend my sincere sympathy to his

family, and know that they can find some measure of comfort in the fullness of his life's services to his fellow man.

FIRST POLL RESULTS

Hon. PETER H. B. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. FRELINGHUYSEN. Mr. Speaker, a preliminary tabulation of a five-part questionnaire which was sent to the 172,000 households in my congressional district has recently been completed.

With many polls being taken on President Nixon's proposed Safeguard anti-ballistic-missile system, I should like to call attention to the results I received in my questionnaire. Of those responding, 62 percent expressed support for President Nixon's ABM proposal, while 23 percent expressed opposition.

In addition to the query on the anti-ballistic-missile system, I sought the opinions of my constituents on such important issues as tax reform, reform of our electoral system, and reforms in the Post Office Department.

The results, I feel, are most interesting and I include in the RECORD, at this point, a copy of my newsletter in which I detail these results:

FIRST POLL RESULTS

Preliminary tabulation of my district-wide questionnaire shows overwhelming support for Congressional action to reform the tax structure, as well as widespread general agreement with the manner in which President Nixon has handled his responsibilities thus far.

A first tabulation of 25,000 responses shows 84 per cent of those answering feel that extensive tax reform is an urgent matter. Fourteen per cent expressed the opinion that such reform would be useful, while two per cent felt reforms would not be useful. Seventy-five per cent of those responding agreed with the way in which the President was handling his responsibilities, while 11 per cent disagreed and 10 per cent expressed no opinion.

Widespread dissatisfaction with the manner in which Presidents are elected was revealed when only four per cent of those responding indicated a desire to retain the present method. Suggestions as to the direction in which to move toward changing the electoral system, however, were somewhat mixed. A modification of the present system to reflect the popular will more accurately was supported by 40 per cent, while abolition of the current system in favor of a direct popular vote drew support from 55 per cent.

Near-unanimous support was given to President Nixon's proposal to establish a system to appoint postmasters through an impartial selection board or Civil Service tests, removing such appointments from the political patronage system. A total of 95 per cent of those responding supported this plan, while only two per cent disagreed.

The most controversial issue at the moment—the recommended deployment of an anti-ballistic-missile system around two missile sites—drew support for the President from 62 per cent of those replying. A total of 23 per cent opposed the plan and 14 per cent expressed no opinion.

The questions concerning tax reform, electoral reform and removing postmasters from the patronage system drew fairly even support from all categories of those respond-

ing—age groups, male and female and party preference.

Wide disparities occurred, however, particularly in the party preference category, on the questions involving the President's handling of his responsibilities and the proposal for the anti-ballistic-missile system. For instance, 86 per cent of those who listed themselves as Republicans agreed with the President's actions thus far, but only 35 per cent of those who classified themselves as Democrats supported the President. Five per cent of the Republicans disagreed with the President's actions while 32 per cent of the Democrats disagreed. Of those who classed themselves as independent voters, 65 per cent supported the President and 18 per cent disagreed.

The majority of the Democrats who answered—52 per cent—disapproved of the anti-ballistic missile proposal, while 35 per cent approved the plan. In contrast, the ABM system recommended by the President drew the support of 72 per cent of the Republicans responding and the disapproval of 15 per cent of the Republicans. Forty-eight per cent of the independent voters favored the ABM proposal and 34 per cent opposed it.

#### MEALS FOR MILLIONS FOUNDATION

**HON. RICHARD T. HANNA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. HANNA. Mr. Speaker, in the past year many Americans have come to realize the depth and extent of hunger and malnutrition in our country. Among the facts that have come out is that despite our great reserves of private initiative only a very few private organizations have been making an attack on this problem. One organization which not only perceived the problem before almost anyone else but which also has been doing something about it for over 20 years is the Meals for Millions Foundation. Meals for Millions has been attacking hunger both in the United States and in other countries since 1946.

Mr. Speaker, I am today introducing legislation to grant Meals for Millions a congressional charter. There are two ways in which this action will help Meals for Millions to carry out its valuable activities.

First, Meals for Millions is a nonprofit foundation, dependent on private donations to continue its activities. Congressional recognition will help it to get the support it needs.

Second, A congressional charter will increase the acceptability of Meals for Millions in regions where it hopes to initiate projects. This is particularly important for Meals for Millions' extensive overseas programs.

I would now like to describe the Meals for Millions program so that you can see just why it deserves your recognition.

As you know, solving the hunger problem is not just a question of putting a certain quantity of food in people's bellies, but also of insuring that they get adequate amounts of each of the nutrients necessary for good health. Often the diets of the poor consist almost entirely of cereal and other starches and are especially likely to be deficient in protein.

Malnutrition of this sort undermines health and reduces productivity and initiative. It serves to enforce a vicious cycle in which people are undernourished because they are poor while their malnutrition helps to keep them from escaping from poverty.

To attack this problem, Meals for Millions originally centered its activities around the distribution of multipurpose food or MPF. MPF was developed from the soybean by a California Institute of Technology biochemist to meet the following specifications: It would—

First, provide one-third of a full day's nutrition in each two ounces;

Second, require no refrigeration;

Third, have an indefinite shelf-life;

Fourth, be palatable whether eaten hot or cold;

Fifth, not offend any dietary law;

Sixth, not make a significant drain on supplies of accustomed food; and

Seventh, be low cost and readily available.

In addition, MPF can be eaten by itself or it can be used to enrich other foods. A program based on MPF, therefore, does not require major changes in the eating habits of tradition-bound populations.

Even with a product like MPF it proved impossible for a single organization like Meals for Millions to feed all the undernourished people of the world. However, direct distribution of MPF has proved extremely effective in dealing with hunger emergencies. As an example of this type of operation, in December of 1967 Meals for Millions sent 75 cases of MPF by truck and helicopter to aid Navaho Indians trapped by blizzards in Arizona.

In addition to its emergency feeding programs, Meals for Millions has been putting a growing effort into a long-range attack on hunger by helping undernourished areas to feed themselves. Their program involves the establishment of local plants to produce MPF-like high protein food supplements. The goal is for the local programs to be self-supporting and so to make a continuing contribution to an area's nutrition.

There are three requirements if this goal is to be met.

First, The program must use local capital.

Second, The food supplement product must be manufactured from local resources and readily integrable into local diets.

Third, There must be a market for the product.

To insure that these requirements are met, Meals for Millions begins each program with an on-the-spot study of the undernourished region. It then draws up a comprehensive plan specifically tailored to the needs and opportunities of the region. The plan is proposed to local sources of capital and carried out only if they are willing to participate. If they are, Meals for Millions will provide a number of forms of assistance. It supplies technical aid in developing an appropriate food product and in building and operating the production plant. It provides help and advice in organization and marketing. Meals for Millions also engages in two educational activities neces-

sary for the success of the project. At its pilot plant in Santa Monica, Calif., students from undernourished areas are trained in food technology and management. In the region of the project itself, mass education programs are used to develop a market for the food supplement. Often there are demonstration feeding programs for school and preschool children.

A few examples will demonstrate how the Meals for Millions program operates in practice. For Talca, Chile, a high protein flour was developed. It is made from locally available wheat, sunflower, and powdered skim milk. An assurance was then gotten from the Chilean Government that it would purchase 80 per cent of production for use in schools. With this assurance, the Industrial Association of Talca put up \$18,000 risk capital for a flour-blending plant. Meals for Millions supplied \$6,000 worth of equipment and technical assistance in designing and operating the plant. In addition a student was trained in Santa Monica to be the plant technical manager. The result is a self-supporting program that will be a continuing source of protein for the school children of Talca and the surrounding area.

Another example of the Meals for Millions total approach is their program in Daule, Ecuador. A former Peace Corpsman employed by Meals for Millions organized a corporation to make noodles and pasta products enriched with soybean based MPF. Two Ecuadorians have been trained to run the plant. With small payments, local sharecroppers are acquiring stock in it. At the same time Meals for Millions is helping them to organize 11 cooperatives to purchase land. On this land they will grow the rice and soybeans that the plant will process. In addition 300 chickens and a used truck have been supplied to further help the people of Daule improve their condition.

Meals for Millions also provides other forms of assistance to food supplement projects. It developed an inexpensive peanut sorting device for use by a Meals for Millions student at his high protein food plant in Sitapur, India. It has worked on a soybean based substitute for cows milk in cooperation with Africa Basic Foods, Inc. of Uganda, and on a method of making use of fish protein for Chile. Among the marketing methods that have been developed is the distribution of enriched drinks to children by sidewalk vendors in Chile, Brazil, and Mexico.

This year Meals for Millions' No. 1 priority is to combat hunger in America. Meals for Millions has been active in this field for 23 years. The 1968 Hunger USA report points out that is one of a tiny handful of private organizations that is actually engaged in feeding the poor in America. Currently, Meals of Millions is expanding the scope and extent of its programs among Indians, migrant workers, Mexican Americans, and other impoverished groups.

Meals for Millions has also continued its worldwide attack on hunger. An MPF plant has been built in Chunchon, Korea. The output of this plant will be used to enrich the basic rice diet of the people through preschool, school, and hospital

feedings. In addition, in 1968, Meals for Millions distributed 375,000 pounds of MPF on emergency basis in 21 countries. Over 200,000 pounds were sent to Biafra.

In the world today there remain vast numbers of starving and undernourished people. With world population growth the problem becomes ever more pressing. Successful antihunger programs like those of Meals for Millions are thus vital. Meals for Millions deserves the recognition of Congress; and the support of the American people.

The text of my bill follows:

A bill to grant a Federal charter to the Meals for Millions Foundation

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### INCORPORATION

SECTION 1. Clifford E. Clinton, Los Angeles, California; Edmund J. Clinton, San Marino, California; Ernest R. Chamberlain, South Pasadena, California, and their successors, are hereby created and declared to be a body corporate by the name of the Meals for Millions Foundation (hereafter in this Act referred to as the "corporation"), and by such name shall be known and have perpetual succession. Such corporation shall have the powers and be subject to the limitations and restrictions contained in this Act.

#### COMPLETION OF ORGANIZATION

SEC. 2. A majority of the persons named in section 1 of this Act are authorized to complete the organization of the corporation by the selection of officers and employees, the adoption of bylaws, and the doing of such other acts as may be necessary to complete the organization of the corporation.

#### OBJECTS AND PURPOSES OF CORPORATION

SEC. 3. The objects and purposes of the corporation shall be to relieve and prevent the world's number one problem—hunger, and to that end to offer a helping hand rather than a handout.

#### CORPORATE POWERS

SEC. 4. (a) The corporation shall have power—

- (1) to sue and be sued, complain, and defend in any court of competent jurisdiction;
- (2) to adopt, alter, and use a corporate seal;
- (3) to appoint and fix the compensations of such officers and employees as its business may require and define their authority and duties;
- (4) to adopt and amend bylaws, not inconsistent with this Act or any other law of the United States or any State in which it is to operate, for the management of its property and the regulation of its affairs;
- (5) to make and carry out contracts;
- (6) to charge and collect membership dues, subscription fees, and receive contributions or grants of money or property to be devoted to the carrying out of its purposes;
- (7) to acquire by purchase, lease, or otherwise, such real or personal property, or any interest therein, wherever situated, necessary or appropriate for carrying out its objects and purposes and subject to the provisions of law of the State in which such property is situated (A) governing the amount or kind of real or personal property which similar corporations chartered and operated in such State may hold, or (B) otherwise limiting or controlling the ownership of real or personal property by such corporations;
- (8) to transfer, lease, and convey real or personal property;
- (9) to borrow money for its corporate purposes, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject to all applicable provisions of Federal or State law; and

(10) to do any other acts necessary and proper to carry out its objects and purposes.

(b) For the purpose of this section, the term "State" includes the District of Columbia.

#### PRINCIPAL OFFICE; SCOPE OF ACTIVITIES; DISTRICT OF COLUMBIA AGENT

SEC. 5. (a) The principal office of the corporation shall be located in Santa Monica, California, or in such other place as may later be determined by the board of directors, but the activities of the corporation shall not be confined to that place, but may be conducted throughout the United States.

(b) The corporation shall maintain at all times in the District of Columbia a designated agent authorized to accept service of process for the corporation. Service upon, or notice mailed to the business address of, such agent, shall be deemed notice to or service upon the corporation.

#### MEMBERSHIP

SEC. 6. Eligibility for membership in the corporation and the rights and privileges of members shall, except as provided in this Act, be as set forth in the bylaws of the corporation.

#### BOARD OF DIRECTORS; COMPOSITION; RESPONSIBILITIES

SEC. 7. (a) Upon enactment of this Act, the membership of the initial board of directors of the corporation shall consist of the persons named in the first section of this Act.

(b) The initial board of directors shall hold office until the first election of a board of directors. The number, manner of selection (including filling of vacancies), terms of office, and powers and duties of the directors shall be set forth in the bylaws of the corporation. The bylaws shall also provide for the selection of a chairman and his term of office.

(c) The board of directors shall be the governing board of the corporation, and a quorum thereof shall be responsible for the general policies and program of the corporation and for the control of all funds of the corporation. The board of directors may appoint committees to exercise such powers as may be prescribed in the bylaws or by resolution of the board of directors.

#### OFFICERS; ELECTION OF OFFICERS

SEC. 8. The officers of the corporation shall be those provided in the bylaws. Such officers shall be elected in such manner, for such terms, and with such duties, as may be prescribed in the bylaws of the corporation.

#### USE OF INCOME; LOANS TO OFFICERS, DIRECTORS, OR EMPLOYEES

SEC. 9. (a) No part of the income or assets of the corporation shall inure to any member, officer, or director or be distributable to any such person during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment or reasonable compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the corporation's board of directors.

(b) The corporation shall not make loans to its members, officers, directors, or employees. Any director who votes for or assents to the making of such a loan, and any officer who participates in the making of such a loan, shall be jointly and severally liable to the corporation for the amount of such a loan until the repayment thereof.

#### NONPOLITICAL NATURE OF CORPORATION

SEC. 10. The corporation and its officers and directors as such shall not contribute to, support, or otherwise participate in any political activity or in any manner attempt to influence legislation.

#### LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 11. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

#### PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 12. The corporation shall have no power to issue any shares of stock nor to declare or pay any dividends.

#### BOOKS AND RECORDS; INSPECTION

SEC. 13. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having authority under the board of directors, and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote or his agent or attorney, for any proper purpose, at any reasonable time.

#### AUDIT OF FINANCIAL TRANSACTIONS

SEC. 14. The provisions of sections 2 and 3 of the Act of August 30, 1964 (36 U.S.C. 1102, 1103), entitled "An Act to provide for audit of accounts of private corporations established under Federal law" shall apply with respect to the corporation.

#### USE OF ASSETS ON DISSOLUTION OR LIQUIDATION

SEC. 15. Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation may be distributed in accordance with the determination of the board of directors of the corporation and in compliance with this Act, the bylaws of the corporation, and all other Federal and State laws applicable thereto.

#### EXCLUSIVE RIGHT TO NAME, EMBLEMS, SEALS, AND BADGES

SEC. 16. The corporation shall have the sole and exclusive right to use the name "Meals for Millions Foundation". The corporation shall also have the exclusive and sole right to use, or to allow or refuse the use of, the emblems, seals, and badges which have been used by the Meals for Millions Foundation, a corporation chartered in California in carrying out its programs, and which have been transferred to the corporation under this Act. Nothing in this section shall be construed to interfere or conflict with established or vested rights.

#### TRANSFER OF ASSETS

SEC. 17. The corporation may acquire the assets of the Meals for Millions Foundation chartered in California, upon discharging or satisfactorily providing for the payment and discharge of all the liabilities of such corporation and upon complying with all laws of California applicable thereto.

#### RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 18. The right to alter, amend, or repeal this Act is expressly reserved.

#### DEATH TO THE EVERGLADES?

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. DINGELL. Mr. Speaker, the callous disregard which is too often shown by agencies of Government—Federal, State, and local—as well as private individuals, is all too well pointed out in an editorial which appears in the New York Times of Friday, June 13, 1969, concerning the rush to destroy the Everglades National Park. So that my colleagues may be advised as to what is going on in the Everglades National Park, I include the text

of the New York Times editorial at this point in the RECORD:

[From the New York Times, June 3, 1969]

**DEATH TO THE EVERGLADES?**

The Everglades National Park faces a decisive threat to its existence. On a site at the northern edge of the park, Miami proposes to build the world's biggest airport, covering 39 square miles. The airport planners envisage jets, jumbo jets, and supersonic transports arriving and departing every 30 seconds.

Jet noise would destroy the silent "lost world" quality of this subtropical wilderness. Jet fumes would pollute the air. An industrial and commercial building boom set off by the construction of the airport would bring more insecticides and sewage into the park's waters, where pollution is already a serious problem.

The worst effect of the airport would derive from its location in Big Cypress Swamp. The waters of Big Cypress drain through and nourish the western third of the park. For the past seven years, the park has suffered severely because flood-control and water-diversion projects of the Army Engineers have blocked the normal flow of water south from Lake Okechobee. An intensive development of Big Cypress, combined with the continued refusal of the Army Engineers to guarantee a minimum yearly flow of water to the park, would seal the park's doom.

The Senate Interior Committee under the leadership of Senator Jackson of Washington has begun public hearings on the Everglades controversy in an effort not only to prevent the catastrophe to the park but also to reform the Federal procedures which make this and similar catastrophes possible.

As is so frequently the case with environmental and ecologic questions, Federal agencies are working at cross-purposes. The Department of the Interior is trying to save the park, while the Army Engineers are fighting for the water interests of the farmers and land developers. The Department of Transportation has provided \$500,000 to help build a training runway to the proposed airport site, already under construction, and another \$200,000 for study of an access route from Miami. Both grants were made without consultation with the Department of Interior and without any study of the environmental consequences. According to an Interior Department solicitor, these grants were made in violation of Federal law which provides that the Secretary of Transportation shall not approve any project that has an adverse effect on park land unless there is no feasible and prudent alternative.

Interdepartmental studies and consultations have belatedly begun; but decisions finally have to be made in terms of competing values. The almighty dollar of the developers and the speed and convenience of the jet plane represent one set of values. The Everglades National Park represents other human and natural values. The continent's only subtropical park, it is a unique wonderland of plants, fish, animals and birds and it affords the only protection for 22 species already on the rare and endangered list. The nation cannot indefinitely evade a choice of the values by which it intends to live.

**GEORGE MEANY'S SPEECH TO THE INTERNATIONAL LABOR CONFERENCE**

**HON. WILLIAM H. AYRES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. AYRES. Mr. Speaker, it has recently been my privilege to serve as a congressional adviser at the 53d session of the International Labor Conference

at Geneva, Switzerland. I was first chosen to serve with this important body in 1963 and after attending that session, I was shocked at the domination of the Communist nations over the operation of the ILO. I am happy to report that there has been considerable improvement in the way that the American delegation has been received in the session now being conducted.

I believe that this improvement has been due in great part to the quality of the delegates who have made up the tripartite American delegation. Here we have found the most able men of our Government, labor, and industry.

I would today, Mr. Speaker, like to call your attention to the speech made on June 12, 1969, to the 1,300 delegates representing 114 nations by the Honorable George Meany.

The able president of the AFL-CIO has a long record of constructive work in the international labor field and has also been decorated by several foreign nations for his performance in international affairs.

Mr. Meany has also served as a member of the American delegation to the United Nations and has been a special adviser to that body.

Certainly anyone attending the conferences of the International Labor Organization could see the serious attention all of the delegates paid to his remarks.

Eight times Mr. Meany has been one of the leaders of our American delegation to the ILO, and has brought the American position on labor to the attention of the delegates. During the six times that I have attended these conferences I have been able to see the progress that he has made. I consider him to be one of our most able statesmen.

Mr. Speaker, I believe that Mr. Meany's speech will be of interest to all of my colleagues. The text of Mr. Meany's remarks follows:

**SPEECH OF GEORGE MEANY**

It is a distinct pleasure for me to congratulate you, Sir, on your election to the presidency of the International Labour Conference. Nothing could be more fitting than for a Workers' delegate to preside over the deliberations of this great organization on the occasion of its fiftieth anniversary. In choosing a Workers' delegate as President the members of the Conference have emphasized two cardinal principles: first, that the ILO is a tripartite organization, in which the three partners—governments, employers and workers—are equal; and secondly, that the ILO is and always has been dedicated above all to the welfare of the workers. Let me say also, Mr. President, as one whose privilege it has been to know you intimately for many years as a friend and a trade union colleague, that it is most appropriate that you, who have given such distinguished service to the ILO on behalf of all the world's workers, should have been selected as the first Worker President of the International Labour Conference.

We in the American trade union movement take pride in the role that American labour has played in the ILO since its very inception. Perhaps no single individual did more to bring about the establishment of the ILO than Samuel Gompers, the first President of the American Federation of Labor. Indeed, only a few weeks after the start of the First World War Gompers had already begun to consider how International co-operation could be organized most effectively after the war to raise the standards of workers all over the world. Throughout the years of the First

World War Gompers repeatedly expressed his concern about how the problems which workers faced would be met, once hostilities were concluded. That was the precise question which the Supreme Allied Council in January 1919 assigned to the Commission on International Labour Legislation. Gompers was unanimously elected Chairman of that Commission, which, under his leadership, recommended the establishment of what we now know as the International Labour Organisation.

Even at that early date Gompers had the foresight to recognize that if the ILO could bring great benefit to the workers in the industrialised countries it would have an even more significant mission in, as Gompers put it, "bringing light into the lives of workers" in what we now call the developing countries. And that is what the ILO has been doing for half a century; it has been "bringing light into the lives of workers" all over the world.

If I may be permitted a personal note, it is a particular privilege and pleasure for me to participate in this historic fiftieth anniversary session of the Conference. As many of the delegates know, the American labour movement strongly favoured United States affiliation to the ILO right from the start, but it was not until 1934 that the United States became a Member of the Organisation. My own participation in the work of the ILO dates back to 1936, and since that time I have watched closely the development and growth of this Organisation.

Every large organisation is bound to have its shortcomings. But, in the light of long years of close association with the ILO, I know that the lives of countless numbers of workers have been improved and their freedoms safeguarded by the work the ILO has done through the years.

One of the foremost strengths of the ILO has been its tripartite structure. It was the genius of the founders of the ILO to realise that only by securing the full participation of the representatives of workers, employers and governments could the welfare of workers be effectively improved. Tripartism in the ILO is essential if we want to continue to make genuine progress through international action for the betterment of conditions of workers.

As the Director-General has stated on page 2 of the Introduction to his Report to this Conference, 1969 is indeed "the fiftieth anniversary of the birth of an international sense of social purpose". But the Director-General is also right when he suggests that we must do more at this milestone in the Organisation's history than take pride in the ILO's past accomplishments, impressive as they undoubtedly have been. This should be the time for framing the future of the Organisation so that it will be able to meet the difficult challenges it will face in the years to come. It is in this forward-looking spirit that the ILO is launching this year the World Employment Programme, with its goal, as stated in the Employment Policy Convention, 1964 (No. 122), of enhancing the opportunities of workers in all nations to secure full, freely-chosen and productive employment.

This is a goal to which the American trade union movement has long been dedicated. In our own country we are seeking the enactment of legislation to make a decent job at decent wages a right of every American.

But our efforts have not been confined to the legislative arena. With the co-operation of our Government the AFL-CIO has established the Human Resources Development Institute. The purpose of this Institute is to mobilise the best resources of skill, talent and experience available in our trade union movement to plan, develop, co-ordinate and operate manpower programmes. We are placing special emphasis on providing training for what we call the "hard-core" unemployed and the youth who have never had a decent job. We especially want to broaden job op-

opportunities for Negroes, Puerto Ricans, Mexican Americans and other minority groups by providing the necessary assistance and orientation to prepare them to enter apprenticeship and undertake other desirable skill training.

This is what we are doing at home to broaden employment opportunities for some of the most "disadvantaged" members of our society. But the American labour movement has always been and is now deeply concerned with the development of free and prosperous societies all over the world. That is why, unlike some groups in my own and other industrially advanced countries, the AFL-CIO has never faltered in its support for programmes aimed at helping developing countries to achieve self-sustaining growth and to build democratic institutions.

The American labour movement has established its own agencies—the American Institute for Free Labor Development, the African-American Labor Center and the Asian-American Free Labor Institute—to give the most practical expression to that support. Through these organisations we have promoted and channelled financial aid to workers' housing, schools, community centres, health services, workers' banks and many other needed facilities, services and institutions in Latin America, Africa and, in more recent months, Asia. We have used our own trade union funds for training and education programmes requested by our fellow trade unionists in those areas. Through these agencies we have also undertaken to ensure that the international economic assistance programmes of our Government serve the welfare of the working people in those regions.

It may be appropriate on this fiftieth anniversary of the ILO to re-examine some of its basic purposes. There are some who tend to look down their noses at what are sometimes called the "traditional activities" of the ILO. Occasionally they even suggest that the Organisation should drop altogether or drastically reduce its standard-setting activities.

I do not share that view. On the contrary, I firmly believe that existing international labour standards will need to be modified if the workers all over the world are to be assured a fair share in economic and social progress. New conditions and new needs create the need for new standards, not just in industrialised countries but especially in the developing countries. Thus, in a few short pages of his Report devoted to occupational safety and health, the Director-General refers to new types of protection required for workers using tractors in agriculture and forestry, in the use of pesticides in agricultural work, and in the mining and milling of radioactive ores. These are just a few of the new areas where ILO standards can help to safeguard the health and lives of workers.

Indeed, the World Employment Programme itself stems from the Employment Policy Convention and Recommendation adopted by the International Labour Conference in 1964. As the Director-General has stated, this Programme will provide the basis for a major concerted effort toward the implementation of these instruments. His suggestion for periodic reviews of both national and regional efforts for employment expansion should help to reveal the most promising avenues of attack against both unemployment and underemployment. This would be in the best traditions of the ILO's pursuit of improved international labour standards. These efforts will require an even-handedness of analysis which must not be hampered by political considerations. Unfortunately, the ILO has too often been remiss in that regard, when it comes to its treatment of conditions in totalitarian countries.

Thus the Director-General's Report reveals a lamentable bias when on the very same page it refers to "unemployment" in the United States but "manpower surpluses"

in the industrialised countries of Eastern Europe (Part 1, page 51).

The same kind of bias is shown when the Report points to the failure to co-ordinate housebuilding with growth and employment in what are described as "market economies" whereas there is not one word on the notoriously poor housing conditions for workers in the Communist countries.

Unfortunately this is not the only example of the toleration, within the ILO, of a double standard as between democratic and totalitarian countries. We are rightly concerned this year in the Conference with the need to ensure that there is no element of forced labour in the new youth employment programmes in the developing countries. This concern is appropriate, but equally appropriate would be some evidence of concern with the continuing existence of forced labour camps in the country which calls itself a workers' State, where tens of thousands of workers, intellectuals and members of minority groups have been incarcerated for trying to assert a small measure of freedom. Similar barbarous conditions are to be found in the Caribbean country which seeks to export its brand of oppression in the western hemisphere.

American trade unionists have some times been criticized in the ILO for being too frank and blunt in their attacks on oppression and in their defense of human rights. Let me say to the delegates to this Conference that we have not hesitated and we will not hesitate to speak the truth as we see it. We are convinced that the ILO will only be weakened in its efforts on behalf of workers if it permits sensitivity to political criticism by totalitarian elements to weaken its crusade for freedom and social justice.

But our refusal to gloss over the shortcomings of the ILO will not deter us from recognizing its outstanding positive accomplishments. As we look ahead to the next fifty years, we are confident that the ILO will, even more than in the past, bring light into the lives of workers.

The sombre but objective picture the Director-General has portrayed of mass joblessness and continuing poverty and deprivation in many parts of the world should only strengthen our resolve that the ILO must play an even greater role in the years to come in the world-wide fight against want and oppression. We in the American labour movement will do all we can to support the ILO in its continuing struggle for social justice and human dignity.

A SALUTE TO KATE FROST  
SHERIDAN

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. CORMAN. Mr. Speaker, when new social concepts are enunciated, whether they arise from governmental or private inspiration, it is not enough that the programs which develop from these concepts are eventually approved and the machinery set in gear to make them run. Something must animate them to make the grand words come alive, to make the generous intent meaningful and effective.

Years ago lawyers around the country recognized the plight of the near-indigent and indigent when legal assistance was needed. Legal costs were such that anyone of limited means simply could not afford to hire a lawyer, and oftentimes, as a result, injustice went uncorrected. Even more often, people with

limited education frequently did not know when they had a right to seek redress through law for a grievance or an injustice.

So the American Bar Association, feeling that the word "justice" had a hollow ring when it was not freely available to all Americans, sought to redress this inequality by providing free legal aid to American citizens who would otherwise be helpless before the law. Thus were legal aid societies established.

It is a great concept. For half a century these societies have filled a glaring gap in the American system of justice. But it has worked so well because of one prime ingredient—the people of humanity who have devoted their time to make it work.

In the San Fernando Valley in California, there is an outstanding woman who exemplifies the spirit of dedication and selflessness which makes such programs work. She is Kate Frost Sheridan. In the past 9 years, Kate has devoted 20,000 hours of her life to this proposition that legal assistance should be available to all who need it. Through her efforts, 4,000 valley citizens, urgently in need of help, have had their faith in our system of justice reinforced when they received her competent legal assistance free of any charge.

Kate Frost had all the advantages that only a devoted family of means could bestow on a beloved daughter. They were especially lavish in providing her with a rich and varied education, which included 2 years in Paris studying music at the Conservatory of Music. But during her college years at UCLA, where she majored in history and political government, Kate happened to take some courses in business law, and this sparked what was eventually to become her main professional endeavor. After several years of postgraduate work in government and economics, Kate finally returned to her earlier interest, and entered and graduated from the law school at the University of Southern California.

She was not to make professional use of this excellent education for a number of years, however, choosing instead to devote her energies to her husband and their two children for the next 25 years. But once her children were safely launched on their own, she turned her formidable energies to practicing law as a full-time volunteer for the San Fernando Valley Bar Legal Aid Association. Consider again: 20,000 hours of donated time in 9 years. That is far more time per year than most of us spend on a full-time job, when we are paid for our services. It was almost as if she felt she had to make up for the years she spent away from the profession which had fascinated her for so long.

Kate Frost Sheridan is retiring now, leaving a legacy behind her of 4,000 lives that are the better and happier for her efforts, and today, the San Fernando Valley Bar Association will be honoring her with a surprise testimonial dinner. They have to make it a surprise, because Kate does not want any accolades—her reward has been her personal satisfaction in helping people who needed help. But her colleagues in law insist, and the occasion will be a testimonial both of affection and of the enduring respect she

has won from her colleagues in a tough, demanding profession.

It will also be a testimonial to the quality of humanity one finds in people—that animus that injects humanity into programs which are only paper projects until people like Kate Frost Sheridan bring them to life and make them meaningful.

#### CATCHWORDS AND VULGARITY

### HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, a constituent of mine, Mr. Sidney Koretz, of Arlington, Va., has asked me to insert in the CONGRESSIONAL RECORD an article which appeared in the May 1969 Jewish Spectator.

Mr. Koretz thinks this article is an excellent response to complaints that studies of the Jewish past are irrelevant to the present. I therefore commend the article to those who read this RECORD for thoughtful evaluation and consideration, and include it herewith:

#### CATCHWORDS AND VULGARITY

It is of the very nature of the catchword that it cannot do justice to that which it is intended to epitomize by those who use it excessively and with wrong semantic associations. This is why catchwords tend to be expressive of the type of shallowness that is conducive to vulgarity. An example of the vulgarization of a catchword is the current bandying about of *relevance*, especially in the American Jewish Community.

*Relevance* is being defined by Webster as "relation to the matter at hand; a traceable, significant logical connection to a situation, occasion, etc."

*Relevance* is not a synonym of *timeliness*, however. It is not the quality or state of being *timely*; it is not up-to-dateness in the sense of modernity. *Relevance* refers to a connection of logical, casual and/or historical context. Thus, the past and all that was done in the past is *relevant*, although it may not be *modern* or *practically useful*.

There has been a great deal of complaining by rabbinical students, and also by some rabbis, about the *irrelevant* curriculum of the rabbinical seminaries' emphasis on the classical texts of Judaism. Those who speak for *relevance* in Jewish studies say that the study of talmudic and rabbinic texts, in the original, and also of the Hebrew Bible, is a waste of time because it is not *relevant* to the areas in which the American rabbi functions. Many rabbinical students, therefore, are in favor of curtailing the study of texts so as to provide more time for the study of psychology, sociology, modern Jewish problems, etc., that is to say, courses which will prepare them for the *practical day-to-day*, "*relevant*" problems they will face as spiritual leaders of congregations.

"The cultural explosion" of the post-World War II years, which is not limited to the United States, is basically a quest for the recovery and discovery of the past by millions of persons who are questing for roots. They think that the roots of the present are in the past, and that without these roots the present is inauthentic. In this country perhaps the most significant area of the cultural explosion is the study of the "Great Books of the Western World" in thousands of discussion groups. Edited by Robert M. Hutchins and Mortimer J. Adler, the library of the Great Books includes the works of Homer,

Aristotle, Thomas Aquinas, Francis Bacon, Descartes, Hegel and of another two-score seminal thinkers and writers who decisively shaped Western Culture. The lone contemporary author of a Great Book included is Sigmund Freud.

"The paperback explosion," too, is expressive of the quest for the recovery and discovery of the past. Of the approximately thirty thousand paperbacks in print, some ten thousand are reprints of the great books of the past—the distant past of Antiquity and of the Middle Ages and the more recent past of the 18th and 19th century classics.

In the arts, grand opera and Shakespeare enjoy wide and sustained popularity. The same is true of classical music. While the Beatles have faded out, Beethoven continues to rule supreme. Experimental dance and theatre groups are *trying* to make an impact, but they are adding to and not detracting from the appreciation of classical ballet and the theatre which adheres to the principle that "the play's the thing."

Applying standards of *relevance* to culture is *vulgar* because it is evaluating that which is above-and-beyond utilitarian categories with the measure of practical usefulness. The universe of culture is sovereign. It is not subject to laws other than "art for art's sake" (*ars pro artis*) and "*Torah for Torah's sake*" (*torah lishemah*).

Indeed, there is "applied art." Besides "pure research" and "Torah for Torah's sake," there are practical research and Torah study in preparation for the rabbinate and the teaching of Hebrew and Jewish subjects. But in the context of the definition of "Liberal Education," the practical uses of the knowledge acquired are *irrelevant*.

If one were to apply the standards of practical *relevance* to the pursuit of knowledge, archeology and the study of the civilizations of the ancient Middle East would have to be assigned to the scrap heap. Yet the discovery of an ancient artifact or a document *electrifies* hundreds of millions of persons. When all is said for what the Dead Sea Scrolls have contributed to a better understanding of nascent Christianity and the sectarian movements of which early Christianity was one, there is no denying that the Scrolls have no *relevance* whatever for contemporary Christianity (or Judaism). Yet the discovery of a Qumran text is front-page news, as is any new interpretation of even a small section of one of the Dead Sea texts. The controversy over whether twenty-seven skeletal remains found on Masada are those of some of its last defenders has no *relevance* whatever to contemporary problems. However, newspapers and news magazines the world over—and not only Israeli and Jewish papers—reported the issues involved in great detail.

The discovery of an "unknown" Rembrandt or Renoir—or even a canvas by a lesser master—is front-page news. When New York's Metropolitan Museum acquired Rembrandt's "Aristotle before the Bust of Homer," some years ago, the crowds who stood in line for viewing the painting were larger—and the interest continued for much longer—than those who clamored for admission to the Metropolitan's "Harlem on My Mind" exhibition.

One could go citing proofs for what *really* need not be proved, namely, that the universe of culture is not subject to the standards of *relevance*. Culture is *timelessly* timely. Obviously, this sovereignty does not extend to the pseudo-culture of that which was, or is, *relevant*—i.e., *meant to be relevant to a particular time or situation*. The universe of culture is governed by the paradox that "the timely and relevant" is forgotten, while "the timelessly irrelevant" endures and is *meaningful* forever—centuries and millennia. *Meaning*, not *relevance*, is the frame of reference for evaluating the legacy of the past.

While it is *vulgar* to inquire about the *relevance* of that which is studied for study's sake (*torah lishemah*), it is imperative that

social institutions, such as laws, be examined and reexamined in the context of societal structures and situations radically different from those for which they were meant to legislate. *Law must be relevant to life* because it is the very fabric of life. Law, therefore, must be adapted (i.e., interpreted) so as to be *relevant* to new and changed conditions. It is self-evident, for example, that Jewish laws ordained for sending important announcements by signals and messengers, two thousand years ago, have no *relevance* whatever today when radio and television have linked the far corners of the globe and provide split-second transmission of news.

It is eminently proper, therefore, to question-and-dispute the *relevance* of the "second-days holidays observance" of Passover, Shevuot and Sukkot which was instituted for the benefit of Diaspora Jewish communities that could not be informed (because of distance) of the sighting of the new moon—the criterion for fixing the dates of the festivals before the Jewish calendar was fixed by astronomical calculation. *If* there were *meaning* to the observance of the "second-days festival observance," surely it would have been made law for the Jews in Israel as well. But this observance had only *relevance* for a segment of the Jewish people. As this *relevance* no longer exists—and as the second-days festival observance has no *meaning*—it should be abolished by rescinding the respective laws. However, the study of the talmudic and rabbinic literature on calendrics, loses none of its meaning because these methods of calendrics have become obsolete. The past has *meaning* because it is the soil from which the present grows and by which it is being nourished.

Those who inquire about Jewish *relevance* ask what Judaism can still contribute *today* when the essential Jewish legacy of ethics has become part of universal ethics and of the ethics of Christianity as well. The posing of this question is characteristic of the apologetics of modern Judaism and its spokesmen who think that Jews must prove their right to survive. The self-consciousness of the quest to prove that Jews and Judaism "deserve" to live is a unique (and sad) phenomenon. It is the result-and-concomitant of millennial Jewish homelessness and persecution which, as many Jewishly-ignorant Jews see it, is without meaning.

Thus, while medieval Jewish apologetics was aggressive rather than defensive, in the form of "Religious Disputations," contemporary Jewish apologetics is directed at Jews who aver that Judaism and Jews are "superfluous" because they have contributed all they were capable of creating.

Now it is true that the great Jewish Ideas and Ideals—reverence for life, equality, social justice, universal education, eternal peace—were taught by Jews thousands of years ago. They are the unique and distinctive Proclamation of Israel. But is it also true that the Great Jewish Ideas and Ideals have not yet become the norms of life of any nation or society, including the Jews. Today, when social engineers project "The Great Society" and "The Good Society," they still quote and invoke the Hebrew Prophets.

*Life is its own justification*. Human life is sacrosanct. The right to life of every person—even of persons of sub-human intelligence—is regarded as self-evident. Even if the Jews were not puzzling such a contemporary thinker as C. P. Snow with their uniquely huge production of geniuses *today*, as they did in the past, there still would be no need to marshal apologetics for proving that Jews and Judaism are here as of right. Conservationists exert great efforts so as to preserve species of plants and animals on the verge of extinction. They rightly say that life will be diminished and impoverished with the extinction of the redwoods and the bald eagle whose place in the totality of life is insignificant. And the conservationists who

worry about the redwoods and the bald eagle are right when they denounce as *vulgar* the insensitivity of those who do not understand that the variegated variety of plant and animal life is its own justification.

Relevance is of the realm of the marketplace which appraises with the measure of utilitarianism. In the universe of the mind, the quest is for meaning and the roots from which meaning grows. This is why the Blacks now are demanding that African studies be introduced in the schools their children attend. Obviously, African studies are not relevant to the lives of American Negroes. But they are convinced that African studies will convey to their children that Black is *meaningful*.

The right question to ask about the Jewish legacy is not whether it is still *relevant*, but whether it still has *meaning*. Now, perhaps more so than ever in the past, the *meaning* of the Jewish legacy confronts challenges, and shames us—because the questions concerning its *relevance* attest that those who worship the Golden Calf of tangible functionalism are still with us.

#### CONGRESSMAN DON EDWARDS' STATEMENT ON TAX REFORM

### HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. EDWARDS of California. Mr. Speaker, in recent days we have had much talk about tax reform, but little action.

The only tax reform which appears to have any chance is a reform which merely continues the present unfair tax system.

Therefore, I pass on to this House the creative suit of Friedy B. and Francis Heisler requesting what I believe is a tax reform which will appeal to all of our population, particularly those who are over age 50.

We have failed to reform the tax loophole for oil depletion, and I doubt we will reform it this year. So, my friends the Heislars have suggested we extend the oil depletion allowance to human resources.

I am certain every Member of this House, at least on certain days, feels his or her human resources have been depleted, and an income tax break would be in order.

There may be some objection to such depletion allowances from those under 30, whose activities have not yet caught up with their energy. However, those under 30, who survive to be over 30 may well find their views changing. Age may not bring wisdom, but from experience I can say it does bring weariness.

In order that this House can fully study the Heislars' position, I include an article from the Monterey Peninsula-Herald and a copy of their complaint in Federal court in the RECORD at this point:

#### CARMEL COUPLE FILES SUIT AGAINST IRS

SAN FRANCISCO.—Should people—as a natural resource—be eligible for the same federal depletion allowance on taxes that are applied to oil, gas and minerals?

That's the question attorney Francis Heisler of Carmel, and his psychiatrist wife,

Friedy, posed to the U.S. District Court in a suit filed against the Internal Revenue Service.

The suit asks the court to order the IRS to refund more than \$6,000 in taxes which Heisler, 73, and his wife, 69, claim was illegally assessed in the years 1965-67.

#### RESOURCES

The suit notes it is "to be expected that their 'natural deposits' and the 'improvements thereof', will be gradually depleted and in a foreseeable time will undoubtedly wholly disappear."

The Heislars say the Internal Revenue Code of 1954 provides "for the depletion and for depreciation of improvements according to the peculiar conditions in each case."

Oil and gas wells are granted a 27½ per cent depletion allowance and such minerals as clay, asbestos, graphite and mica deposits also get allowances.

#### INTERPRET

The plaintiffs contend that since the IRS can interpret depreciation allowances for such natural resources, they see no reason why the same interpretation can't be given to "such natural resources as a person's ability to earn a livelihood."

They say the amount being sought represents the equivalent of a 27½ per cent depletion allowance on their earning power.

Copetitioners are listed as "all persons similarly situated who are employed or self-employed and support themselves and their families by their labor."

#### DENIED

The IRS turned down the Heislars' requests for tax refunds of \$1,239, \$1,443 and \$2,560 in 1965-67. This Feb. 18 the IRS informed them their claim was rejected disallowed because "the examination did not disclose any basis for reducing this tax liability."

In case of an adverse court ruling, the Heislars ask that a three-man court determine whether the law providing for depletion allowances is constitutional.

[In the U.S. District Court for the Northern District of California]

FRIEDY B. HEISLER, M.D. AND FRANCIS HEISLER, PLAINTIFFS, v. UNITED STATES OF AMERICA AND JOSEPH M. CULLEN, DISTRICT DIRECTOR OF INTERNAL REVENUE SERVICE, SAN FRANCISCO, CALIFORNIA, AND RANDOLPH THROWER, COMMISSIONER OF INTERNAL REVENUE SERVICE, WASHINGTON, D.C., DEFENDANTS.

(Complaint for refund of personal depletion allowance of income tax paid and, in the alternative, to declare 26 USC 611, 612 and 613(b) (Depletion allowance) unconstitutional by Heisler & Stewart, Attorneys at Law, Carmel, Calif., attorneys for plaintiffs)

The plaintiffs appearing herein by their attorneys Heisler and Stewart, for their complaint against defendants, respectfully show to this court:

#### I

This action is brought under the Constitution of the United States and particularly under the Fifth Amendment thereto, as it will in full appear hereafter:

Under the act pertaining to District Court jurisdiction (29 USC 1331 (a), 1333 (1), 1340, 1343 (3) (4), 1346 (a) (1) and 1651 (a) (b)); under Rule 23 of the Federal Rules of Civil Procedure pertaining to class actions; under USCA 611, et seq; under 28 USC 2281-84 pertaining to a Constitutional Court and 22 USC 2403 pertaining to the advise to be given to the United States when Constitutional issues are involved. The plaintiffs' claim does not exceed the sum of \$10,000.00, (however, the claim of the un-named plaintiffs far exceed \$10,000.00) and arise under the Internal Revenue laws of the United States as hereinafter more fully appears.

#### II

This act is brought on behalf of the above-named plaintiffs as well as on behalf of each and all of the persons similarly situated who are employed, or self-employed, and support themselves and their families by their labor, be it manual or otherwise; such persons are so numerous as to make it impracticable to bring them all before the court; and the right which is the subject of this action which comes to all who make a living or provide for their livelihood by means of work; the named plaintiffs fairly insure adequate representation of all that therefore, it is requested that the named plaintiffs may proceed with their instant suit on their own behalf and on behalf of others similarly situated, though not named.

#### III

At all times hereinafter mentioned, the named plaintiffs were, and are now citizens of the United States, both residing in the State of California at Route 1, Box 215, Carmel, Monterey County, of such state; that they are both gainfully self-employed.

#### IV

Plaintiff Friedy B. Heisler is a medical doctor, specializing in the field of psychiatry, with offices in Carmel, California. She graduated from high school and from two years college in Switzerland, her native country. Thereafter, she studied at the University of Illinois Medical School where she received her degrees, both BS and MD. Upon further improving her knowledge and experience, she became a Diplomat, and still later, a Fellow, of the American Psychiatric Association. She was an Assistant Professor at the Illinois Neuropsychiatric Institute Medical School. She was on the psychiatric staff of several State and Federal Institutions and was also consultant for public and private charity organizations. Presently, she is engaged in full private practice as a medical doctor and extension instructor at the University of California at Santa Cruz, and lecturer in her field.

Plaintiff Francis Heisler graduated from Real School where he received the Baccalaureate Degree. He studied engineering at the Federal Polytechnical Institute in Zurich, Switzerland, and graduated with the diploma of an electrical engineer. He was an assistant to the professor in electrical engineering at his alma mater and subsequently became employed as an engineer in Germany, later a research engineer in Chicago, Illinois, in which occupation he continued until about 1930. While in Zurich, Switzerland, he studied law at the Department of Philosophy at the University of Zurich and he also continued law in Chicago, Illinois, and he received his Degree as a Juris Doctor. He was admitted to practice law in the States of Illinois and California, in the District of Columbia and before the Supreme Court of the United States, as well as before the various Districts and Courts of Appeal of the United States. At the present time, he is engaged in full time practice of law with offices in Carmel and Chicago and with associate law offices in Berkeley, California and Washington, D.C.

#### VI

At all times pertinent to the issues here, the Defendant Joseph M. Cullen was, and now is the District Director of Internal Revenue, San Francisco, California, and he is a resident of the Northern District of California, within the jurisdiction of this court. Defendant Randolph Thrower is presently the Commissioner of the Internal Revenue Service, and as such, is the executive in charge of the policy of said service; Defendant United States is in need of no identification except that it is the entity which disposes of the taxes illegally and erroneously collected from the plaintiffs and gets along without collecting of the depletion allowance granted to others than the plaintiffs.

## VII

This suit is brought for the recovery of the sums of \$1,239.37, \$1,443.69, and \$2,560.45, erroneously and illegally assessed by the defendants against the named plaintiffs as part of their income taxes for the respective fiscal years of 1965, 1966 and 1967.

## VIII

On or about April 8, 1968, the named plaintiffs submitted to the Defendant District Director of Internal Revenue on form 843, a Claim for the Refund of taxes illegally, erroneously and excessively collected and on said form they made a claim for their respective refunds for the years above-mentioned on the ground that the Internal Revenue Code of 1954, Title 26 USCA, Paragraph 611, et seq., provides in computing taxable income for a reasonable allowance "for the depletion and for depreciation of improvements according to the peculiar conditions in each case." The plaintiffs in their claim set forth that they did, in fact, improve their "natural deposits" by obtaining an education in schools and outside; the plaintiff Friedy B. Heisler becoming a psychiatrist, teacher and a lecturer, and the plaintiff Francis Heisler, becoming an engineer, lawyer and lecturer; both of them having practiced their respective professions honorably for more than thirty years and they are still so practicing. They further claim that since they are within the reach of the Biblical age of three score and ten years it is to be expected that their "natural deposits" and the "improvements thereof", will be gradually depleted and in a foreseeable time, will undoubtedly wholly disappear. They requested a refund from the Defendant District Director of Internal Revenue in accordance with the Constitutional command of due process and within the equal protection of the law and further in accordance with the depletion allowance provided for other taxpayers under paragraphs 611, 612 and 613(b) of Title 26 USCA. They requested the maximum depletion allowance provided in said Title, i.e. twenty-seven and a half percent of the income tax jointly paid by them during the years 1965, 1966 and 1967.

## IX

The Defendant District Director of Internal Revenue acknowledged the request for an adjustment on form 3870, indicating that the request for refund filed by the plaintiffs was received by him.

## X

Subsequently, under the date of February 18, 1969, the defendant District Director of Internal Revenue informed plaintiffs that their claim for the year 1966, in the amount of \$2,560.45, was disallowed because "the examination did not disclose any basis for reducing this tax liability." The defendant District Director also informed plaintiffs that "the issue raised by your claim for refund has been considered during this examination and determined to be unallowable because the depletion allowance claimed did not meet any requirement of Section 611 of the 1954 Internal Revenue Code and T.B.M. 39 Cumulative Bulletin No. 1, page 131," and the claim so presented by plaintiffs for the year 1966 for refund in the amount representing twenty-seven and a half percent of the taxes jointly paid by them for such year was disallowed.

## XI

The plaintiffs received no information from the defendant District Director of Internal Revenue as to the allowance or disallowance of their claims filed for the years of 1964 and 1965; however, the claims having been filed more than six months prior to the filing of this suit and no action was taken by the defendant District Director of Internal Revenue concerning the same, it is assumed, and so to be considered, that the

claims for the years 1964 and 1965 were disallowed, as was the claim for the year 1966.

## XII

The plaintiffs submit that the Defendant District Director of Internal Revenue's interpretation of the Internal Revenue Code of 1954, Title 26 USCA, 611, 612 and 613(b) is wholly erroneous, illegal and unconstitutional. The interpretation is to the effect that depletion allowance is to be granted for such "natural resources" as oil and gas wells, minerals, timber, and many other natural deposits, but not be granted for such "natural resources" as a person's ability to earn a livelihood. Such interpretation by the defendant District Director of Internal Revenue is immoral and, for that reason alone, and for other reasons, is unconstitutional, to boot, and is particularly contrary to the constitutional precept of due process of law as set forth in the Fifth Amendment to the Constitution of the United States and contrary to the precept of the equal protection of the law. The interpretation of the above statute by the defendant District Director of Internal Revenue represents an invidious discrimination or classification which is patently arbitrary and utterly lacking in rational justification. The interpretation so made by the defendant District Director of Internal Revenue is unjustifiable, unfair and violative of due process.

## XIII

Plaintiffs submit that it is contrary to due process and contrary to the equal protection of the law when the Defendant District Director of Internal Revenue holds that the "natural resource" such as clay used or sold for the use in the manufacture of drainage and roof tile and flower pots, is to be granted a 5% depletion allowance but none is to be granted to the plaintiffs for the depletion of their natural resources and the improvement thereof. It is clearly contrary to due process and the equal protection of the law when the defendant District Director of Internal Revenue grants fifteen percent depletion allowance to such natural resources as china clay, sagger clay and clay used for purposes dependent on its refractory properties, irrespective of whether or not such natural resources are inexhaustible or not, while holding that plaintiffs are not entitled to depletion allowance of their natural resources, even if it as a foregone conclusion that their natural resources, in absence of a miracle, will be thoroughly exhausted. The interpretation and the holding referred to above by the defendant Director of Internal Revenue that a twenty-seven and a half percent depletion allowance is to be granted on oil and gas wells, irrespective of whether they are to be exhausted sooner or later, when he holds that twenty-two percent depletion allowance is to be granted on sulphur and anorthosite clay, asbestos, or graphite and/or mica, irrespective of whether or not such resources will be exhausted while he holds that no depletion allowance is considered allowable for the soon totally exhausted natural resources of the plaintiffs and the improvement of their resources.

## XIV

Although repayment thereof has been demanded, no part of said claims of \$1,239.37 for 1964, of the \$1,443.69 for 1965 and of the \$2,560.45 for the year 1966 has been credited, remitted, refunded to the plaintiffs or to any of their accounts, and the full amount thereof, together with interest drawn from the respective dates of April 15, 1965, April 15, 1966 and April 15, 1967, and at the rate of six percent per annum remains due and owing from the defendant District Director of Internal Revenue to the plaintiffs.

## XV

Because of the denial of the defendant District Director of Internal Revenue of Plain-

tiffs' refund claim for the years 1964, 1965 and 1966, it is to be expected that similar claims for the years subsequent to 1966 during which plaintiffs will be called upon to file their income tax returns, will be similarly denied unless this Honorable Court intervenes and grants its order upon the defendants to refund to the named plaintiffs twenty-seven and a half percent of the taxes paid by them for the years 1964, 1965 and 1966 in the amounts hereinabove indicated.

Wherefore, plaintiffs pray that this Honorable Court enter a judgment:

1. That the plaintiffs are entitled to a refund and that the defendant District Director of Internal Revenue ought to pay to them the sums of \$1,239.37, \$1,443.69 and \$2,560.45, with interest thereon, from April 15, 1965, April 15, 1966 and April 15, 1967 respectively at the rate of six percent, together with costs and disbursements of this action.

And as a further relief, that the plaintiffs ask that if the interpretation of the defendant District Director of Internal Revenue denying plaintiffs' claim for refund of twenty-seven and a half percent of their respective taxes be upheld by this Honorable Court, then the plaintiffs say that said Title 26 U.S.C.A. paragraphs 611, 612, 613(b), is unconstitutional because it represents invidious discrimination or classification which is patently arbitrary and utterly lacking in rational justification, and for the purpose of determining the constitutionality of said act referred to and because of the importance of the issues, the plaintiffs hereby request the convocation of a three-man constitutional court to pass upon the issues herein raised as to the unconstitutionality of Title 26 U.S.C. 611, 612 and 613 (b).

Plaintiffs, pursuant to 28 USC 2403, advise the United States that they may claim Title 26 USCA and sections 611, 612 and 613(b) unconstitutional and did so by forwarding two copies of the within complaint, together with a Summons to the United States Attorney, Washington, D.C.

The plaintiffs pray for such further relief as the law requires.

Dated: March 28, 1969, at Carmel, California.

Respectfully submitted,

FRANCIS HEISLER,

Attorney for the named and un-named Plaintiffs.

## CERTIFICATION

I, Friedy B. Heisler, M.D., one of the parties named in the foregoing complaint, on behalf of myself and on behalf of the named and unnamed plaintiffs, declare that I have read the complaint and know the contents thereof; that allegations contained therein are true of my own knowledge except as to those matters which are therein stated to be upon information and belief and as to those matters I declare that I believe them to be true.

Dated: March 28, 1969.

FRIEDY B. HEISLER, M.D.

## MISCONCEPTIONS PLAGUE PAY TV

## HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. GALLAGHER. Mr. Speaker, misconceptions abound over the proposed plan to have the Federal Communications Commission establish subscription television stations, commonly known as pay TV. The major misconception concerns the notion that subscription television stations are intended to eliminate free television stations. Nothing could be further from the truth.

The FCC has emphasized that the proposed subscription service would be supplemental to present conventional television. The service will be permitted for only one station in a community, and, moreover, only in communities which receive service from at least four conventional TV stations. Thus, the same television fare we receive today will continue, but we will have the added benefits of a subscription service for extraordinary programs.

Another fear revolves around the thought that pay TV stations will siphon off programs from conventional networks. This is also unfounded. The FCC has put express safeguards into its proposal to avoid precisely this kind of situation.

Mr. Speaker, my office has received thousands of letters from people on this subject. I share the concerns expressed in these letters, but feel that a more public discussion of the FCC proposal would eliminate most, if not all, these concerns.

The benefits to be obtained from supplemental television subscription service will in no way disrupt the benefits enjoyed from conventional service today.

**GREATER ST. LOUIS LABOR COUNCIL, AFL-CIO, SELECTS CONGRESSWOMAN LEONOR K. SULLIVAN FOR ITS FIRST DISTINGUISHED CITIZEN AWARD**

### HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. PRICE of Illinois. Mr. Speaker, although we represent constituencies in different States, the gentlewoman from Missouri, the Honorable LEONOR K. SULLIVAN, is well and favorably known by the people of my district, the 24th Congressional District of Illinois, for her many battles in behalf of consumers throughout the United States, and particularly in the St. Louis-East St. Louis metropolitan area. Our adjoining districts, separated by a great river which constitutes our respective State boundaries, are closely united in many joint efforts and in a broad community of economic interest.

Many of Mrs. SULLIVAN's constituents work in my congressional district; many of my constituents work in her district and are members of St. Louis union locals. Thus, it was with genuine pleasure that we in East St. Louis learned of the high honor paid to our esteemed neighbor by the St. Louis Labor Council, AFL-CIO, in designating the great congresswoman from Missouri as the first recipient of its annual distinguished citizen award.

The sentiments expressed in this citation will be applauded and affirmed, I am sure, by all the Members of the House who recognize in Mrs. SULLIVAN the leading congressional champion of consumer causes and a tireless worker for better Government in behalf of all citizens.

Under unanimous consent, Mr. Speaker, I proudly offer for inclusion in the RECORD the text of the citation, signed by Oscar A. Ehrhardt, president, and

James E. Meyers, secretary-treasurer, and presented to Congresswoman SULLIVAN last month by the Greater St. Louis Labor Council, AFL-CIO, as follows:

THE GREATER ST. LOUIS LABOR COUNCIL AFL-CIO HONORS AS LABOR'S DISTINGUISHED CITIZEN THE HONORABLE LEONOR K. SULLIVAN, MAY 24, 1969.

For her untiring and dedicated efforts on behalf of the American people, her beloved State of Missouri and her constituents of the Third Congressional District.

During her distinguished career as a United States Representative, Mrs. Sullivan has taken up the causes of the average American championing such efforts as truth-in-lending and consumer protection. Although her causes have been just, she has had to mount her battles against sometimes overwhelming odds. Despite the barriers placed in her path, Mrs. Sullivan has persevered and in so doing has forever won a place of gratitude in the hearts of all Americans.

For this personal dedication to justice for all, the St. Louis AFL-CIO Labor Movement is proud to honor Mrs. Sullivan as its first Distinguished Citizen.

OSCAR A. EHRLHARDT,

President.

JAMES E. MEYERS,

Secretary-Treasurer.

### FREEDOM'S GENERATION

**Hon. PETER H. B. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. FRELINGHUYSEN. Mr. Speaker, because of its timeliness and real interest, I have asked permission to have printed in the RECORD a speech given recently by my friend and colleague, HAMILTON FISH, JR., of New York. Mr. FISH spoke at commencement exercises held on June 11 at St. Mark's School, in Southborough, Mass. The speech follows:

#### FREEDOM'S GENERATION

(Address by Representative HAMILTON FISH, JR.)

A generation ago, like you, I sat in a graduating class. The one thing about that day I cannot remember is who the commencement speaker was or what he had to say.

My thoughts, like yours, were targeted upon family, friends and plans for the summer and the future. But of one thing I am sure—if the speaker kept it short, I know I blessed him. I intend to do likewise and earn your gratitude.

For you of the class of 1969, this is the time to say goodbye to your teachers: if they have been effective teachers, and I am sure that is the only kind St. Mark's has, they know that their effectiveness is partly due to you, because they can only teach as much as you have been willing to learn.

In thanking them you might do worse than to borrow from that philosopher, Lawrence Berra, known to his associates with the New York Yankees and Mets as "Yogi." On Yogi Berra Day his fans gave him a tremendous ovation as an expression of their admiration. When it became Yogi's turn to respond, he gave us this classic: "I sure want to thank everyone who made this day necessary."

It is most surprising, in this era when institutions such as education are being put to the test of relevance, that the institution of the prize day speaker has survived. But it has, so that now, after your years of study and achievement, you must wait another 15 minutes before you receive your diplomas.

A century ago when prize days started at

St. Mark's, there was no stigma in being a dropout. Abraham Lincoln was a dropout. So was Thomas Edison. Henry Ford never went to college. But the Horatio Alger days are all but gone. Every aspect of life, whether running a corporation or being an inventor or gaining political office, is today so much more complex than ever before in history that a good education is an absolute essential. Today, education demands rigorous competition and the lonely discipline of the pursuit of reason.

You have been in school now for at least two-thirds of your life. By the time you finish college, and especially if you go on for a graduate degree or two, you will spend nearly the first one-third of your lifetime in so-called educational institutions. The curriculum you are offered, the campus rules under which you live, the whole formal structure, is one in which everything has traditionally been decided by others. But now students are asking for a share in the control of education.

Adults, amazingly enough, did not foresee that rebellion against the tyranny—yes, tyranny—of education was predictable.

As they press their demands, students are making sensational news. There is revolt on the campus. A few have abandoned reason and persuasion—which ought to be the hallmark of the entire educational process—for assault and violence. Surprise, anger, and dismay come from the older generation. In their fear of something they understand no more than they "dig" rock-n-roll music, adults take a stand for "law and order," complete with night sticks, and tear gas.

As students you are doomed to be in the middle of the fray, either as participants or as bystanders. As students, you have a unique claim to colleges and universities: If there were no students, they would not be there. On the other hand, if there were no colleges or universities, you could not be students. Universities are yours to improve. They are also yours to protect.

The dangers inherent in the assault of student revolutionaries—and in the reaction to it—are monumental. To swing the wrecking ball against the ivied walls of education destroys your base, your platform, your instrument for change. The university's role should be to prepare the architects of change, and it is you students who must become those architects.

Alienation of the university from the rest of America would be a deep and lasting disservice.

Continued blind disregard of the rule of law, destructive attacks both on the campus by its student critics and off the campus by the outraged critics of the students, invite a tough Federal response. It invites repressive Federal legislation with the potential for lasting scars on freedom of inquiry and free expression.

Neither the tactics of the SDS nor the heavy hand of the Congress has any place on the American campus.

Yet it is out of freedoms that our society has bred you, our youth, freedom's generation. For that is what you are, freedom's generation. As freedom's generation, you are most favored, most free, a generation enjoying more real options than your fathers and grandfathers ever knew. You have not only more options as to careers—how many kinds of vital work were not even dreamed of fifty years ago!—but you have made choices as to which values you will accept or reject.

Now listen to this. If education is ever to succeed, it must lead our youth to *think* rather than simply to conform. But when that has begun to happen, we adults appear scandalized that thinking should lead to questioning. And we should also have known that questioning would lead to value judgments.

Our society has managed to disillusion freedom's generation. With the idealism inherent in youth—and thank God for it!—students have looked upon the \$80 billion de-

fense budget and said to the older generation, "But how does this build peace for our generation?" They have looked at Vietnam and said in horror, "We won't go." They have looked at poverty—and we really only discovered poverty in the last decade, in the midst of our affluence—and they have said, "Here is another place you have botched up the world. Why should anyone in America ever go hungry?" They have assessed America and its leadership and found a yawning gap between principles and performance. This they want to change. They have, in short, come up with questions on the value judgments of their predecessors and made their own judgments on the disordered values of the society we adults are turning over to them.

Youth asks whether it cannot better achieve the values it wants in society by sharing in the controlling decisions of its own education? For freedom's generation knows and sees, and feels, as its predecessors have not, that responsible leadership in the years ahead must be based on education that is pertinent to the great value judgments underlying the future structure of society.

You of freedom's generation hear we cannot afford to cure chronic killers, but you read of the breeding of plague and tularemia in germ warfare laboratories. You read the official reports on rioting, setting forth the drift toward two Americas, separate but unequal, but you cannot find a national consciousness or will to reverse this trend. You eagerly espouse the cause of a strong international system of justice and world law, to which this Nation gives its official sanction, but you see America and the world in continuing cold, and sometimes hot, war, prisoners in deadly arms race. You learn that our Government spends more on the health of migratory birds than on the health of migratory workers.

Who turned off this generation? Do we elected officials have to look further than ourselves?

So what course is there for freedom's generation laboring under the weight of irrelevance in its despair for human fulfillment? It stands—you stand—at the crossroads where one road leads to retreat, to the limited involvement of criticism from the sidelines. The other road, the rocky one, leads to real responsibility in the real world. So here again you have options: Freedom from responsibility, which is a false freedom, or freedom to take leadership with responsibility in a generation shortly to direct the future.

If only because of your numbers—half our population is now under 25—your generation is on the threshold of real political clout. The nation will inevitably feel the impact you will make on its consciousness and on its values.

The system is here, a system that brings change through acceptance of the verdict at the ballot box. It is the gift to you from preceding generations. They can be faulted for their lack of relevance—but they have been faithful to the democratic process.

In this system free expression and the political process combine to produce rational decisions. It is a system committed to reason and persuasion to bring about change, the same reason and persuasion which are at the heart of education. It is a system which not only permits dissent but which guarantees dissent.

Your involvement cannot be limited to the political process; the tasks facing us are too great for government action alone. Your generation brings to the nation's strengths a passion for community, and its demand for personal and public honesty gives the future hope. Your contemporaries who choose the negative approach of disruption and violent confrontation have no monopoly on the means for change.

For all its faults, the real world is an exciting place. Its future, as it has always

been, belongs to man. Direct and steer the future. Embrace the democratic political process, serve notice on your elders that the promise of America is not dead.

Work to bring sanity into world affairs, Leap at the challenges ahead in medicine; in architecture; in the environmental sciences with their power to improve the quality of life in America. Taste and enjoy the unique satisfaction that comes only from service.

You are freedom's generation. How you exercise your freedom will determine the character—and the future—of America.

#### THE CHALLENGE AND ACHIEVEMENT OF THE ATLANTIC CABLE

### HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. DONOHUE. Mr. Speaker, on June 4, 1969, I placed in the RECORD the first of two articles by Mr. Walter J. O'Leary concerning the invention and development of the telegraph.

At this time, I am pleased to include his second article describing the history of the laying of the Atlantic cable in 1866, which is a vivid and fascinating story of man's valiant struggle to link communications between Europe and the United States.

This second article by Mr. O'Leary appeared in the June 7, 1969, issue of the Boston Catholic Diocese newspaper, the Pilot. The article follows:

#### ATLANTIC CABLE OVERCAME DECADE OF DEFEATS, DELAYS

(By Walter J. O'Leary, recently retired after 50 years of service as a telegrapher with Western Union)

The story of the laying of the Atlantic Cable in 1866 is one of the great accomplishments of mankind. It was achieved, after nearly ten years of repeated frustrations, disappointments and crushing defeats, from 1856 to 1866.

There are numerous locations along the New England coast where sections of Atlantic cables have come ashore. The photograph here shows a section of cable on the beach at Rockport, Massachusetts, where a length of cable came ashore in 1884. It was in service for over fifty years before it was abandoned around 1934. This one extended to Canso, Nova Scotia, where it worked into other cables going to and from Europe. There were cable stations at Rye Beach, New Hampshire, Duxbury and Orleans, Massachusetts. All these extended to points in the Maritime Provinces where they joined their European counterparts.

The cable landed at Rockport and was constructed by the Commercial Cable Company, whose owners were the son of James Gordon Bennett of the New York Herald and John W. MacKay, mining engineer and later President of the Postal Telegraph Company. Their specially fitted steamer, the *MacKay Bennett* laid the cable in 1884, from London to Rockport via Canso, Nova Scotia.

The French Cable Company operated a cable from Orleans, Mass., to Brest, France. This was laid in the year 1890. It is claimed that when the Steamship *Portland*, sailing from Boston on the night of November 28, 1898, for Portland, Maine during a raging blizzard, floundered off the coast at Truro, Mass., with a loss of all 200 persons on board, news of the disaster reached Boston and the world from Orleans via Brest, France and back to this country over another cable.

The Duxbury and Rye Beach cables were the properties of the Western Union Tele-

graph Co. and the All America Cable Company respectively. Like the others they were extensions of those to Europe via the Maritime Provinces.

After nearly sixty years of continuous service between America and Europe during two world wars, these New England terminals were closed in the march of progress for more efficient methods of automation.

The old cable houses still standing are silent reminders of the determined and courageous efforts of accomplishment by a great American, Cyrus W. Field, and his associates on both sides of the Atlantic, to lay a successful cable between America and Europe. Here is that story.

Cyrus West Field was born in Stockbridge, Mass. on November 30, 1819, and died at his Country House Ardsley, Irving-on-Hudson, N.Y., July 12, 1892. At the early age of 15, he left school, went to New York and became a clerk in the store of A. T. Stewart & Company. After three years he joined his brother Matthew in a papermill at Lee, Mass. In 1840, he formed the C. W. Field & Co., wholesale paper dealers with plant and offices in Westfield, Mass. and New York. In 1853, at the age of 34, he had amassed a fortune of \$250,000 and retired from active business.

With the success, expansion and growth of the Magnetic Telegraph following the transmission of that historic message, "What Hath God Wrought," by Samuel Morse in 1844, it was reported that he had experimented at an earlier date with a submarine telegraph cable between Castle Garden and the fort at Governors Island in New York. Also, Professor Charles Wheatstone, English physicist and inventor, declared that in his opinion there would be no difficulty in operating a telegraph circuit under water.

For a number of years the government of Newfoundland was interested in connecting that island with the American continent. It was in 1852 that the legislature there incorporated a company under the title of the Newfoundland Electric Telegraph Company for that purpose. To help accomplish this purpose, one of their members, Mr. F. N. Griborne, came to New York to consult with Mr. Matthew D. Field, a civil engineer. Matthew spoke to his brother Cyrus, who became interested in the project not only of connecting Newfoundland with Cape Breton but connecting Europe with America as well. He consulted with Morse, the U.S. Navy and many persons of influence who advised him the undertaking was feasible. Another brother, David Dudley Field, a distinguished Attorney and later a member of the Supreme Court, became legal adviser.

Cyrus, in company with his brother David Dudley and Mr. Chandler White, sailed from Boston to St. John's, Nfld., where they secured a charter from that government. He also went to England and talked to influential people in order to raise capital for the venture. The Atlantic Telegraph Co. was formed. He procured specimens of cable as well as promises from the British government of ships to aid in laying the cable. Upon his return home he secured similar pledges from our government.

The manufacture of the cable laid across the Gulf of St. Lawrence was carried out in England. It was covered with gutta-perche wrapped in rope yarn and a series of strands of common iron wire laid down in a tube of lead.

The initial attempt to lay the 60 mile stretch from Newfoundland to Cape Breton, Nova Scotia, attempted on August 23, 1855, had to be temporarily abandoned due to stormy weather. Field was not discouraged, knowing that similar attempts had been made successfully between Calais, France and Dover, England in 1850; between Great Britain and Ireland in 1852 and between Scotland and Ireland in 1853. The second attempt between Newfoundland and Cape Breton was completed in 1856.

The Atlantic cable was also manufactured in England. It was insulated with gutta-

percha, bound with hemp steeped in a solution of tar and tallow. Outside the hemp was the iron wire protector.

Several attempts were made to lay a workable cable across the Atlantic. The first one was in 1857. Since there was only one ship afloat large enough to play out 2500 miles of cable—an amount believed necessary because of winds and currents, plus the uneven ocean floor—the British Navy supplied the *Agamemnon* and the U.S. Navy furnished her largest vessel, the *Niagara*. This attempt met with failure when the cable broke several hundred miles from Valentia, Ireland.

A year later in June 1858 another attempt was made. Unfortunately this too met with a similar fate. A third attempt was made a month later, but this time both vessels met in mid-ocean, where the cable was spliced together and each vessel, the *Niagara* and *Agamemnon*, started for its respective shores.

It was on August 4, 1858, that the *Niagara* entered Trinity Bay, Newfoundland and the *Agamemnon* reached Valentia successfully. Messages of congratulations were exchanged between the Queen of England and the President of the United States and celebrations followed on each side of the Atlantic. Suddenly, one month later on September 1st, the cable went dead completely.

It was some time after this succession of disasters that the Western Union Telegraph Company appropriated several millions of dollars to extend their empire into Europe by way of the Pacific Coast, across Bearing Strait, through Siberia, and over the Ural Mountains into Europe.

In the meantime, the indomitable Cyrus Field was once more back in England, whose government backed the interest payments on a new 600,000 pound loan if a cable was laid successfully. The firm of Glas, Elliot and Co. manufactured the new cable.

This time the steamship, *Great Eastern*, the largest ship afloat, was engaged to do the work. The three massive holds of the great ship took all 2500 miles of cable aboard. It was on July 23, 1865, after securing the cable to the shores of Valentia, that it set sail for North America. Within six hundred miles of its destination, the cable got tangled in the apparatus playing it out and, amidst high seas, the cable parted. After several attempts were made to pick up the broken cable from the ocean floor without success, Field, the *Great Eastern* and all on board were forced to return dejectedly to England.

It is recorded that Field possessed great persuasive powers over others, and indeed he must have, for anyone to continue to back his efforts. But this they did and a new company was formed. This time it was called the Anglo-American Telegraph Company. More cable was made and taken aboard the *Great Eastern* as before. It set sail this time on Friday, July 13, 1866, from Valentia Bay. Fortunately, at long last, the cable laying went on without interruption, until July 27, 1866, when the *Great Eastern* came to anchor in Hearts Content, Newfoundland Bay, and since that date both hemispheres have been united by the Atlantic Cable. The feat will always be associated with the name of Cyrus W. Field.

## TWO MARYLAND MARINES DIE IN VIETNAM

**HON. CLARENCE D. LONG**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. LONG of Maryland. Mr. Speaker, Pfc. Gerald B. Brown and Pfc. Emidio Pasqualucci, two fine young men from Maryland, were recently killed in Vietnam. I would like to commend their courage and honor their memory by in-

cluding the following article in the RECORD:

### TWO STATE MARINES DIE IN VIETNAM—PRIVATE PASQUALUCCI AND BROWN KILLED IN ACTION

Two Maryland marines have been killed in combat in Vietnam, the Defense Department announced yesterday.

They are:

Pfc. Gerald B. Brown, 19, of the 6900 block Chambers road, was fatally wounded by hand-grenade fragments June 5 while on patrol in Quang Tri.

Pfc. Emidio Pasqualucci, of North East in Cecil county, died Tuesday of wounds he received in an explosion while on a search-and-clear mission near Da Nang.

#### PLANNED ON COLLEGE

Private Brown, a 1968 graduate of Northern High School, enlisted last August because "he felt the war was necessary," according to his mother, Mrs. Gerald L. Brown.

His burial will be in the military cemetery at Dulaney Valley. "I think that's the way he would have wanted it," Mrs. Brown said here yesterday.

The sandy-haired youth, who was last home during Christmas, had planned to go to college on completion of his active duty in mid-1970, his parents said. He had been in Vietnam four months.

"He loved sports," Mrs. Brown said of her son, who was a football player during his high school days. "He went out for almost everything they had."

Besides his parents, Mr. Brown is survived by two brothers, David, 14, and Paul, 12, both of whom live with the family.

Pfc. Pasqualucci was the husband of Mrs. Sandra L. Pasqualucci of Box 161, North Beach.

## LOUISIANA OPPOSES AID TO COMMUNIST COUNTRIES

**HON. JOHN R. RARICK**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. RARICK. Mr. Speaker, I am in receipt of concurrent resolution No. 60 of the Louisiana Legislature which urges and requests the Congress of the United States to take steps to see that this Nation shall cease giving aid to Communist countries.

I include herewith the full text of the concurrent resolution:

#### SENATE CONCURRENT RESOLUTION 60

A concurrent resolution to urge and request the Congress of the United States to take steps to see that this Nation shall cease giving aid to Communist countries

Whereas, the government of the United States has been engaged in the Viet Nam Conflict over a span of several years; and

Whereas, many American lives have been lost and many sacrifices made by the citizens of this great Nation in defense of the principles of peace and independence; and

Whereas, the principles of peace and independence being defended by the citizens of the United States are openly opposed in active warfare by the Communist countries and by communistic influences; and

Whereas, at least eighty percent of the sinews of the war in Viet Nam are being provided North Viet Nam by Russia and its European satellites; and

Whereas, the assistance given to North Viet Nam has been made possible almost entirely by the help of the United States to Russia and its Communist satellites.

Therefore, be it resolved by the Senate of the Legislature of Louisiana, the House

of Representatives thereof concurring, that the members of the Congress of the United States, collectively and individually, are hereby urged and requested to exert their full authority and influence toward unremitting efforts to cause the United States Government to cease and desist promptly the furnishing of aid and assistance in any form, either directly or indirectly, to any communistic country or to any Communist or group of Communists.

Be it further resolved that the Secretary of the Senate shall transmit without delay a copy of this Resolution to each member of the House of Representatives and the Senate of the Congress of the United States.

C. C. AYCOCK,  
Lieutenant Governor  
and President of the Senate.

JOHN S. GARRETT,  
Speaker of the House of Representatives.

## CIVIL UNREST

**HON. LOUIS C. WYMAN**

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. WYMAN. Mr. Speaker, the views of the president of the Florida Bar Association on campus unrest, appearing in the Florida Bar Journal of April 1969, are a contribution to perspective on this difficult and troublesome subject. President Marshall M. Criser makes the point that where competent administration within the academic community has been firm, reasonable, and responsible, the college administration has survived without the violence that has occurred on the more permissive campuses of the land.

The violent campus protestors are a small minority. Their right to dissent is unquestionable, but they have no right to violence and lawbreaking.

To meet the challenge to the structure of these institutions, those who deliberately break the law in the course of dissent must be punished firmly, certainly, and without delay.

The remarks of President Criser follow:

#### UNREST

Our college campuses have become the proving ground for the determination of whether our ordered society shall survive.

Although they represent a very small percentage of the total enrollment where trouble has occurred, the dissenters, militants and agitators have disrupted the education of the great majority. They continue to attempt to ignite the always searching and volatile personality of the emerging student for purposes which vary from constructive criticism to the advocacy of anarchy.

As has been the problem in other areas where dissent has led to violence, much damage is directly attributable to persons who declaim against change through orderly processes. They liken any lawbreaker, no matter the motivation, to the patriots of our history. They cloak all dissent with the protective cover of academic freedom and they are permissive even to the point of encouraging violence.

Empirical studies show that on every campus where serious disorder has occurred there has been a segment of the faculty which has goaded and encouraged the troublemakers. They often are the teachers who have been inadequate in their professional and personal relationships with students. By encouraging the non-conformists and activists, they seek to obtain an

acceptance and camaraderie that they have not been able to achieve with their intellect or talent.

On the other hand, where faculties have remained substantially loyal to the administration, and where administrators have not succumbed to fear and coercion, there has been no serious confrontations.

These problems must be solved on the campus by men and women in authority working with students in orderly and lawful processes for improved educational opportunities. Students have to recognize that their First Amendment rights provide for the expression of their opinions but not for the condensation of their unlawful acts. The role of government should be to assure that competent administrators are available and have the support they will require. Government must see that the inadequate administrators are replaced and the unfit removed.

A great myth has emerged from the minds of those who do not understand the workings of our society. That is that the faculties and students should govern the campuses on which they sojourn; that they should constitute a self-determinative society who would adopt the rules and regulations by which the affairs of the academic community would be governed for the period of time that they are in residence. They overlook that in the case of public educational facilities these have been provided by, and are maintained for, the taxpayers and citizens of the state. Further, that in private institutions the constituted trustees have a fiduciary responsibility to those who have over the years provided the funds to build and maintain these facilities.

What we face on the campus is but a manifestation by young people of the uncertainty and conflict which endangers our entire national, political, economic and social existence. Those who oppose authority, those who have destructive criticism without constructive programs, and those who oppose the "Establishment" without knowing what the "Establishment" is, are in vogue these days. The clamor is from those who would teach without having first learned and those who would lead without having first responsibly followed.

The young men and women enrolled in college today will in ten to fifteen years be in a position to lead the business and political affairs of this nation. They are a generation born after World War II who have never known a depression and have lived in relative affluence in a permissive society. They are confused by causes and embittered by an unpopular war. They seek their rightful place. They need to assert themselves and should not be suppressed as long as their assertion is lawful and responsible. They must live by the Rule of Reason and the Rule of Law or must be prepared to accept the appropriate consequences.

Our United States may have been born of dissent but it can likewise terminate in anarchy. The time to stop a revolution is not at the end but at the beginning.

#### A MEASURE TO MAINTAIN NUTRITIONALLY ADEQUATE DIETS

**HON. ROBERT TAFT, JR.**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. TAFT. Mr. Speaker, I have today joined with a number of my colleagues in cosponsoring the administration's anti-hunger bill.

The measure would strengthen and expand the food stamp program to permit low-income families to maintain nutritionally adequate diets.

The proposal is a definite improvement over existing programs, and I am hopeful that the Congress can act favorably on the measure.

The bill would insure that no family that qualified for the program would pay more than 30 percent of its income for food stamps. The poorest families would actually pay less.

In addition, the bill would require that—

Families in extreme poverty receive free stamps;

Every State would operate either a food stamp or commodity donation program, in every political jurisdiction within the State, by 1970-71;

Uniform national eligibility standards be set; and

State and local welfare agencies make an effective outreach to bring in as many eligible families as necessary.

There is no question that hunger is a very serious problem in America. The Nixon administration recognizes the need for immediate action. We believe that this program will feed the hungry and will eliminate many of the problems associated with the present food stamp program.

#### REPORT ON POLITICAL AND RELIGIOUS FREEDOMS IN SOUTH VIETNAM

**HON. OGDEN R. REID**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. REID of New York. Mr. Speaker, a report recently issued by a private study team of eight members clearly documents the continued and pervasive deprivation of religious and political freedoms in South Vietnam.

The team members included: James Armstrong, bishop, United Methodist Church; Allan Brick, director of national program, Fellowship of Reconciliation; Mrs. Anne M. Bennett, Protestant churchwoman; JOHN CONYERS, Congressman from Michigan; Robert Drinan, dean of the Boston College Law School; Mr. John de J. Pemberton, the executive director of the American Civil Liberties Union; Seymour Slegel, rabbi and professor of theology at the Jewish Theological Seminary; and Arnold True, rear admiral of the U.S. Navy, retired. The team was accompanied by Peter W. Jenkins, pastor, Congregational Church, Wimbledon, England.

The visit to South Vietnam took place between May 29, 1969, and June 5, 1969. Team members interviewed numerous individuals, including President Thieu, Ambassador Bunker, national religious leaders, the Buddhist monk Thich Thien Minh, and political prisoners including Truong Dinh Dzu, the peace candidate who polled 18 percent of the vote in the 1967 election, second only to the Thieu-Ky ticket which received 35 percent. They also spoke with students, intellectuals, and members of the press, and visited numerous prisons.

The report, issued in three sections, deals with limitations on political and religious freedom; the detention, interro-

gation, imprisonment, and treatment of prisoners; and legal standards and procedures. The report notes in summary that "many thousands of persons being arrested in South Vietnam are denied all procedural protection." In addition it notes that "the Thieu-Ky government's widespread and increasing use of the extra-constitutional military field tribunal has been responsible for the sentencing and imprisonment of additional thousands of persons;" that repression continues to be pervasive; and that amelioration in the formal correctional proceedings has been offset by countless instances of brutality in the arresting and interrogation process. The essence of the report becomes clear when an anti-Government nationalist leader is quoted as saying, "One cannot fight for freedom without insuring freedom at home," and when Thich Thien Minh is quoted as saying, "My only offense is that I believe in peace."

Unfortunately, it continues to be clear that the Thieu-Ky government is seriously affected with corruption and is marked by a continued inability to enact major reforms promptly, including land reform.

I commend this thoughtful and searching report to the attention of all Members of Congress. The United States should be gravely concerned over the continuance of these conditions totally inimical to the basic concepts of free government and individual civil liberties. A government that fears its own people and suppresses important representative spokesmen is contrary to our ideals and to the ideals of the 35,000 Americans killed fighting there. While I think it imperative that the war be ended, the fact that war conditions exist in South Vietnam can in no way excuse or explain the injustices that this report so clearly delineates. The report follows:

#### FINDINGS ON TRIP TO VIETNAM, U.S. STUDY TEAM, MAY 25 TO JUNE 10, 1969

##### INTRODUCTION

##### Background

The U.S. Study Team was sent to South Vietnam by an ad hoc committee organized in late 1968 by a group of well-known churchmen concerned about the war and the repression of those religious and political forces in South Vietnam who urge an end to hostilities. This committee has wide national interreligious representation. The officers named were: Chairman, Barton Hunter, Executive Secretary of the Department of Church in Society of the Christian Church; Secretary, Gerhard Elston of the National Council of Churches; Executive Director, Allan Brick, Associate Secretary for National Program of the Fellowship of Reconciliation, who also served as a member of the team.

The sponsoring committee defined the team's goals as follows: "First, they will seek to identify the variety of religious forces in South Vietnam and the range of political expression existing there. They will seek to investigate the situation of religious groups and the extent of the imprisonment of leaders of nonaligned groups who represent potentially important political sentiment. The team will be interested, for example, in visiting both Mr. Dzu and Thich Thien Minh. Second, the team will seek to investigate the situation of all prisoners in South Vietnam. Recognizing the difficulties of doing this in a wartime situation, the team will nonetheless attempt to obtain realistic information."

*Team members*

Members of the team were: Bishop James Armstrong of the United Methodist Church, Dakotas Area; Mrs. John C. Bennett, Protestant church woman; Allan Brick, Associate Secretary for National Program, Fellowship of Reconciliation; Hon. John Conyers, Jr., M.C. of Detroit, Michigan; Robert F. Drinan, S.J., Dean of the Boston College Law School; John de J. Pemberton, Executive Director of the American Civil Liberties Union; Rabbi Seymour Siegel, Professor of Theology at the Jewish Theological Seminary; and Rear Admiral Arnold E. True, United States Navy (retired).

*Summary*

A report issued by the team following the Vietnam trip documents police and military suppression of religious and political expression in South Vietnam under the Thieu-Ky Government. The chief findings of the team are:

1. Many thousands of persons being arrested in South Vietnam are denied all procedural protection. Arrests are made by a variety of local and national officials—by District police, special security forces, military forces and intelligence units—each exercising "relatively unfettered discretion."

2. The Thieu-Ky Government's widespread and increasing use of the extra-constitutional Military Field Tribunal has been responsible for the sentencing and imprisonment of additional thousands of persons, denying them the fundamental elements of a fair hearing and often failure to serve prior notice of the charges against them. Many of these prisoners remain without trial in the hands of the arresting authorities while the remainder have been removed to prisons by administrative action without charges or trials.

3. The Study Team agrees with those who say that repression, though not as obvious and violent as under the Diem Government, continues to be pervasive and brutal. While some persons visited appear to reflect modern notions of penal administration and certain prison officials seemed sensitive to the needs of inmates, the sheer weight of witnesses' statements concerning physical abuse seemed overwhelmingly conclusive. It became clear that whatever amelioration appeared in the formal correctional institutions, torture and brutality are widespread in the arresting and interrogation process.

4. Without question the Thieu-Ky Government uses the words "communism", "neutrality" and "coalition" to silence dissent and weaken political and religious opposition. Student peace movements, Buddhist pleas for nonviolence and a "third solution", and the freedom of the press have been systematically suppressed by an insecure government that relies more on police state tactics and American support than upon true representation and popular support. As one Vietnamese attorney phrased it: "One cannot fight for freedom without insuring freedom at home."

#### I. LIMITATIONS ON RELIGIOUS AND POLITICAL FREEDOM IN SOUTH VIETNAM

The eight member U.S. Study Team met with President Thieu, Minister of Interior Tran Thien Khiem and members of his staff, Ambassador Ellsworth Bunker and members of his staff, national religious leaders, lawmakers, intellectuals, attorneys, students, a variety of persons of different political persuasions and talked with scores of political prisoners. It visited prisons at Thu Duc, Chi Hao, and on Con Son Island, as well as the National Police Headquarters. The Government of South Vietnam was helpful in providing data, in permitting Team members to visit prisons, and in making accessible certain prisoners.

Three things are readily apparent in South Vietnam: (1) A state of war exists and any meaningful study of freedom must be done against that background; (2) South Viet-

nam is poor and is unable to provide from its own resources institutional facilities and forms of care which are taken for granted in the Western world; and, (3) whereas the United States of America has lived under the guarantee of its present Constitution for nearly two hundred years, South Vietnam does not have a tradition of political liberty and its Constitution is only two years old. Notwithstanding this, in a message cabled directly to President Nixon from Saigon, the Study Team said:

"Speaking for peace or in any other way opposing the government (in South Vietnam) easily brings the charge of communist sympathy and subsequent arrest . . . There must be no illusion that this climate of religious and political suppression is compatible with either a representative or a stable government."

Many persons interviewed argued that President Thieu's government is less repressive than the ten years of brutal intimidation under Ngo Dinh Diem. Others, while agreeing that repression is not as obvious and violent, argued that it is equally pervasive though more subtle today. (Some of the following documentation will indicate that there is still unsubtle, violent intimidation.)

Three celebrated cases of political arrest have claimed international attention in recent months. They are the cases of Thich Thien Minh, one of the most influential Buddhist monks in South Vietnam; Truong Dinh Dzu, runner-up in the Presidential Election of 1967; and Nguyen Lau, wealthy publisher of the *Saigon Daily News*.

Thich Thien Minh was arrested on February 23, 1969, at the Buddhist Youth Center and charged with "harboring rebels, concealing weapons and illegal documents . . . harboring deserters and supporting draft dodgers". After appearing before a military field tribunal, he was sentenced to serve terms of ten and five years at hard labor, the sentences to run concurrently. Last month, his sentence was reduced to three years.

It is assumed by many that Thich Thien Minh was arrested not because of the specific crimes with which he was charged but for his public criticism of the Thieu-Ky government and his strong advocacy of peace.

In February, he was summoned to the Ministry of the Interior and warned to tone down his sermons which were said to be disrespectful to the government of President Thieu. He had earlier said that the people of South Vietnam could accept neither the "terrorist regime" of North Vietnam nor the "corrupt government" in Saigon. Replying to Thien Minh, President Thieu said, "My government can die because of those pacifists, but before we die, they will have to die first."

The Study Team visited both Thich Thien Minh and Quang Duc Buddhist Youth Center. The Youth Center, closed at the time of Thich Thien Minh's arrest (20 other Buddhists were arrested at the same time), was handed back by the Government and reopened during the Team's stay in Saigon. Team members saw Thich Thien Minh's room, as well as the many hallways, rooms and stairways that separated him from the tiny room and wooden closet with the false back that were said to be the hiding place of the V.C. agent and a cache of small arms. Seeing the distances and buildings involved, it is not difficult to believe the monk's assertion that he had no personal knowledge of a V.C. agent's presence in that hidden room.

The Team talked with Thich Thien Minh, who has been held in military custody. They interviewed him in a small house, a part of a larger complex of carefully guarded government officials pointedly left the room that the discussion might be private. However, it had been determined during the con-

versations that there was a government agent only four feet from the Venerable, behind a thin wall. Thus, the interview was necessarily inhibited. Thich Thien Minh had been moved four times since his arrest and was kept under the strictest security. Though badly injured in 1966 by a hand grenade, said to have been thrown by a V.C., he said his health was good. He added, "My only offense is that I believe in peace."

On May 1, 1968, Truong Dinh Dzu was arrested "on charges of urging the formation of a coalition government as a step toward peace." In August, he was sentenced to five years of forced labor. Although the N.L.F. is now participating in the Paris peace talks and a coalition government is being widely discussed by responsible government officials in the United States, Mr. Dzu has not yet been released.

In a national election that denied certain candidates the right to run<sup>1</sup> because they were peace advocates, and that heavily favored the Thieu-Ky regime because of its domination of the military and political structures of South Vietnam and because of the well-known support of the American "presence" in Vietnam, Mr. Dzu ran second, polling 18 percent of the vote. He wisely did not announce his "white dove" platform until after his candidacy had been approved. (It is interesting to note that in the election, the Thieu-Ky ticket gained only 35 percent of the vote. In March 1968, Vice-President Ky told an Italian journalist, "Our last elections were a loss of time and money, a mockery.") Dzu has never been accused of being pro-communist and is, as President Thieu openly acknowledged, a "political prisoner." The fact that, running as a peace candidate and advocating direct talks with the N.L.F., he ran second only to the President, accounts more than anything else for his imprisonment. Mr. Dzu was moved from Con Son Prison Island to Chi Hao Prison in Saigon during the last week in May, 1969. U.S. Study Team members saw him in his cell in Chi Hao. Suffering from a heart condition, he looked well and various kinds of medicines were in evidence. He said he wanted to serve his country as a nationalist. On June 5, President Thieu told the Team that support for a coalition government cannot be tolerated.

On April 16, 1969, Nguyen Lau, publisher and owner of the *Saigon Daily News* was arrested for "having maintained private contacts with a Vietcong political agent." The agent, a boyhood friend of Lau, returned to Saigon in 1964 from North Vietnam. He talked with Lau many times during the past five years and had, at one time, asked him to supply information for the V.C. According to both Lau and Tran Ngoc Hiem, the agent, Lau had refused to supply the information.

In discussing Lau's case with a member of the Team, one of Saigon's most highly regarded foreign correspondents explained its background. In Vietnam, a culture influenced immeasurably by Confucianism, family ties and friendship are revered. Mr. Lau, in a press conference held by government officials at National Police Headquarters, made no attempt to deny his associations with Hiem. He said that Communism was poisoning the minds of many, but that Vietnam would surely survive Communism. He added, "Even today, sitting before you, I keep wondering if as a publisher and as a Vietnamese intellectual, I should denounce a friend who I have known since boyhood."

Mr. Lau was educated at Oxford and the Sorbonne. As a member of an old and im-

<sup>1</sup> General "Big" Minh was kept in exile in Bangkok and Au Truong Thanh, the other leading contender was refused candidate status because of his alleged "neutrality". The Study Team talked with Au Truong Thanh in exile in Paris.

portant family of wealth he has no respect for war profiteers and little sympathy for corruption in the government. As a respected journalist and an avowed anti-Communist, he considered it part of his responsibility to be open to every facet of Vietnamese life. He once said, "If people are free to walk the streets, they are free to talk to me."

He insisted upon his right to criticize. On March 24, 1969, the New York Times quoted him as saying, "Diem said bluntly that he was not going to tolerate freedom of the press. There were no illusions then. We are living a lie now. People say they are giving you freedom and someone without experience in journalism may be innocent enough to believe that this is paradise. Now you may be carried away by your illusions and land trouble." Less than a month later Nguyen Lau was arrested.

Members of the Study Team visited the National Police Headquarters. There, Lt. Col. Nguyen Mau, Chief of Special Branch, told them about the government's case against the publisher. The only "evidence" he produced was the photostat of a press card, allegedly issued by Mr. Lau to one Tan That Dong, the alleged V.C. alias of Tran Ngoc Hiem. Such "evidence", however, raises serious questions. Two days following Lau's arrest, police brought a "so-called Vietcong" to the Lau home. In Mrs. Lau's absence, they proceeded to take pictures of him in various positions around the house. When her two sons (aged 10 and 14) protested, they were handcuffed while the picture-taking continued. When told of the incident, Mrs. Lau courageously went to the authorities. A senior police official did admit that police had visited the house with a V.C. agent and camera to gather "evidence".

Members of the Study Team were not permitted to see Mr. Lau, still being held without sentence. Nor were they permitted to see thirteen other prisoners they had made specific requests to visit.

These three cases have not been isolated because they are more important than others, but because they are more well known. They are symptomatic of a climate of intellectual, religious and political repression that has led to the imprisonment, exile or silencing of thousands of loyal Vietnamese nationalists, persons who are not pro-Communist, but who are critical of the Thieu-Ky government and who insist upon the right to think for themselves.

The government's sensitivity at this point is revealed in its attitudes toward dissenters, so-called "militant Buddhists", students and intellectuals, political opponents and the press.

The religious picture in South Vietnam is confused. About one-tenth of the nation's population is Roman Catholic. Yet, from the time of Diem and the Nhu's on, Catholicism has played a dominant role in Vietnamese political life. (Actually, this goes back to the 18th Century French missionary-priest, Pigneau de Behaine, and the continuing influence of French Catholicism during colonial days.) President Thieu reminded the Study Team that, though he had trouble with Buddhists, Catholics had supported his administration. The former editor of a Catholic magazine, a friend and confidante of Archbishop Nguyen Van Binh, agrees that fewer than 10 percent of the Catholics in South Vietnam are critical of the war and of Thieu's government. It must be remembered that about 1,000,000 of South Vietnam's Catholics were born in what is now North Vietnam and came south following 1954. They are, for the most part, vigorous anti-Communists.

However, there are Catholics who want a closer tie with Buddhists and who are seeking what some call, a "third solution". They are trying to find answers between Communism and corrupt militarism. Father Hoang Quynh, an active leader of the All-Religion Citizen's Front, has worked with Bud-

dhist in trying to prevent further friction between the Buddhist and Catholic communities. He has said, "Catholic faithful must learn to live a responsible political life." There are other Catholics who seem close to the Pope's views on meaningful negotiations and peace. They have won the confidence of Buddhist leaders.

When, in January, 1968, all of the bishops of South Vietnam released a four-page statement supporting Pope Paul's message on Vietnam and calling for a bombing halt in North Vietnam, it seemed that there had been a breakthrough. However, and without exception, those with whom Study Team members spoke indicated that the hierarchy in South Vietnam had confined themselves to what the Pope had said with no desire or inclination to supplement or further interpret the Vatican's plea concerning peace. There continues to be sharp feeling between Buddhists and Catholics. As one Buddhist complained, "When Catholics talk about peace, the Thieu government hears it one way. When we use the word, it is supposed to mean something else." Many Buddhists feel, and justifiably so, that they have been discriminated against by a succession of governments in Saigon.

There are two major Buddhist factions in South Vietnam; the "moderate" government-authorized faction of Thich Tam Chau, and the "activists" faction of Thich Tri Quang and the An Quang Pagoda. However, the Unified Buddhist Church of the An Quang Pagoda is made up of both Mahayana (northern) and Theravada (southern) Buddhists. Early in 1967, the government sought to fragment the Buddhists, withdrawing the charter of the Unified Church and recognizing the "moderate" wing of Thich Tam Chau. However, the An Quang Pagoda continues to be a major factor in the religious and political life of the country. On the Buddha's 2513th birthday, celebrated May 30, at the An Quang Pagoda, former Chief of State, Phan Khac Suu, Tran Ngoc Chau, General Secretary of the House of Representatives, other deputies and senators, Father Quynh, as well as Cao Dal and Hoa Hao leaders were present, indicating a broad base of popular support among disparate groups. During the ceremonies, white doves of peace were released as a crowd of more than 3,000 people looked on, and Thich Tinh Khiet, Supreme Patriarch of the Unified Buddhist Congregation said, "Every hostile tendency of the world has jostled its way into the Vietnam war in order to exploit it and seek for victory, whereas all the Vietnamese people—either on this side or on the other side of the 17th Parallel—are mere victims of this atrocious war. Our nation is thus forced to accept ready-made decisions without having any right to make our own choice." President Thieu and pro-government supporters may insist that such peace talk is "political." If so, it is an obvious expression of that freedom essential to an emerging democracy. And it is no more political than a caravan of government-owned cars driving Thich Tam Chau to the Saigon Airport on June 5, to meet the Nepalese delegation to a World Buddhist Conference on Social Welfare; no more political than the imprisonment of hundreds of Buddhist monks.

Often the Buddhists who protest government policy are students. Following the government-controlled elections of 1967, Buddhist students joined by some of their professors were promptly singled out by the government for retaliatory acts. A professor of law said, "Van Hanh University (Buddhist) was the chief target for attack . . . If stu-

<sup>2</sup> The term "militant" is usually applied to the An Quang Pagoda faction. However, Buddhists are committed to nonviolence. In French, "militant" means an "active supporter or worker in a political group."

dents go to meetings, the police follow them and they can be arrested any time. Many times, they are drafted before the legal age or before their deferments as students expire."

As a result of a peace meeting held in September, 1968, in Saigon University, the Student Union was closed by police. Students, professors, deputies from the Lower House and some Buddhist monks had participated in the meeting. Thirty persons, mostly students, were arrested. More arrests followed.

At about the same time, a student in the Medical School was murdered. He had been kidnapped by the N.L.F. and later rescued by American troops. He was accused of having "leftist tendencies". He was found dead with his hands tied behind his back, having been pushed from a third floor window. The police called it "probable suicide" and made no investigation.

Student resistance continued. On Christmas Eve, responding to the Pope's plea for peace, 2,000 students, many of them Catholic, held a peace procession. In the aftermath, hundreds were arrested.

In spite of set-back and discouragement, spirit of the student peace movement remains unbroken. A Buddhist student stepped out of a sullen mass of prisoners at Camp No. 7 on Con Son Island and addressed members of the Team. The government translator said, "He is here because he refuses to be drafted. He says he doesn't want to serve the United States. As a Vietnamese citizen he will go into the Army only when we have independence." A student, recently released from Con Son, reacting to the devastation visited on his country by modern instruments of war, said much the same thing: "I will not serve a country that has done so much to my own."

Students, intellectuals and Buddhist monks do not comprise the only opponents who threaten President Thieu's government.

There is a growing mood of independence in the Lower House. It is only found in a few deputies, but they are voicing increasing opposition to the policies and practices of the Thieu-Ky government. There have been criticisms of Operation Phoenix in the National Assembly. Two members of the Lower House raised serious questions about prison policies early in May. The president's tax program has been challenged. Constitutional questions challenging the prerogatives of the executive branch are frequently raised.

President Thieu proudly points to the "new alliance" of political parties in South Vietnam as an indication of the breadth of his support. This alliance includes the Greater Union Force, the political arm of militant Roman Catholic refugees, the Social Humanist Party, a rebirth of Ngo Dinh Nhu's Can Lao party, the Dai Vet, an erstwhile grouping of anti-French nationalists, a faction of the Hoa Hao sect based in the Delta and the Viet Kuomintang, a pro-government bloc formed after the Tet offensive in 1968. All of these parties together, combined with the Thieu-Ky vote, failed to capture half of the popular vote in the 1967 elections.<sup>3</sup>

While there is genuine political opposition, most of it has been driven underground. Members of the Study Team met with leaders of five old-line political parties no longer permitted to function as recognized entities. These men had all been active in the resistance movement against the

<sup>3</sup> The United States sent election "observers" to Vietnam to report on election procedures. As one cynical Vietnamese put it: "We are planning to send twenty-two Vietnamese observers who don't speak English to the United States . . . for four days to see if your elections are fair."

French and were ardent nationalists. Their parties have been outlawed, their requests to publish a newspaper have gone unanswered and their voices have been muted. These men, and they reflect a vast middle-position in South Vietnam, struggled against the French and consider the Americans their new colonial masters. Over the past twenty-five years, they have known imprisonment and sacrifice. (A retired general present had been in prison eleven times.) They argue that unity and independence cannot be achieved under present circumstances. One of them said, "We know the American government is anti-Communist and they help us fight Communism. But when they look at Viet Communists, they think of them as western Communists. That is a bad mistake." It is the conviction of the Study Team that there will be no truly representative government in South Vietnam until voices such as these can be legitimized and participate in the democratic processes of the republic.

One further evidence of political oppression is the government's attitude toward the press. Although it seems reasonably tolerant of foreign correspondents, and they are permitted to function without too many instances of censorship, the government's relationship to the Vietnamese press is far more direct and inhibiting. Twelve months ago, censorship was officially eliminated in South Vietnam. Since then, at least twenty-five newspapers and two magazines have been suspended. Mr. Lau's *Daily News* has been suspended for thirty days for hinting that Thich Thien Minh's trial might have been unfair. *Tin Sang* was closed when it suggested that Prime Minister Huong (one of the more highly regarded members of the Thieu government and a former political prisoner himself) once yielded to pressure in a cabinet appointment. Nguyen Thanh Tai a UPI combat photographer, was arrested in May, 1968, for taking pictures "detrimental" to South Vietnam.

One of the most credible and influential anti-government nationalist leaders with whom we talked prepared a three-page position paper for the Team. The English translation was his own. In part, he said:

"The range of political expression as legally exists here is narrow indeed.

"Let us imagine for a moment that those people are given a chance. What would they do?

"They would firstly negotiate with the Government of the United States an agreement on the Allied Forces Establishment in Viet Nam which would provide for progressive withdrawals when the situation warrants it. Of course, they would bear in mind the security and the honor of the Allied troops who came here to protect ourselves and prevent a Communist domination.

"They would secondly invite the Vietnamese people to actively participate in national affairs and take their share of responsibility. Democratic freedom would be enforced without restrictions, how adventurous this might first look. Live forces such as students, intellectuals, religious leaders and workers' unions would be given an authorized say. Unjust treatment would be redressed. One cannot fight for freedom without ensuring freedom at home."

Many, not all, of the nationalist leaders with whom the Study Team talked believed that a continuing American presence in South Vietnam is an unfortunate necessity until the political situation can be stabilized and made more representative. One student leader who had been imprisoned twice by the Thieu government for his activities on behalf of peace argued that no truly representative democracy can come into being as long as U.S. troops are present and U.S. policy is being enforced. He said, "By now,

we should have learned the irony of having any Vietnamese government that is embraced by U.S. power. The Americans must depart leaving us to decide our own future." He spoke those words with anguish, obviously knowing the problems that Vietnamese nationalism and many of its long-suffering advocates would face in dealing with the N.L.F. in the wake of an American withdrawal. Yet, he bitterly insisted that after many years of American military presence and American good intentions, there was no other way.

At the luncheon given the Team by members of the Lower House, Deputy Duong Minh Kinh talked about the vast expenditures poured into North Vietnam by the Soviet Union and China, and into South Vietnam by America. He said, "We are beggars from all of the people in the world in order to destroy ourselves. That is the greatest tragedy of all."

## II. DETENTION, INTERROGATION, IMPRISONMENT AND TREATMENT OF PRISONERS

The large majority of those imprisoned in South Vietnam are held because they oppose the government; they are "political prisoners". Undoubtedly, a great many of these are, as the government classifies them, "Viet Cong". Legally speaking, they are properly prisoners of war—although they are kept in a separate category from military prisoners. Others are "civilians related to Communist activities"; i.e., V.C. agents, and are accurately classified as such. Still others, many of them detained without hearing or trial, should be classified differently. Some of these have been picked up in "search and destroy" sweeps and are innocent of anything save being present in an area of military operations. Others are clearly political prisoners. They are nationalists and not Communists, but are seen by the government as inimical to its continuing control. In the official statistics very few "detainees" and "political prisoners" are so classified. The government places the vast majority of prisoners in either the "communist" or the "criminal" category.

The classification of prisoners in 41 Correctional Centers as given by Col. Nguyen Psu Sanh, Director of Correctional Institutions is:

|   | Percent |
|---|---------|
| Criminals .....   | 16.98   |
| Communists .....  | 64.25   |
| Civilians related to Communist activities .....         | 4.16    |
| Military .....  | 11.91   |
| Political activities harmful to national interest ..... | .21     |
| War prisoners temporarily in correctional centers ..... | 2.49    |

Colonel Sanh said that there are 35,000 prisoners in these Correctional Centers. The senior American advisor to Col. Sanh, Mr.

Don Bordenkercher, estimated that, in addition, there are 10,000 held in interrogation centers. He reported that the number had gone up gradually since the Tet offensive of 1968 when the jump was precipitated. Ambassador Colby, General Abrams' Deputy for Pacification, said that the number of prisoners had gone up and will continue to go up as the pacification program (Civil Operations and Revolutionary Development Support) develops.

The national police in Saigon and in the provinces are the official organ for making arrests. In addition, there appear to be many other arrest and detention agencies.<sup>1</sup> It is clear that those arrested are taken to a variety of detention centers for interrogation and that many are held in these centers for periods of time up to two years. According to the U.S. Mission, American advisors are involved only with cases of Viet Cong or suspected Viet Cong sympathizers and with per-

sons apprehended during military operations; e.g., "Operation Phoenix", the 18 month-old program which pools information from half a dozen U.S. and South Vietnamese intelligence and security agencies with the purpose of identifying and capturing Viet Cong political agents.

Doubtless the total number of political prisoners in South Vietnam—including those held as prisoners of war by intelligence agencies and in military prisons, as well as those in the correctional institutions and those held by various other arresting agencies—far exceeds the official statistics and estimates. Due to the wide range of arresting and detention agencies, and the inadequacy of statistical methods, no accurate count of prisoners can be made.

In addition to the provincial Correctional Centers, there are four large prisons for essentially civilian prisoners. These are Chi Hoa in Saigon, Phu Nu in Thu Duc (for female prisoners), Tan Hiep near Bien Hoa, and Con Son on an island off the southeastern coast. Team members were enabled by the Ministry of the Interior to visit Chi Hoa, Thu Duc, and Con Son Island Prison. They were also shown through the interrogation center at National Police Headquarters.

The following statistics, provided by prison officials, further illustrate the government's desire to de-emphasize the so-called "political prisoner" category.

Warden Pham Van Lien of Chi Hoa prison reported to Team members on June 3, 1969, this prisoner classification:

|   | Percent |
|---|---------|
| Criminals .....                             | 45.0    |
| Communists .....                            | 40.0    |
| Civilians condemned by military court ..... | 4.0     |
| Military .....                              | 10.0    |
| Political—non-Communist .....               | .6      |

Prison Governor Minh, of Thu Duc prison, classified the 1,126 prisoners held by him on June 3, 1969 as:

|  |     |
|--|-----|
| Criminal offenders .....                     | 265 |
| Communists .....                             | 843 |
| Civilians condemned by military courts ..... | 15  |
| Military prisoners .....                     | 3   |
| Political prisoners .....                    | 0   |
| Prisoners of war .....                       | 0   |

The Warden of Con Son Island prison reported that there were 7,021 men and boys in Con Son, of whom:

984 were soldiers who committed political offenses (helped or sympathized with the V.C.),

2700 were civilians who had worked directly with the V.C.,

769 were soldiers who committed criminal offenses,

252 were civilians who committed criminal offenses, and

2316 were detainees, never tried or sentenced.

(Note that only the Warden of Con Son Island prison separately identified unsentenced detainees in his statistics. The rest of the breakdowns presumably distribute the detainees among the classifications according to file, or dossier, information.)

There are no figures available on the religious affiliation of prisoners. Warden Lien reported that there were about 120 Buddhist monks in Chi Hoa prison on June 3 when Team members visited.

### Thu Duc (women's prison)

Members of the Study Team spent several hours at the Women's Prison, where the staff, headed by Prison Governor Minh, explained the prison's operation and enabled members to see what they requested. The administration of the prison seemed commendable in many respects. The dispensary was reasonably clean. There were two large rooms filled with power sewing machines where the inmates made military uniforms.

<sup>1</sup> See: New York Times, March 24, 1969.

<sup>2</sup> See Section III, B.

There were sewing classes, classes in English and other educational opportunities provided.

The cells and large prison rooms were over crowded. This was especially hard on nursing mothers and those with small children. Fifty women, some with babies, lived in a crude building 40' by 30'. Sanitation was primitive and inadequate. There was evidence that some prisoners had not received needed medical attention.

Team members were especially concerned about the large number of prisoners who had not been sentenced after many months of detention, the looseness and inaccuracy of prisoner classification, the inhumanity of some sentences (one slight old woman who, according to her dossier had passed V.C. letters, had served ten years of a fifteen year sentence), and the extreme youthfulness of many of the inmates. Governor Minh told the Team that there were fifty children from birth to 13 years of age in prison (the very youngest, of course, belonged to the women prisoners), and forty young offenders from 13 to 17 years.

To judge from both interviews and official explanations, the circumstances of many classified as "Communist" did not justify this classification. Two students who were called "Communist" were found by the Team members to be unsentenced detainees. Their dossiers said that they were being held because they had exhibited "leftist tendencies" and had written for a Saigon University paper which was later suspended. In another building twenty percent of the women said they had not been tried or sentenced. It seemed obvious that prisoners who had been accused of "leftist tendencies" or who had not yet been tried could not justly be categorized as "Communist". Yet they were and were forced to live with persons who were considered "hard core Communists".

#### Chi Hoa

Chi Hoa is often referred to as the "show-case prison". Since 1963 American funds have been available for the improvement of facilities, and American advisors have helped set up rehabilitation programs. The Team was given an attractive brochure with pictures of prisoners in classes, at worship, and enjoying recreational activities. The brochure states that "the present Vietnamese system of corrections is . . . based on the principles of humanity, charity and equality."

The Warden said that there were about 5,500 men and boys now in prison of whom 40% were "Communist" and only .6% were "non-Communist political" prisoners. Each prisoner wore a colored badge indicating his classification. The Warden estimated that 40% of the inmates had not yet been tried or sentenced. He said some one from the Ministry checked the lists every month and an effort was made to have those prisoners who had been in longer than six months brought to trial and sentenced.

The Team members were taken on a tour of the prison. Wherever they went, they found the halls and cells clean. They were shown the vocational classes in which about 300 prisoners were enrolled and met daily over a six-month period.

Team members saw the Catholic Chapel, a Buddhist shrine and a Buddhist pagoda. In the pagoda, they talked with several monks who are in prison for resisting the draft. These monks were the only prisoners in any of the institutions who did not stand at rigid attention. Sometimes prisoners shouted ear-splitting anti-Communist slogans when Team members stopped to see them.

The Warden estimated that there were 200 children from 10 to 14 years of age and 200 from 14 to 18 in the prison not yet sentenced. All children, he said, were in a separate section and given education. Team members asked to see the children's sec-

tion and were shown two cells. In one room, about 40' by 25', there were 47 children under 8 years of age. One child 4 years old, said he was in prison because he had been caught stealing a necklace. The children were squatting in one end of the room eating when the Team members entered. They live in a bare room, with sanitary facilities at one end. No materials for play or study were in evidence. The food was rice with vegetables and fish. It looked inadequate. The children seemed to be well physically. When the Team entered, the children left their bowls of food and assembled in lines without any order from the adult in the room or from the Warden. All, even the 4 year old, stood at attention and did not move or speak; only their eyes followed the visitors' moves. In the next cell, similar in size, there were 67 children slightly older but under 10 years. The situation was the same in all respects.

The Team members saw three cells in the men's section, the same size as the cells for children. There were about 50 men in each of the rooms viewed. Some of the men were preparing over tiny burners various kinds of food which had been brought by friends or relatives. None of the men in these three cells had been sentenced.

Upon asking to see the disciplinary cells, the Team members were shown a room with iron rings for shackling prisoners, which, we were told, were seldom used. The iron looked rusty. Team members did not get to see any of the 100 prisoners who the Warden said were in solitary.

The prison is in the form of a hexagon, four stories high facing inside. The wedge-shaped area in front of each of the six sections contains water tanks for bathing and washing clothes and an open space. The Warden said that after 5 p.m. the inmates are allowed here for sports and bathing. Since there is an average of about 1000 inmates in each section, it is obvious that only a very small proportion of the inmates could play soccer, volley ball, bathe or wash clothes at one time.

#### Con Son Island Prison

Con Son Island Prison, an escape-proof prison about 50 miles off the southeast coast is said by officials to contain 7021 prisoners, most of them "political". In many of the barracks, the majority of the prisoners were "political" prisoners who had been "tried" before a Military Field Court, usually without legal representation. They wore red tags which identified them as either V.C. or V.C. sympathizers. Those with yellow badges (detainees) presented another kind of problem. A show of hands, taken in a number of barracks, revealed that many detainees had been imprisoned as long as a year and a half with little hope of being released unless, conceivably, a place was required for new prisoners. It was explained that frequently the means or records necessary to determine whether charges should be brought were unavailable. There was a failure to observe even a minimum amount of due process in the overwhelming majority of cases. The same circumstances were recited over and over by the prisoners; they were either being held on charges of sympathizing with or aiding the enemy, or they had been rounded up after a military action in their village and were held. Others were students who had indicated their support for peace.

The tour had been carefully arranged by prison officials. The only time the Team members deviated from the prepared pattern, successfully demanding to see Camp No. 4 instead of the camp that the prison authorities had scheduled, they saw something of significance. There were large dark dormitory cells (three out of about ten such cells were inspected) in which there were from 70 to 90 prisoners each, all of whom (as determined by a show of hands) were condemned to life in prison. None had had lawyers or any

trial other than a judgment by a military tribunal.

The prison authorities denied the existence of "tiger cages," reputed small barred cells in which prisoners being disciplined were chained to the floor in a prone position. Although recently released prisoners referred to this practice from actual experience, the Team members were unable to elicit any more from the prison officials than that the "tiger cages" were no longer in existence. (At first any knowledge of such things was denied). One prisoner, however, speaking surreptitiously to the Team members said, in answer to a question, "Yes, the 'tiger cages' are here, behind Camp No. 2 and Camp No. 3. You looked in the wrong place." The Team members had looked behind Camp No. 4.

Taking into consideration the conditions under which such a prison had to operate, it seemed that an attempt was being made by the prison officials to conduct as clean and sanitary an operation as they could. There was a 1.3 million dollar expansion underway (funded and supervised by the U.S.A.) which would provide 72 additional barracks.

Pursuing further the question of how prisoners were disciplined, the Team members were told that only 10 out of the 7021 prisoners were under discipline. On request, the visitors were shown two of these ten. They had been in solitary for six months because of their refusal to salute the flag. One said he would never salute it. His legs were deeply marked, the Colonel in charge explained this was the result of a past disease. Questioned directly, the prisoner said it was the result of a long period in leg irons.

Although Team members observed no brutality, they felt that to have no disciplinary barracks other than a small number of maximum security cells was highly unusual. The Team members noted the fearful reaction of the inmates whenever prison officials appeared, surmising that there must exist a high degree of punitive regimentation.

A disturbing aspect of the prison situation in Vietnam is physical abuse of prisoners. U.S. officials (there are American advisors at every level of Vietnamese bureaucracy) agree that there is torture, but insist that it does not take place in the correctional centers but in the interrogation and detention centers where the prisoners are taken first. Accounts by ex-prisoners verified the fact that torture in detention and interrogation centers is general procedure.

Frequently, the interrogation center at the National Police Headquarters in Saigon was mentioned as a scene of torture. However, many informants said that the types and extent of torture administered in some of the detention centers in the provinces were far worse than in the National Police Interrogation Center in Saigon.

Although Team members were allowed to visit the National Police Headquarters in Saigon, it was an arranged visit. There was no evidence of the forms of torture here described. Colonel Mau said that modern interrogation techniques ruled out the need for physical violence. Team members saw the interrogation rooms but no prisoners were being questioned. The Team's evidence for the tortures described come from interviews with ex-prisoners testifying to what they had endured and seen, together with the statements of doctors and others who had treated the victims. While the testimony of prison officials and the appearances of the National Police Headquarters cannot be lightly dismissed, the sheer weight of witnesses' statements seemed overwhelming and conclusive to Team members.

All prisoners are oppressed by conditions of overcrowding. Sometimes, however, many prisoners are stuffed into small cells which do not allow for lying down or, sometimes, even for sitting; and this, when it is steaming hot, when excrement accumulates, and

when the prisoners are seldom released for exercise, is torture indeed.

Beating is the most common form of abuse. Intellectuals appear to receive "favored" treatment and seldom are subjected to torture other than beating. This is done with wooden sticks and clubs. ("Metal" was mentioned by one observer.) The blows are applied to the back and to the bony parts of the legs, to the hands, and, in a particularly painful form, to the elevated soles of the feet when the body is in a prone position. Beating of the genitals also occurs. A number of commentators also described the immersion of prisoners into tanks of water which are then beaten with a stick on the outside. The pain is said to be particularly intense and the resultant injuries are internal.

Another type of water torture in which a soaked cloth is placed over the nose and mouth of a prisoner tied back-down to a bench is said to be very common. The cloth is removed at the last moment before the victim chokes to death, and then is re-applied. In a related form, water is pumped into the nose.

The most common procedure is said to be the elevation of the victim on a rope bound to his hands which are crossed behind his back. One witness described a "bicycle torture" used in this center. For about a week the prisoner is forced to maintain a squat position with an iron bar locking his wrists to his ankles; "afterwards he cannot walk or even straighten up", it was said.

An intellectual who was arrested in 1966 and spent the first six months of his two and one-half years term in an interrogation center described what he called the "typical case" of a woman law student in a nearby cell. She had been in the interrogation center for six months when he arrived and stayed for the next six months during his own imprisonment there. Throughout this year, she was tortured mostly by beating. When she was finally called before a tribunal to hear the charges, she had to be carried by two fellow prisoners. The tribunal, apparently because of her status, heard her case carefully and determined that it was a case of misidentification. Someone in Zone D had reported a V.C. returnee or spy who looked like her.

The same informant said, as a number of others did, that sexual torture was common. Though apparently it was not used on this woman student, it is used on many women. Frequently coke and beer bottles were prodded into the vagina. Also, there were a number of accounts of electrical wires applied to the genitals of males and females, as well as to other sensitive parts of the body. Another informant told of the torture by electricity of an eight-year old girl for the purpose of finding her father: "She said her father was dead and they just kept torturing her . . . They tortured her mother too." This was said to have occurred in the National Police Interrogation Center (Saigon) during 1968. Several ex-prisoners testified that it is not unusual to torture family members, including children, before the eyes of the prisoner. "Then", explained a woman teacher who had been imprisoned twice, "the prisoner will tell anything."

A respected physician told Team members that recently police brought a dead girl from an interrogation center to a city hospital and asked the Doctor there to certify to death from natural causes. On examination of the cadaver, the Doctor found signs of beating and sexual violation. He refused to so certify. Pressure was brought on the head of the hospital to issue the certificate. Such incidents are not unusual.

### III. LEGAL STANDARDS AND PROCEDURES

The heart of the problem of assessing the conditions of political imprisonment in South Vietnam lies in the matters of standards and procedures. The key questions are: who is subject to arrest and imprisonment; and,

how in each case is this determination made? If either the standards for determining who is subject to arrest, or the procedures for making the determination is loose, then enormous potential for official capriciousness exists and the freedoms of those subject to such caprice are ephemeral.

The Study Team found both the standards and the procedures to be loose by any measure, even by the most generous measure of allowance for the exigencies of civil and guerrilla warfare. The evidence is more than adequate to sustain the conviction of the Study Team that this looseness is used deliberately to suppress political dissent and to oppress some religious groups. In particular, loyal nationalists who are in basic disagreement with the government fear with good reason retaliation for expressing their views.

Naturally, the particular kind of war being waged in South Vietnam bears upon the judgments of the Team. Government of Vietnam officials quite properly see an analogy between the civilians arrested for guerrilla war activities—sabotage, espionage and the organization and support of the National Liberation Front military cadres—and soldiers taken as prisoners in more conventional war. The validity of the analogy should be granted. We cannot class as suppression of political freedoms the imprisonment of those actively engaged in conducting war against the government. Moreover, the need for procedures to permit speedy imprisonment without exposing the government to the risk of further warlike activity on the part of the arrested persons must be conceded.

It is humbling for Americans to be reminded that their own history is replete with invasions of individual rights made in the name of wartime emergency: the suspension of the writ of habeas corpus during the Civil War, for instance, and the evacuation of persons of Japanese ancestry from the West Coast during World War II. An American cannot presume to sit with clean hands in judgment upon the Government of South Vietnam. But both the principles of justice to which their constitutions commit the United States and the Republic of Vietnam, and the pragmatic concern for winning popular support for democratic principles compels this Team to confine the restrictions on freedom made in the name of wartime exigency to those actually necessitated by war.

Loose and inadequate standards and procedures do not represent concessions to those wartime exigencies. Minimization of risk of war-like activities against the government is not achieved by the imprisonment, for instance, of loyal nationalists who advocate forming a coalition government with N.L.F. representatives. Nor does minimization of such risks require imprisonment of powerless people who scurry to avoid exposure to the demands of both N.L.F. and government forces, in so-called "insecure" areas, and are arrested on suspicion with the expectation that brutal interrogation may yield a "confession" which will warrant detention.<sup>1</sup>

In fact, imprisonments of this kind create the unnecessary risk of alienating loyalties; a hazard made doubly severe by the highly political character of a war in Vietnam. The seriousness of this hazard is underscored by the statement to the Team of one young man, a resident of a rural province, that probably a majority of the men his age who reside in "secure" areas (under Government of South Vietnam control) of that province have experienced arrest and detention at least once during their lives. The evidence available to the Team suggests that the number of such arrests is steadily and continuously increasing.

The limits of the "war exigencies" justification are well illustrated by Article 29 of

<sup>1</sup> Credible testimony of instances of arrests fitting both these examples was given the Study Team from many sources. (See Section II)

the Republic of Vietnam Constitution which clearly contemplates the existence of exceptional circumstances such as war. It provides:

"Any restriction upon the basic rights of the citizens must be prescribed by law and the time and place within which such a restriction is in force must be clearly specified. In any event the essence of all basic freedoms cannot be violated."

#### A. Standards

Authority for imprisonment of non-conventional criminals is found in the State of War Law, Law No. 10/68, adopted by the National Assembly and promulgated by the President on November 5, 1968. It amends the State of War Decree promulgated prior to the present Constitution, on June 24, 1965, and as amended authorizes, among other things:

"The search of private houses, both by day and night;

"Fixing the place of residence of those elements judged dangerous to national security;

"Prohibition of all demonstrations or gatherings harmful to public security and order;

"Prohibition of the distribution of all printed matter harmful to national security;

"Control and restriction of communications and travel, consonant with security requirements; . . ."

In particular, the euphemistic language of the second paragraph quoted requires elaboration. Under it, numbers of persons are "assigned residence" in one or another of the provincial or national prisons by action of a Provincial Security Committee for specified but renewable terms, not exceeding two years, because they are "judged" to be "elements . . . dangerous to national security". Such a standard patently abdicates to the judging body the determination of who is to be subject to such imprisonments, with little, if any, legislative guidance or control. In fact, it was determined that students with nothing more than the notation in their files that they exhibited "left-wing tendencies" are being incarcerated in national prisons whose administrator classified them in his census as "Communists"; i.e., in the same category with individuals found to have assumed leadership roles in organizing war-like activity for the N.L.F. Others claimed to the Team that they had been detained for no other reason than that local officials responsible for their arrests expected to extort bribes as conditions for their release.

Under the heading of "prohibition of . . . gatherings", the Team learned of a Saigon political leader who was sentenced by a military field court to imprisonment for one year because he called a press conference without proper advance clearance from Republic of Vietnam authorities. (In this man's case, a known requirement appeared to have been deliberately violated, but the sentence suggests that the State of War Law is being used for more than minimization of military risks to national security.)

The standards just quoted should be read in conjunction with Article 4 of the Constitution which provides:

"Article 4. (1) The Republic of Vietnam opposes Communism in any form.

"(2) Every activity designed to publicize or carry out Communism is prohibited."

The looseness of the prohibition against activity designed to "publicize or carry out" Communism parallels that inherent in the other standards we have discussed. Under it, President Thieu, in an interview he generously afforded the members of the Team, justified the detention of Truong Dinh Dzu as a "political prisoner" on the ground that he had allegedly advocated the formation of a coalition government in which the N.L.F. would participate. This would violate Article 4. President Thieu reasoned, since such advocacy is *ipso facto* prohibited by that ar-

ticle. It may be unnecessary to point out, in response to this reasoning, that the Constitution also provides machinery for its own amendment, a process hardly likely to be completed without someone having first advocated a result barred by the language of the provisions being amended.

#### B. Procedure

##### 1. Arrest, detention and interrogation

Because of the long periods for which individuals are often held and interrogated prior to any disposition, often for six months or more—the procedures for determining who is to be arrested and for how long he is to be detained and interrogated take on a special importance. Moreover, the frequent and serious physical abuses about which the Team heard most often occur during this period. Although they seem to be employed as "aids" to interrogation, they are forms of cruel and barbarous punishment against which the citizen needs every conceivable procedural protection.

In fact, procedural protections are essentially nonexistent at the arrest and interrogation stage. Arrests are made by a wide variety of local national officials—by district police, special security forces, military forces and intelligence units—each exercising a relatively unfettered discretion. The arrest may occur for no other reason than that the arrestee was found near the scene of a guerrilla raid. Unless the arrested person is of exceptional importance, he will usually be detained by the arresting unit or by the district or security police in the district or province where arrested, and subjected to whatever interrogation methods authorities in that unit choose to apply.

Such detention for interrogation frequently continues for many months and it is at this stage that the bestial brutality the Team encountered occurs.

Despite the constitutional provision that:

"(6) A defendant has the right to a defense lawyer for counsel in every phase of interrogation, including the preliminary investigation."

the Team was unequivocally assured by Colonel Mau, Chief of the Special Branch of the National Police Forces, that no one within his knowledge ever saw a lawyer at this stage—certainly never when detained at the Interrogation Center of the National Directorate of Police in Saigon. All of the Team's information tended to confirm that this generalization applied to other places of interrogation, both in Saigon and in the provinces.

Not only is the arrestee denied a right to counsel at this stage, he is frequently denied all contact with outsiders, including members of his family. Often families are not notified of the arrest, and they may go for days or months in ignorance of any fact save that their loved-one has disappeared. In one instance, when occasional visits were stopped after several weeks on the ground that they interfered with the interrogation. Isolation itself may be used as an interrogation "aid" or technique.

##### 2. "Assigned residence" by Provincial Security Councils

An unknown proportion of the persons held in the correctional system—the four national and thirty-seven provincial prisons of the system—are assigned there by action of Provincial Security Councils rather than by the judgment and sentence of any court. An official of one province reported that 50 percent of the 1,400 occupants of the local provincial prison were assigned there by the action of the Provincial Security Council.

When Prime Minister Huong took office in May, 1968, the Team was told he made a major effort to improve the functioning of these bodies, enlarging them to include an elected official (in the provinces where elections have been held) and causing them to pare their backlogs of undisposed business.

As a result, it may be assumed that dispositions in some provinces show a greater sensitivity to local opinion and that the periods of preliminary detentions—to the extent they exceed the length of interrogation desired—have been reduced.

One of the Prime Minister Huong's first acts was to initiate a remarkable admission of wrongdoing on the part of the Thieu government in the release and commutation of the sentences of a number of political prisoners whose total has been variously estimated from 2,000 to 6,000.

On another occasion Deputy Prime Minister Khlem commendably acknowledged in response to questions raised in the National Assembly the arbitrary nature of the arrest and interrogation procedures and the official fear of repercussions which could result from the conditions of brutality.

When a Team member shared with Minister Khlem a preliminary sketch of team findings; i.e., loose prisoner classification, denial of due process and the arbitrary action of military field courts, he agreed that these were concerns he and his staff had been considering.

But these steps only sweeten a system that is intolerable. No society can pretend to be free that permits "administrative" detentions of the kind handled by Provincial Security Councils. One Team member was privileged to visit the members of one such Council as its regular weekly session was being concluded. Members of the Council each possessed a type-written list of the names of the individuals whose cases were being considered; approximately 100 names were on the list for a single afternoon's consideration. He was told that on heavy business days the Council sometimes continued to meet into the evening. An officer brought the relevant files to the meeting and read to the Council the information required for consideration. Without notice to the arrested person, without his presence or that of witnesses to the facts relevant for determination, without confrontation or opportunity for rebuttal, to say nothing of rights of counsel or to appeal, the liberty of each of the 100 persons listed was summarily determined and detentions in prison were ordered for periods—renewable by like procedure—of up to two years. No wartime conditions, nor any other justification, can be offered to reconcile such a procedure with the democracy which is claimed to be the object of the Constitution of the Republic of Vietnam. Undoubtedly, the system succeeds in detaining some people for whom a real connection with the activities of the N.L.F. has been shown, although the Team was told that all serious wartime offenses are referred to a Military Field Court for disposition. But no other purpose than convenience to the interests of local or national officials which are adverse to those of the detainees—whether to suppress political opposition or otherwise—can really be served by this mechanism.

##### 3. Military field tribunals

The Study Team has reached the conclusion that the Thieu-Ky Government has, through the extensive and increasing use of the extra-constitutional Military Field Courts, imprisoned thousands of persons without the most fundamental elements of a fair hearing and in a shocking number of instances, without even apprising the imprisoned persons of the charges against them. This extraordinary development has had such a devastating effect on the people of South Vietnam and such a chilling impact on all political activities that it seems important to chronicle in some detail the process by which the present Saigon Government, in the name of a wartime emergency, can deny persons arrested for political "offenses" all of the guarantees which Vietnamese constitutional and statutory law gives to persons accused of crime.

The Constitution of the Republic of Vietnam, promulgated on April 1, 1967, confers in Article 7 a series of guarantees upon those accused of crime which are among the most generous and progressive of any democracy in the world. Because these rights have been denied to probably 65 to 75 percent of all of the persons committed to persons in South Vietnam, it is important to set them forth in some detail. Article 7 reads as follows:

"(1) The State respects and protects the security of each individual and the right of every citizen to plead his case before a court of law.

"(2) No one can be arrested or detained without a legal order issued by an agency with judicial powers conferred upon it by law, except in case of flagrant violation of the law.

"(3) The accused and his next of kin must be informed of the accusation against him within the time limit prescribed by law. Detentions must be controlled by an agency of the judiciary.

"(4) No citizen can be tortured, threatened or forced to confess. A confession obtained by torture, threat or coercion will not be considered as valid evidence.

"(5) A defendant is entitled to a speedy and public trial.

"(6) A defendant has the right to a defense lawyer for counsel in every phase of the interrogation, including the preliminary investigation.

"(7) Any person accused of a minor offense who does not have a record of more than three months' imprisonment for an intentional crime may be released pending trial, provided that he or she is employed and has a fixed residence. Women pregnant more than three months accused of minor offenses who are employed and have fixed residence can be released pending trial.

"(8) Accused persons will be considered innocent until sentence recognizing their guilt is handed down. In the event of doubt, the court will rule in favor of the accused.

"(9) If unjustly detained, a person has the right to demand compensation for damages from the State after he has been pronounced innocent, in accordance with the provisions of law."

All of these carefully spelled-out guarantees were nullified for political offenders by Law No. 10/68 of November 5, 1968, which we have earlier described. This law amends and revitalizes a pre-constitutional decree issued June 24, 1965. By its legitimation of the Military Field Courts, this law, in effect, amended the Constitution although none of the Articles of the Constitution related to amending the document (Nos. 103-107) were compiled with.

The November 5, 1968 law, in addition to authorizing the invasions of individual rights previously recited, authorizes local proclamations of martial law and in its Article 2 declares that:

"All violations of the law related to national security fall within the Military Field Courts which will try them in accordance with emergency procedures."

The creation of these "Military Field Courts" is nowhere authorized in Article 76 through Article 87 of the Constitution, which provide in detail for the structure of Vietnam's judiciary. Nor is the "Military Field Court" related to military tribunals which exist in the armed forces of South Vietnam for the prosecution of offenses committed by military personnel. *The "Military Field Courts" are not really courts at all.*

The Study Team is convinced that the number of arrests and imprisonments continues to grow larger under the law of November 5, 1968. Moreover, it is clear that the 1968 law, unlike the 1965 decree, abrogates and amends the 1967 Constitution of South Vietnam in an illegal way. Indeed, the 1968 law eviscerates that Constitution and suggests that the President and the National Assembly disregarded the Constitu-

tion in several respects and, relying on "a state of war", undertook to legitimize the Military Field Courts which imprison persons in proceedings having few if any of the features of a real trial. No matter how favorably they are viewed, these courts serve as the instrument by which the Thieu government imprisons and thereby silences its critics.

The inadequacies of the Military Field Courts are many. Among their more glaring defects are the following:

(1) These courts violate Article 77 of the Constitution which stipulates that every court should be composed of "an element that judges and an element that prosecutes, both of which are professionally qualified." In the Military Field Court, the judge is a military official not necessarily trained in law.

(2) The offenses triable by the Military Field Courts are non-appealable. The denial of these basic rights violates the Vietnam Constitution as well as the practices which have become customary in most of the judicial processes in the civilized world.

(3) The Military Field Courts also violate Article 9 of the Universal Declaration of Human Rights which states that, "No one shall be subjected to arbitrary arrest or detention." This statement is now incorporated in the draft Covenant on Civil and Political Rights and is broadened to read as follows:

"Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest and detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedures as are established by law."

These provisions are being violated in South Vietnam. Their violation is thus a violation of the Constitution of South Vietnam which states in Article 5 that "the Republic of Vietnam will comply with provisions of international law which are not contrary to its national sovereignty and the principle of equality between nations."

#### IV. APPENDIX

##### A. U.S. study team on religious and political freedom in Vietnam

*James Armstrong, Bishop of the United Methodist Church, Dakotas Area.* Bishop Armstrong received his A.B. from Florida Southern College, a B.D. from Emory University, and D.D. from Florida Southern and DePauw University. Elected to the episcopacy in 1968, James Armstrong is the youngest United Methodist Bishop in the United States. He taught for eight years at the Christian Theological Seminary (Disciples of Christ) in Indianapolis, served for ten years as minister of the Broadway United Methodist Church in Indianapolis. Known for his interest in public affairs, he was a board member of the Community Service Council, the Urban League and the Indianapolis Progress Committee, and was singled out as "one of the leaders who builds cities" by Time-Life in its book *The Heartland*. He himself is the author of the book, *The Journey that Men Make*, published by Abingdon Press.

*Mrs. John C. Bennett (Anne McGrew Bennett).* Mrs. Bennett received a B.Sc. in Education from the University of Nebraska and M.R.E. from Auburn Theological Seminary. She taught for several years in country schools in Nebraska, was married in 1931 to John C. Bennett, now President of the Union Theological Seminary in New York City. Mrs. Bennett has been active in denominational and interdenominational affairs for many years. She is a member of the U.S. Inter-Religious Committee on Peace, a former board member of the Council for Christian Social Action of the United Church of Christ, and served from 1960 to 1964 on the General Board of the National Council of Churches.

*Allan Brick, Associate Secretary for National Program, Fellowship of Reconciliation.*

*Dr. Brick received an A.B. from Haverford college, an M.A. and a Ph.D. in English from Yale University. A former professor of English at Dartmouth and Goucher Colleges, Dr. Brick served as Peace Education Director for the American Friends Service Committee, Middle Atlantic Region, from 1966 to 1968. He has published articles on English and American literature, as well as articles on student and protest movements and is co-author of *The Draft*, a report by the American Friends Service Committee, published by Hill and Wang, New York.*

*John Conyers, Jr., Representative in Congress of the First Congressional District, Detroit, Michigan.* Congressman Conyers received his B.A. and his law degree from Wayne State University. Currently serving his third term both as a Representative and a member of the Judiciary Committee, he has been an active supporter of civil rights legislation in Congress. In this capacity he has made trips to Selma, Charleston, Mississippi and other places to investigate cases of civil rights violations. Prior to election to Congress, Mr. Conyers was a labor and civil rights lawyer, also serving as Director of Education for Local 900 of the United Auto Workers, an executive board member of the Detroit NAACP and an advisory council member of the Michigan Civil Liberties Union. During the Korean conflict, he served as a Second Lieutenant in the Corps of Engineers.

*Robert F. Drinan, S.J., Dean, Boston College Law School, and Professor of Family Law and Church-State Relations.* Father Drinan received his A.B. and M.A. from Boston College, his LL.B. and LL.M. from Georgetown University Law Center, an S.T.L. (Licentiate in Sacred Theology) from Gregorian University in Rome. He is author of several books, the latest of which is *Democracy and Disorder*, published in 1969 by the Seabury Press, and is a contributor to many publications, including *Commonweal* and the *Harvard Law Review*. Father Drinan has served widely in legal, civic and education organizations and committees. He is a former vice-president of the Massachusetts Bar Association, is currently chairman of the M.B.A.'s Committee on the Administration of Justice and chairman of the Advisory Committee for Massachusetts to the United States Commission on Civil Rights.

*John De J. Pemberton, Jr., Executive Director of the American Civil Liberties Union.* Mr. Pemberton received his B.A. at Swarthmore in 1940, an LL.B. cum laude at Harvard in 1947. As a student at Harvard Law School, Mr. Pemberton served on the board of editors of the *Harvard Law Review*; after graduation, taught commercial and bankruptcy law at Duke University until 1950. From 1950 to 1962, he practiced law in Rochester, Minnesota, as a member of the firm of Pemberton, Michaels, Bishop and Seeger. In Rochester, he served on the Minnesota Advisory Committee to the United States Civil Rights Commission and the Minnesota Fair Employment Practices Commission. An active member of the ACLU since 1950, Mr. Pemberton was appointed its Executive Director in 1962.

*Seymour Siegel, Professor of Theology in The Jewish Theological Seminary of America and Assistant Dean of its Herman H. Lehman Institute of Ethics.* Dr. Siegel graduated from the University of Chicago. In 1951 he was ordained by the Jewish Theological Seminary and in 1958 received the Seminary's degree of Doctor of Hebrew Literature. As representative of the World Council of Synagogues, Dr. Siegel has traveled widely to Jewish communities abroad; in 1962, he became the first Visiting Professor from the Seminary to serve at the Seminario Rabbinico Latinoamericano in Buenos Aires. He is a member of the editorial boards of *Conservative Judaism*, *Jewish Heritage*, and editorial consultant to Benziger Brothers Pub-

lishing Company. Now completing work on his second book, *Jewish Theology Today*, he has also contributed many articles and reviews to both scholarly and popular journals, among them the *Saturday Review* and *Commentary*.

*Arnold E. True, Rear Admiral, United States Navy, Retired; Professor Emeritus of Meteorology, San Jose College.* Admiral True received a B.S. at the U.S. Naval Academy in 1920, and M.S. from M.I.T. in 1931, and graduated from the U.S. Naval War College in 1939. He served in the United States Asiatic Fleet in the Far East, commanded the *USS Hammann* and two destroyers in World War II, and was on the staff of the Commander-in-Chief of the United States Atlantic Fleet between 1944 and 1946. During the Battle of Midway he received injuries which necessitated his retirement. From 1947 to 1967 he was professor of meteorology at San Jose College. Admiral True recently presented testimony to the Senate Armed Services Committee concerning budget requests of the Department of Defense.

*The Reverend Peter Jenkins, of Congregational Church, Wimbledon, England and Treasurer of Etrene International Christian Service for Peace Organization,* met the team in Paris and accompanied them to Saigon.

CABLE FROM U.S. STUDY TEAM TO PRESIDENT NIXON

SAIGON, June 5, 1969.

PRESIDENT NIXON,  
Washington, D.C., U.S.A.:

The Independent Study Team on religious and political freedom in Vietnam has completed its study here and is preparing a detailed report. The team met with South Vietnamese and United States officials, various Buddhist and Roman Catholic leaders, representatives of other principal sects, members of the National Assembly, attorneys and other specialists in jurisprudence as well as numerous private individuals, including some prisoners.

The team inspected prisons in Saigon, Thu Duc and Con Son. Our final report will be related to the following firm impressions:

The Government of South Vietnam does not presently exemplify at least one of the goals set forth in your May 14th statement. (Quote) there should be an opportunity for full participation in the political life of South Vietnam for all political elements that are prepared to do so without the use of force or intimidation. (Unquote.)

Religious and political suppression is widespread. Speaking for peace or in any other way opposing the government easily brings the charge of Communist sympathy and subsequent arrest. Long detention without trial is frequently the result.

The number of political prisoners continues to increase.

There must be no illusion that this climate of political and religious suppression is compatible with either a representative or stable government.

We respectfully request that you consider this in weighing any commitments to the Thieu Government.

On behalf of the study team on religious and political freedom in Vietnam,

HON. JOHN CONYERS, JR.,  
Member of Congress.

U.S. STUDY TEAM

(Organizational associations listed for purposes of identification only)

James Armstrong, Bishop, United Methodist Church.

Anne M. Bennett.

Allan Brick, Director of National Program, Fellowship of Reconciliation.

John Conyers, Jr., Member of Congress.

Robert Drinan, S.J., Dean, Boston College Law School.

Peter W. Jenkins, Pastor, Congregational Church, Wimbledon, England.

John de J. Pemberton, Executive Director, American Civil Liberties Union.

Seymour Siegel, Rabbi, Professor of Theology, Jewish Theological Seminary.

Arnold E. True, Rear Admiral, U.S.N. (Ret.)

#### THE NEED TO REASSERT TRUE CONTROLS ON MILITARY SPENDING

### HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. EDWARDS of California. Mr. Speaker, the San Francisco Chronicle in its Sunday, June 8, 1969, editorial, pointed out the need to reassert true controls on military spending.

The Chronicle, one of the most distinguished papers on the west coast of this Nation, and of the Nation, has ably presented one of the great needs of this Nation. I submit the full text of the editorial for inclusion in the RECORD, as follows:

#### A REIN ON THE PENTAGON

This may well be the year in which leading members of Congress will persuade a majority in both houses that the time has come to reassert true controls on military spending.

The intensifying fight over the ABM Safeguard is but one sign of this trend; another came last week from 45 members who banded together to oppose what they called "the growing militarization of American society."

Since World War II, this country has spent more than one trillion dollars on armaments and armed forces, and today 80 per cent of all Federal expenditures go for defense and defense-related costs. Yet in spite of these, in spite of a security establishment dominating much of their national life, Americans feel "less secure than ever before," these 45 Congressmen say.

They see this as a "national security state." They indict Congress—and themselves—for appropriating tens of billions to the Defense Department each year with little or no debate.

They say that Congress has failed in its constitutional function of overseeing the raising and employment of the armed forces. They conclude that under present circumstances the Armed Services committees of Congress "cannot be depended on to provide useful examinations of broad policy issues." They assert that the Executive Branch has "mousetrapped" Congress by employing modern techniques of systems analysis with unlimited ingenuity to justify particular weapons and particular programs, even particular wars, like Vietnam.

So it is the judgment of these 45 members of Congress—among whom we find Senators Fulbright, Hughes and McGovern and from Northern California, Congressmen Don Edwards, Phillip Burton and Robert L. Leggett—that a Defense Review Office should be created independently to analyze defense spending. This would be similar in function to the General Accounting Office.

They propose also several other approaches to more fully informed decisions, such as the holding of hearings out in the grass roots on national needs and priorities, the debating in Congress each year of national ends as well as military means, the reducing of security classifications and increased public access to defense information and the launching of an investigation into the military-industrial establishment.

The determination of the 45 Congressmen to somehow rein in the Pentagon comes at a particularly critical moment for giving the angry young generation some valid confidence in the ability of the political system to control the runaway militarization of the American economy, American foreign policy, and American life. It will be heartening to see others in Congress line up with them.

#### NEW YORK TIMES WARNS AGAINST SCUTTLEING TAX REFORM

### HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. REUSS. Mr. Speaker, in a June 16, 1969, editorial, the New York Times warns that extension of the tax surcharge is in jeopardy unless accompanied by meaningful steps now to close gaping tax loopholes. The moderate income taxpayer is in no mood to accept a 10-percent surcharge this year against a 7½-percent surcharge for last year while the loopholes in the tax code go virtually untouched. Congress reflects the national mood, and the administration would do well to take this into account. I commend the New York Times editorial to my colleagues:

#### SCUTTLEING TAX REFORM

Politics is full of paradox. At one moment the Administration warns the country that economic disaster will ensue if the income tax surtax is not extended beyond its June 30 expiration date. But at another, it places that very surtax in jeopardy by abandoning any serious efforts to close the more notorious loopholes in the tax law. The White House is apparently convinced that it can turn its back on tax reform and still push the surtax through Congress. It stands a good chance, however, of becoming the victim of an embarrassing miscalculation.

The precise nature of the agreement reached between the President and the Democratic leadership of the House will not be known until the Ways and Means Committee reports out a bill. But it is almost certain to embrace two "sweeteners." The first is a special low-income allowance that would remove from the income tax rolls about two million families now living at or below the poverty-line. It is a desirable reform, but because of the small liabilities that are involved, does little to lighten the total tax burden on the working poor.

The other "sweetener" is a loophole-opener rather than a reform. It would exempt aircraft, railroad box cars, and equipment outlays by small business from the proposed repeal of the 7 percent investment tax credit. The revenue loss to the Treasury would amount to about \$1 billion without corresponding benefits to society.

Aside from the low income allowance, the measure being readied by Ways and Means is bereft of reform. The oil depletion allowances, the escapes from taxes on capital gains, the gift loopholes, the tax-free bonds—all of the abuses that shake the public's confidence in Congress would remain.

If abandonment of tax reform had no effect on the prospect of extending the surtax, the White House agreement with the Congressional leaders might be written off as a triumph of expediency over principle. But that is not necessarily the case. It appears doubtful now that the surtax can be carried on the floor of the House without support of liberal Democrats and Republicans. And the House liberals, already offended

by the Administration's refusal to cut defense expenditures and reallocate funds to social programs, are cool toward a bill that perpetuates tax inequities. Indeed, tax reform and fiscal responsibility may prove to be inseparable issues.

The safest and most principled course of action is one that the White House rejects: to let Congress temporarily extend the surtax while it hammers out a bill for long overdue tax reforms.

#### AMERICANISM AND PATRIOTISM

### HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. UTT. Mr. Speaker, I would like to include in the Extensions of Remarks in the RECORD for today a speech delivered by Lloyd M. (Pete) Bucher, commander of the U.S.S. *Pueblo*, to the La Jolla Unit of Pro America, on May 20 when they met at the Atlantis Restaurant in San Diego.

Commander Bucher's speech contains a message of Americanism and patriotism, which should be read by the people to revive the meaning of Independence Day to be celebrated on the Fourth of July. It follows:

#### AMERICANISM AND PATRIOTISM

I am thankful that through God's help and the assistance of many friends, circumstances have made this reunion possible and given me this opportunity to speak publicly on my favorite subjects—patriotism—responsibility—and accountability.

It is because of the calibre and mentality of this group that I want to speak on this subject. Pro-America of La Jolla has among its membership many leaders in this community.

First, may I express my deepest gratitude for your great assistance to my wife, Rose, during my detention. Your invaluable aid in the Remember the Pueblo Committee and the tireless work of Barbara Morris has earned my undying gratitude. Every time I look at that stack of 25,000 letters in my dining room I realize how much work so many of you did. My crew and I deeply appreciate your help.

Your willingness to help, your dedication to America, identifies you among the defenders of this nation—the producers. It is the producers who represent America, not the parasites who are presently dissatisfied with our country and who are trying to destroy it. This is a country of builders, not destroyers. I am here today to ask you to rededicate your life, to assume your proper leadership in the rational type of patriotism that can, and must, save this country from the destroyers. I have seen the haters of this nation nurtured at the breast of capitalism, people who advocate violence and the destruction of the same system that has brought greater freedom and more food and a fuller life to more people than any other system yet devised by man, but the haters would not build what you producers have built.

The charismatic few whose names have become household words in this nation are not primarily concerned for their country. Their concern is for their own selfish interests. They lack that sense of responsibility which is characteristic of good citizenship.

It is you who are the real leaders of this country and who must remain its leaders if the freedoms, rights and opportunities we now enjoy are to survive.

It is on your shoulders that the responsibility rests for the leadership it needs—not on your collective shoulders, for despite those who preach collective responsibility and collective guilt, there is no such thing, but only the responsibility of each and every one of you individually.

Each of you has a leadership role that requires you to project what is good about this great nation, and to explain what enormous strides we are taking to correct those faults we admit we have.

I have seen men who have been innoculated and indoctrinated with hate of America. And I have seen other men who have stood proudly before these haters, and who still stood proudly by in a patriotic demeanor after hours of torture.

Some of my men were reared in homes where the greatness of our country was so taken for granted that the subject of patriotism was considered pretty corny or passe. But we realized how much is really great and good about this country when we were faced by the methodical and diabolical totalitarian North Koreans who are thoroughly indoctrinated with hatred of America. They are sorry excuses for humanity whose lives are dedicated to the premise that all that is wrong with the whole world, including famine and pestilence, is the direct responsibility of the United States.

We were in a land without love after our capture, a land without honest laughter or humor, without any of the humanitarian principles, and devoid of democratic principles we so often take for granted here at home.

We simply cannot afford to take our blessings of citizenship for granted. There are dedicated enemies abroad and vipers in our midst spreading anti-Americanism in their efforts to undermine our democratic way of life and our capitalistic system under which it has thrived. Your leadership is needed in selling our way of life and our form of government to our youth through your example here at home while others of us protect the country from threats from the outside.

You who are mothers and fathers must accept the responsibility of instilling in your sons and daughters the importance of understanding, love, and appreciation of the underlying ideals of our country, and there is so very much that is good and great here!

The day my crew returned to this country will always be the happiest day of my life. I would like to pay my public respects at this time to my crew. No commanding officer in naval history has ever had more reason to be proud of his men. Every man behaved in the highest traditions of this country, and many acted heroically far above the normal call of duty.

Every man remained steadfastly loyal to his country, and to his fellow prisoners. Despite brutal torture and promised relief no man aboard betrayed either his country or his shipmates. There was no weak link, no chink in our armor. Neither force nor blandishment could persuade one man that he should waiver in his loyalty. Every message, every letter, every photograph contained clues to the fact of our constant defiance. The crew retained their faith in their country and harassed their tormentors at every turn. As a crew, we all started the ordeal as a cross-section of America, some very patriotic, some apathetic on the subject of patriotism, and some who scoffed. Let me assure you that we are now eighty-two of the most patriotic men thankful for this great country. We have a highly developed sense of how wonderful America really is. My officers and men are now being reassigned to other commands, or are being released to civilian life, and I do not have to remind them of their responsibility for leadership in the re-birth of rational patriotism. They will not forget their experience, and I can assure you love of country is not an empty or fickle phrase to them.

With responsibility goes accountability. As I have been called upon to account for my actions, so is each of you called to account for your conscience every time you look in the mirror, and if you have failed or are falling in your duty to your heritage, your memory will be called to account by generations yet unborn.

We must not fail, for I have seen the enemy, and he is not filled with love and understanding. He is not gentle and he cares not a whit for peace. He wants bridges built, but only so he can march armies across them to destroy freedom. His idea of academic freedom is freedom of the academy to teach only his ideas. He teaches mindless reaction, not reason. He teaches the love of the state, not because his state is good; but because it is the state. He is irrationally patriotic.

He hates America, and he hates your forebears and you, because you have built the greatest nation in the world. He despises you individually, and this ability to hate abounds in those who use his techniques in our country. His tactic is subversion and force, not reason. I can testify to the brutality of his force. He does not wish to convince you. He wishes to break you.

There are those on our internal scene who wish to destroy America. They do not owe allegiance to our sworn enemies, but once our country is weakened, we will hardly be a match for those external enemies I have seen.

Our home-grown variety uses the same technique—force, not reason. They use intimidation. They instill the same fear. They can be stopped only by the positive patriotism of exemplary leadership that is willing to stand up and be counted.

Here I must pay my respects to S. I. Hayakawa of San Francisco State, and to Father Theodore Hesburgh of Notre Dame, men of reason, not force. They are leaders who have shown they are willing to stand up and be counted against those who initiate force.

It is particularly tragic that in our colleges and universities the citadels whose very existence demonstrates the search for reason to eliminate force, there are those who wish to replace reason with force. It is regrettable that so few college administrations have the moral courage of Father Hesburgh and Dr. Hayakawa, for today force has taken over many of our colleges. Students and non-students have taken to the use of force to gain those things their arguments have failed to gain. Although a small minority, they have intimidated the majority into silence. The violent minority may soon deprive the silent majority of an education, and maybe then the majority on campus will end this reign of terror.

I believe the violence on campus will be ended quickly when the disruptions are not just illegal but, more importantly, when they are unpopular. This can only happen when the presently intimidated, cowed, or unconcerned majority stands up to be counted. Those who wish an education should listen to the words of Dante—"The hottest places in hell are reserved for those who remain neutral in times of emergency."

And what are you doing to help? Have you recognized the danger, and have you publicly stood up to be counted? Have you accepted your responsibility with your own children? Do your sons and daughters in college belong to that great silent majority who, while disagreeing with the disruptions, still tolerate them?

This is no time for silence. I have seen the results when brute force defeats reason. You may silently support reason, but have you provided the leadership within your sphere of influence for liberty, for reason, and against the violence being preached?

I can testify from experience that you cannot negotiate with brutality. My recent experience has left me with a true understanding of the Communist ideology. I have seen

young Americans, boys brutally tortured because they were Americans. Unreasoned hatred of America must be opposed by the reasoned love of America. This country is so great, so wonderful, provides so much for so many, and we cannot sit on the sidelines and watch this dream vanish like "a wisp of smoke." Some day we must pass the dream of America on to those young idealists who think they can destroy the greatest economic system in history, and then after the destruction believe they can at their leisure worry about what economic system to design as a replacement.

Let me assure these young men that if they weaken us, it will not be they who move in to pick up the pieces. If they insist upon substituting force for reason, then they will be easy pickings for those unreasoned, highly disciplined marxists who have made the substitution of force for reason an art. When reason is defeated and force is the criterion of right, the Barbarian becomes king.

Our Nation needs the leadership you possess. It needs you and all the rest of the producers of this country. I charge each of you to become involved, for if you do not become involved soon, you will be held accountable by your grandchildren who will surely ask, "How did you allow this to happen?"

#### CITIZENS ASSOCIATION DECLARES CAPITOL HILL UNSAFE

HON. JOEL T. BROYHILL

OF VIRGINIA  
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, the Capitol Hill Southeast Citizens Association recently sent a letter to Hon. JOSEPH D. TYDINGS, chairman of the Committee on the District of Columbia, U.S. Senate, which I believe deserves the thoughtful attention of all Members of Congress.

These fine people express their grave concern over the results of the District of Columbia's first elections, of members of the school board in the District, and their fear that "home rule" for the District would bring a massive exodus of the taxpaying citizens. I commend their expression to all who read this RECORD, and include the letter at this point:

CITIZENS ASSOCIATION DECLARES CAPITOL HILL  
UNSAFE

WASHINGTON, D.C., May 13, 1969.

SEN. JOSEPH D. TYDINGS,  
Chairman, Senate District Committee,  
U.S. Senate, Washington, D.C.

DEAR SENATOR TYDINGS: The Capitol Hill Southeast Citizens Association realizes you are under terrific pressure to have voting in the Nation's Capital. It realizes the Senate District Committee has to handle a great deal of business that the District Government should handle. You must realize that according to the D.C. Council agenda and the silly subjects discussed that the D.C. Council suffers more than you do and takes off of your shoulders a great deal of people in the ghetto who spend hours complaining to the D.C. Council.

This is the Federal City of the greatest Nation on earth, and the District government is not equipped to handle the Federal Government's responsibilities. All it discusses is the complaints of the poor; if the streets are paved and the City is kept attractive, we should all be thankful.

Due to the elected school board members, the entire D.C. School system is on the rocks. There is not one school on Capitol Hill

equipped to teach quality education to intelligent pupils regardless of color. Only two members have any experience; no one is really an educational specialist. The school system is tragic because these uninformed board members are telling the D.C. School system what to do; practically 60 to 70 percent are receiving totally inadequate education; I refer to pupils in the D.C. Public schools.

Unless the voting talk ceases soon, all tax payers will have to move to Virginia; no one elected by the present citizens in D.C. eligible to vote will have any conception of the problem.

Washington needs its taxpayers; why move everyone out of the City leaving only those on relief? You have to realize this is a world capital and the Congress has to accept responsibility for preserving it.

To be chairman of such a distinguished Committee is an honor and a privilege and a heavy responsibility. You are fortunate that no one from the District of Columbia is there interfering with your authority. Appoint many assistants, but let no one interfere with your plans to maintain it on a high level. An assistant can listen to people complain.

Sensible and qualified organizations are now appearing before your committee. Resist every effort to have someone interfering with the finest standards of the Nation's Capital.

Thank you.

ELIZABETH DRAPER,  
Secretary.

#### FIGHT OVER FARM SUBSIDY PAYMENTS CEILING

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. CONTE. Mr. Speaker, for the information of my colleagues and the Members in the other body, I am including in today's RECORD an excellent analysis of the current status of farm payments legislation in the Senate, contained in an article by Burt Schorr in the Wall Street Journal of June 16, 1969.

The article contains the encouraging news that a number of Senators who opposed payment limitations last year are reconsidering, and in some cases have already reversed their positions. Although a proposal similar to my amendment sponsored by Senator JOHN J. WILLIAMS of Delaware was soundly defeated a year ago, Mr. Schorr concludes that this year the Senate "conceivably could put an end to fat payments." My own analysis is that the chances for passage of a payments ceiling are improving every day.

The article mentions the so-called snapback provision which threatens to permit large cotton growers to escape the intent of the payments ceiling. In our respective statements to the Senate Appropriations Subcommittee on Agriculture both Dr. Schnittker and I have recommended its repeal. See the CONGRESSIONAL RECORDS for June 10, page 15375, and June 16, 1969, page 15869. Senator WILLIAMS has also offered a repeal amendment. Further, we have been assured that such a legislative change would be entirely "germane" to an appro-

priations bill, since it would restrict the expenditures of funds and would be limited to the crop year 1970.

Although, as I have said, there is genuine reason for optimism, I am greatly concerned by Mr. Schorr's prediction that some Southern opponents of the ceiling will "almost certainly" seek to hold the pending food-stamp legislation "hostage" to prevent payment limitations. The suggestion that any Member of the other body would consider such blackmail, callously playing with the lives of the hungry and malnourished, is, to say the least, difficult to accept.

As recently as a few weeks ago, we witnessed some questionable tactics in this body designed to frustrate the majority support for my amendment. But this was mere shadow-boxing in comparison to the outrageous deal that Mr. Schorr predicts will be proposed in the Senate. I believe that the vast majority in the Senate will reject such tactics with revulsion. And I am convinced that the American people will not stand for it.

The article referred to follows:

#### FIGHT OVER FARM SUBSIDY PAYMENTS CEILING NEARS IN SENATE; BATTLE CENTERS ON COTTON

(By Burt Schorr)

WASHINGTON.—Lawmakers who want Uncle Sam to clamp a ceiling on his subsidy payments to farmers and those who view such a step as catastrophic for the agricultural economy are heading for a Senate showdown.

The engagement—probably sometime next week—conceivably could put an end to fat payments. At least some Senators whose votes helped repel a payment-ceiling thrust last summer are reconsidering their previous stand out of concern over mounting public resentment of farm-program costs.

But even if the ceiling forces loses by a narrow margin, which seems more likely, the Senate fight at least could prove to be the last battle won by defenders of hefty individual payments. These range from \$15,000 to over \$1 million a year for more than 16,000 farm operators—many of them corporations—out of the 2.3 million getting Federal checks.

The Capitol Hill debate on payment limitations already has registered an impact on Agriculture Department policymakers.

Since the Nixon Administration took office, department Republicans have acknowledged the need for farm program reforms that, among other things, would scale down Federal support for better-off farmers and direct more assistance to low-income rural residents. Until recently, department consideration of the legislative changes needed to accomplish this has been leisurely, with solid proposals not envisioned until late this year or early next.

#### PACKAGE LIKELY BY AUGUST

However, the department was jarred by last month's 225-to-142 House vote in favor of a Republican appropriations bill amendment that would limit to \$20,000 the total Federal payments any single farm operator could receive under the cotton, wheat and feed-grain programs. Following a meeting earlier this month with Agriculture Secretary Hardin and President Nixon, House Minority leader Gerald Ford said the department's reform package is likely to be ready by August.

(Secretary Hardin, however, says only that the department is seeking "a consensus" of Congressional and farm opinions "in the fall months.")

Department economists don't believe the \$20,000 limit would affect enough wheat or feed-grain growers to have any significant ef-

fect on the operation of those programs. The opposite is true in the case of cotton, however, making Federal aid to fiber producers actually what the payment-ceiling fuss is all about.

To a certain extent, cotton-program benefits reflect the power cotton-state Southerners have wielded from their key Congressional committee chairmanships since New Deal days. Crop economics also have encouraged far larger production units in cotton growing than in wheat or feed grains.

As a result, Federal payments in excess of \$20,000 went to only 1.6% (or some 7,000), of the growers in the cotton program last year, but these accounted for more than 30% of the \$784 million in direct payments under the program in 1968. This year, cotton program payments are expected to total \$826 million.

#### TARGET FOR URBAN-ORIENTED SENATORS

This program thus is a tempting target for urban-oriented Senators who associate cotton plantations and their Capitol Hill defenders with opposition to civil rights, expanded Federal food programs and other social reforms. (One Southern defense tactic almost certainly will be to hold President Nixon's proposal for massive food-stamp expansion as hostage while the payment limitation danger continues.)

Critics of the cotton program argue that it is a costly way of keeping marginal growers, ginners and handlers in business in states like Georgia and North Carolina. Without Federal subsidies and acreage quotas, they say, production would quickly concentrate in areas of higher quality and efficiency like the Delta and California's San Joaquin Valley.

"The cotton structure is rickety and over-subsidized," agrees one cotton lobbyist here. "But the Southeastern ginners just don't want to give up even if they're 100 years out of date."

One obstacle to a payment ceiling is a "snap-back" provision that requires the Agriculture Department to guarantee program participants 65% of parity for their cotton should a payment ceiling be imposed. The effect of this, Secretary Hardin has stated, would be to jump the Government crop loan rate by over 50% (this, in effect, would be the Government purchase price because most growers would surrender their crops instead of repaying the loans); stimulate an additional two million bales of unneeded fiber; and end up costing Uncle Sam about \$160 million more than the program benefits will total this year.

Congress could repeal the snap-back of course, providing its agriculture committees, both Southern controlled, would permit such a step. Nevertheless, the department still would be left with the administrative headache of preventing farm split-ups to avoid a payment limitation.

"Many such (ownership) changes are constantly occurring and are entirely legal," Secretary Hardin has testified, adding the estimate that "perhaps as much as 70% to 85% of the potential cotton acreage affected by the \$20,000 limit would be able to maintain its eligibility for full payment." For example, family members who now operate pooled land as a single cotton unit could redivide it into smaller tracts, each eligible for a payment under \$20,000.

John A. Schnittker, who as Under Secretary of Agriculture in the Johnson Administration worked within the department for payment ceilings, contends that the appropriation bill could be worded to give the department important tools for making a ceiling work. Senate insiders doubt whether such provisions could be established as "germane" to an appropriation bill, however.

If Senate opposition to big payments suddenly mushrooms, as it did in the House, more than likely it will reflect a general im-

patience with farm-program costs, rather than a carefully weighed analysis of how ceilings would work.

Last year, when Sen. John Williams (R., Del.) made his perennial appeal for a ceiling, the vote was a solid 47 to 25 against. Now, some slippage in the opposition already is evident. Democratic freshman Sen. Hughes of Iowa, for example, says he'll vote for payment limits; last year, his Republican predecessor Bourke Hickenlooper voted against.

And Sen. Dodd (D., Conn.) indicates he's switching from "no" to "yes," asserting that "the time has come when we must find a better method than Government subsidies to achieve financial stability for our farmers."

Significantly, too, Sen. Mondale (D., Minn.), firmly against a ceiling last year, now is sitting on the fence—largely because of adverse home-state reaction to his 1968 vote. Another fence-sitter is Sen. Brooke. An aide to the Massachusetts Republican worries that opposition political ads in 1972 might say his boss "voted with the fat cats of cotton on a consumer issue."

CHARLES EVERS

### HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. TIERNAN. Mr. Speaker, there recently appeared in the June 14 edition of the New Yorker magazine, the remarks of Mr. Charles Evers who discussed his recent victory in the mayoralty race in the town of Fayette, Miss.

I feel that Mr. Evers' remarks speak for themselves and I urge my colleagues to read them.

The article follows:

#### NOTES AND COMMENT

Late last month, Charles Evers came to New York and made a speech. Mr. Evers is the man who, on the seventh of July, will become the first black mayor of the town of Fayette, Mississippi. He made his speech at a party given for him by some friends of ours, Arthur and Marian Logan, and listening to it gave us a great deal of pleasure. Mr. Evers did not prepare his remarks. He did not have to. We think what he said is the best speech we have ever heard by anyone running for or elected to the office of mayor. Mr. Evers said:

"All of us have won a victory in Mississippi. All the poor blacks, and all the concerned, scared whites. I'm not going to belittle the whites, because they need help, just as we need help. What ever we have done was made possible by men like Medgar, John, Dr. King, and Bobby. Their lives made it possible not for Charles Evers to get elected but for all Americans in the state of Mississippi to have the right to go to the polls. They wanted to end hate and destruction in our country. This past Tuesday, part of their hope became a reality. Others came and helped us, too. John Lewis came, and he'd just got married. Paul O'Dwyer came all the way from New York just to be there. And many others helped us with their work and their prayers. This is not a celebration for Charles Evers but for all of us—the lesser-known and the better-known. I did nothing special. I don't deserve a pat on the back. It's my duty to do it. Everyone did it—doctors, mothers, fathers, pool sharks, and cabdrivers. I pray every day that I never become anything special. We've also got to mention Governor Rockefeller. He's one of

the few whites who over the years has done something for the poor folks. We know that whatever happens in Mississippi affects the people in New York, and that whatever happens in New York affects the people in Mississippi. We're all God's children. He brought us all here. And those of us who are more affluent have something special to do. I don't mean being braggadocios. But He equipped us to go out and help our brothers. We're going to show the whites down there—the whites who have done so much to hurt us—that it's so easy to do good. We're going to say to all the blacks: Don't get mad, get smart. Don't shoot your brother, and don't bomb him. Just vote him out of office. Because the right will prevail. All the mean folks in this country will someday be gone. And then the country will belong to the good folks.

"You can't blame the kids for what is happening in this country, and you can't blame the blacks. It is the system which has kept us in the corner. But the black mayor and the black aldermen of Fayette are going to behave the same to everyone: young, in-between, old; black, white; rich, poor. We're going to prove this to white America. When you whites come to Fayette, you'll be able to drive there. And if you speed, we'll charge you the same amount we charge anyone. White and black, in our time, will pay the same cost of speeding—a dollar a mile per hour. Now, the mayor gets his salary from traffic fines. And when you win, I lose. I hope they put me out of business. When you get arrested in Fayette, you're not going to be abused. No policeman is going to strike anyone. If I ever hear of any policeman hitting any man, he will be fired in a moment. We are not going to tolerate any brutality. We need industry in Fayette. We got no jobs down there. We're seventy-five per cent of the population of that town, and sixty-five per cent of us blacks are on welfare. Twenty per cent of us are unemployed. The average level of education is less than the fifth grade. The average income is under a thousand dollars. There is not a single playground or swimming pool in town. It's not just the black folks who don't have these things. Nobody does. There are shack houses and no sewers. This is what white America has done to us. But we twelve blacks are going to make it better for blacks and whites. My dad always said, 'Don't ever destroy anything or anybody.' So we're all going to live and struggle together to make it a decent town. There are thirty-nine million poor folks in this country, and we blacks are only twenty-two million. That means there are a lot of poor Mexicans, poor Indians, poor Puerto Ricans, and poor whites—millions of all of us. That's why we're going to be mayor and aldermen for all our citizens. On July the seventh, we take office. On July the eighth, we are going to enact a law that will read something like this: 'Anyone found carrying a gun in this town will be sent to jail for six months.' There ain't nobody going to practice violence in our town. Then we'll issue an order saying that there will be no more discrimination in this town. And any contractor or shopkeeper—anyone—who doesn't comply is going to be prosecuted. Our schools will be open to everybody. There will be one school system, and that's all. Maybe what we do in Mississippi will help our black brothers and our white brothers all over the country. I'm only here to say: Let's help ourselves. Let's not cast anybody off, and let's not hate anybody. I'm not even going to hate that old chief of police, whom I'm going to fire on July the eighth.

"It can be done. It's got to be done. We got no choice. Please, any of you here who are sitting on the fence, get down off it on the right side. Thank you so much. Come visit us in Fayette. Have no fear."

### CHILDREN VICTIMIZED BY PREJUDICE

### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. RARICK. Mr. Speaker, the news that another successful educator has been attacked, resulting in his resignation, because he dared to speak the truth—unpopular and politically unacceptable—is but another of the tragic signs of our times.

Since when does recognition of the simple fact that human beings are different from one another imply a scale of inferiority and superiority?

Educators recognize that children are different—that different techniques should be used in teaching different children, so that they can all achieve the maximum benefits. We do an unpardonable disservice to our children when, bowing before the false god of egalitarianism ad absurdum, we refuse to acknowledge this truth, insist that all children be treated as if cast in the same mold, and hence deny all of our children the benefit of honest education.

I insert as part of my remarks a news item from a recent New York Times:

SCHOOL AIDE QUILTS SAN JUAN POST—VIEW ON NEGRO INTELLIGENCE SPARKS A BITTER DISPUTE

(By Henry Raymont)

SAN JUAN, P.R., June 5.—Herbert E. Warfel, a 66-year-old zoologist, has resigned as superintendent of Puerto Rico's largest private elementary school amid scathing denunciations of his views on race.

The resignation, and its immediate acceptance, was announced this morning by the board of trustees of the Caribbean Consolidated Schools, which operates three English-language schools in the San Juan area with more than 850 pupils.

The action followed bitter criticism by educators and civic leaders here of a speech by Mr. Warfel in which he linked violence on American university campuses to "hereditary inferiority" of Negro students. He also denounced demands for Afro-American studies as "a bunch of hogwash, if I ever heard it."

Mr. Warfel's speech, which he made Tuesday night at a Rotary Club dinner, was featured on the front page of The San Juan Star yesterday.

The educator, who taught at the Universities of Massachusetts and New Hampshire before he came here more than 10 years ago, promptly acquired uncomfortable prominence for his harsh words among Puerto Ricans who are particularly proud of their long record of racial assimilation and amity.

"That was shocking," said Abraham Diaz Gonzales, chancellor of the University of Puerto Rico's Rio Piedras campus, in an interview today. "We have enough problems here without injecting the race issue. What is especially sad is that a man with such archaic views has headed two of our best private schools in recent years."

CHANCELLOR IS SHOCKED

Mr. Warfel, who was born in Indiana and studied zoology at Cornell University, took charge of Caribbean Consolidated Schools three years ago. Before that he was headmaster of St. John's School in Santurce, a residential suburb of San Juan.

In a statement last night accompanying his resignation, Mr. Warfel defended his record as a school administrator here, asserting he had never discriminated against any student, "irrespective of the color of his skin."

He said that his speech before the Rotary Club, of which he is secretary, had been based on "scientific data."

In support of his contention that Negro students displayed "inferior native intelligence" he cited a report issued earlier this year by Dr. Arthur R. Jensen, educational psychologist of the University of California at Berkeley, and an unidentified paper given in 1946 before the American Mammal Society.

In his report, Dr. Jansen theorized that measured mental differences between racial and ethnic groups were rooted in inborn genetic differences. He said that evidence indicated that children from Negro and other disadvantaged groups did poorly in "cognitive" learning—the ability to reason abstractly—while they did well in "associative" learning, which involves rote learning and memory.

Dr. Jensen's findings were challenged by, among others, the policy-making body of the Society for the Psychological Study of Social Issues.

In denouncing demands by black militants on numerous campuses for African studies, Mr. Warfel asked in the speech: "Name me one significant thing that Africa has contributed to the history of the world?"

If society were truly interested in improving educational opportunities for black students, he asserted, "we could help these people to progress by recognizing whatever differences there are and plan our work accordingly."

Few Puerto Rican educators seemed to share Mr. Warfel's premises. The outcry against his remarks was so indignant that he was forced last night to disconnect his private phone as well as to submit his resignation.

## THE CRISIS IN AIR TRANSPORTATION

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 16, 1969

Mr. RHODES. Mr. Speaker, this country faces a crisis in air transportation. Air traffic congestion, already a critical problem in large metropolitan areas, becomes more pervasive each year. Only by taking affirmative action today can we avert the severe dislocation of air transportation services in the future.

The President has recognized that the problem of air transportation cannot be viewed in isolation, but must be considered in relation to our total economic and social structure. The location and expansion of air transportation facilities has a profound effect upon metropolitan growth, business activity, the labor supply and other environmental factors. Its far-reaching importance must be recognized in any long range consideration of the air transportation problem.

Most importantly, Mr. Speaker, the President's proposal recognizes that no longer can we urge the solution to our various national problems by the expending of public funds without considering, as well, the source of the applicable public revenues. Under this proposal, those who will benefit most from the plan

will be those who bear the major portion of the cost; namely, the airline passenger, the air shipper, the private aircraft owner and, of course, the airline. Moreover, the Federal contribution would be supplemented by that of State and local governments on a 50-50 matching basis.

In conclusion, this message presents a reasoned proposal based upon sound fiscal principles with a view towards the solution of a truly national problem. For these reasons, I urge its early consideration by the Congress.

## A LIGHT GOES OUT

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. RODINO. Mr. Speaker, recently many of us in New Jersey lost a friend, a respected and wise counselor, and an inspiration to all those she touched, the late Martha Belle Williams, of Montclair.

Through her own determined efforts to achieve and excel, she belongs in the ranks of those who have set milestones along the path of Negro advancement. Only a short year ago I was privileged and honored to sponsor her for admission to the bar of the U.S. Supreme Court. Mrs. Williams will be missed, but her memory will certainly endure. I join her many friends and admirers in mourning her passing.

An article from the Montclair Times follows:

### A LIGHT GOES OUT—MARTHA BELLE WILLIAMS

A light of kindness, of radiance, of sweetness, of ability, of love went out in this community last week with the passing of Mrs. Martha Belle Williams, the wife of Joseph J. Williams, senior attorney of the Montclair Office of the Essex County Legal Services and a former president of the Young Women's Christian Association here.

Twenty years ago Mrs. Williams reached 2 historic milestones at about the same time: she was elected as the youngest president of a YWCA in the United States and she in company with another woman were admitted as the first Negro women to practice law in New Jersey.

At that time Mrs. Williams reflected great credit upon and served as an inspirational hope for other members of the Negro race. Today, with Mrs. Williams dead at the too young age of 45, it is correct to say that she reflected great credit upon and the memory of her accomplishments serves as an inspirational hope for other young people of good faith, no matter what their race or creed.

Mrs. Williams not only will be sorely missed by the poor people of this community, to whom she offered untold hours of cheerful counsel and advice no matter how serious the problems, but her ability to bring sunshine into any room merely by crossing the threshold will make all in Montclair spiritually the poorer.

The chief characteristic of Martha Belle Williams was the God-given one of love for her fellow-man. It provided her with the opportunity of helping others. There is a great need for others to emulate Mrs. Williams, and she, herself, would want no further memorial than to inspire others to do their part to make the world a better place to live to which Martha Belle Williams devoted herself so conscientiously and successfully.

## DO WE OBEY ONLY THE LAWS WE LIKE

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, recently Mr. Floyd Robertson, assistant to the general director, National Association of Evangelicals, called my attention to an editorial in the June issue of Eternity magazine, concerning prayer in the public schools in Connellsville, Pa., as well as a letter to the editor Mr. Robertson had written in response to that editorial.

As I am in accord with Mr. Robertson, and believe his comments should be of interest to all who share my conviction that the Supreme Court erred in its decision concerning prayer in public schools, I insert the full text, both of the editorial and Mr. Robertson's letter, following my remarks, in the RECORD.

I am still hopeful, Mr. Speaker, that the day may come when the will of the majority of this House will be worked, and that the constitutional amendment I have sponsored jointly with many of my colleagues, will restore the right to our schools and institutions to make reference to God and to read from the Holy Bible in the schools across the Nation.

The material referred to follows:

DO WE OBEY ONLY THE LAWS WE LIKE?

(By Floyd Robertson)

Prayer and Bible reading in the public schools is still an emotional issue. And understandably so.

In a day when crime rates are soaring, when families are disintegrating, when four letter words are commonplace in public and when immorality is increasingly acceptable, it makes sense to inject a little religion into society.

Yet several things disturb us.

One is that some Christian people are taking the law into their own hands and putting Bible reading and prayer back into the curriculum in open defiance of the Supreme Court.

Up to 50% of public schools in the South still have prayer in the schoolrooms. And the same is true about some areas of the North.

Take Connellsville, Pa., for instance. Prayer is compulsory there now, no matter what the Supreme Court said. In fact, the Lord's Prayer and ten verses of Scripture are required each day, the same rite which was declared unconstitutional by the U.S. Supreme Court in 1963.

How can Christian people, who are constantly bewailing the breakdown of law and order in society, disregard the highest court in the United States? Even if we disagree, does that give us the prerogative to disobey? Do we "render unto Caesar" only when we agree with Caesar?

If so, we could ask with Christ, "What do ye more than others? Do not even the SDS members the same?"

Frankly, we don't see much difference between the fine folk in Connellsville and the bearded yuppies in Chicago last August. They were both taking the law into their own hands in behalf of a cause they were convinced was right.

What is the Christian answer to this problem, then?

Well, for one thing, we should have learned by this time that we can't Christianize a

nation by a rite. The Emperor Constantine, who baptized his soldiers en masse in a river, should have taught us a lesson. And a Bible verse a day will not keep immorality away. Indeed, it is precisely such a sugar-coating of religiosity that many young people are rebelling against today.

Secondly, Christians still need to have a clear understanding of what the Supreme Court's ruling said. The fact is that children can still pray in school and they can still read their Bibles. A teacher can read her Bible to the class for educational purposes. What the Supreme Court outlawed was state-controlled religious worship and requiring young people to worship in a way that was contrary to their consciences.

We have heard supposedly intelligent men say that children can no longer pray in school when they wish or that the Bible is outlawed in the classroom. This is not true.

Frankly, we think that Christian young people have even more opportunity to witness today than they did before. When the whole class was forced to bow in prayer, what did it mean for the Christian youngster to join in? Today those who name the name of Christ can have a distinctive witness in the classroom.

Thirdly, concerned Christians still need to approach the problems positively. Rather than condemn the Supreme Court, we need to explore fresh, creative ways of acquainting today's children with the Bible. And there are many ways that this can be done.

We would endorse the book *Religion Goes to School* by James V. Panoch and David L. Barr, which shows how the Bible can be brought into the schools on a legitimate basis.

We would also encourage churches to explore opportunities for released time and after-school programs for public school children in their areas. In many places the doors are wide open for this sort of ministry, but churches refuse (or neglect) to engage in it.

The last chapter in the "prayer and Bible reading in the schools" issue has not yet been written. Many states are grappling with the intricacies of the federal ruling in an

attempt to come up with a responsible alternative. Perhaps, sometime, some place, a solution will be found.

But we should never expect the public school to do the job that parents and churches must do. We've been passing the buck for too long.

COMMISSION ON CHAPLAINS,  
NATIONAL ASSOCIATION OF EVANGELICALS,  
Washington, D.C. June 4, 1969.

Mr. RUSSELL T. HITT,  
Editor, *Eternity*,  
Philadelphia, Pa.

DEAR SIR: Do we obey only the laws we like? You say, "Frankly, we don't see much difference between the fine folk in Connellsville (Pa.) and the bearded yuppies in Chicago last August." This should surprise no one who read your editorial in the June issue of *Eternity*, but the reflection is on your vision and understanding, not the "fine folk in Connellsville."

What "law" was violated when the people in Connellsville read their Bible and prayed in the public school? If the opinions of Thomas Jefferson, Abraham Lincoln, the president of the American Bar Association, and a host of other constitutional lawyers are reliable, a Supreme Court decision applies to the case at issue but is by no means the law of the land. Some politicians, misguided clergymen, magazine editors and a few jurists seem to think the Supreme Court can legislate laws, but they find no support for this in the Constitution.

*Plessy v. Ferguson* (separate but equal doctrine) was decided by the Supreme Court in 1896. The effect of that decision prevailed for many years but a man by the name of Brown out in Kansas refused to accept it as the law of the land. He used the same principle as the "fine folk in Connellsville" are employing and won his point from another Supreme Court in 1954. We hope the "fine folk in Connellsville" will be equally successful with a new Court now in the making.

You ridicule the "rite" of devotional exercises (supported by an overwhelming majority) and opt instead for the James Pan-

och and David Barr approach, whose book, like your editorial, devotes more space to defending the Supreme Court than to their announced subject. Panoch and Barr admit that according to the Supreme Court ruling any use of the Bible in school must have a primary secular purpose and effect unsullied by any religious objective. This deduces the Bible to the lowest common denominator, along with the Communist Manifesto for instances, and the Christian philosophy cannot be given a value any higher than the Marxist doctrine. A teacher who dares to claim superiority for Christianity is apt to be attacked by the vocal minority and compared with "the bearded yuppies in Chicago" for violating the rules.

"Secondly," you say, "Christians still need to have a clear understanding of what the Supreme Court ruling said." Shouldn't this also apply to editors? If children may (as you indicated) pray whenever they wish and the Bible has not been outlawed, then why do you criticize the "fine folk in Connellsville"? They are only reading the Bible and praying whenever they wish.

Were you sincere in your reference to the time "when the whole class was forced to bow in prayer"? If so, you were sincerely wrong. Mr. Justice Douglas said in the *Schempp* decision: "In these cases we have no coercive religious exercise aimed at making the students conform. . . . If it (coercion) be present, it has not been shown." In the New York case he said: "There is no element of compulsion or coercion in New York's regulation. . . ."

You will not find the above facts in *Religion Goes to School*. The questions they answer are the ones they originate, but Panoch and Barr are never guilty of vicious and unwarranted attacks on Christians for doing what "they were convinced was right," which you concede is the proper category for "the fine folk in Connellsville." Yet you do not hesitate to compare these with bearded yuppies willfully violating known laws and openly advocating violence.

Sincerely,

FLOYD ROBERTSON,  
Assistant to the General Director.

## HOUSE OF REPRESENTATIVES—Wednesday, June 18, 1969

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

*Be kindly affectioned one to another with brotherly love; in honor preferring one another.—Romans 12: 10.*

Our Heavenly Father, as we enter the gate of another day may it be in the faith that we are working for Thee and with our fellow Representatives on behalf of our beloved country.

May Thy spirit have full sway in our hearts and in the hearts of our people. Let discord and division be removed, all dissension and discrimination be erased. Make us mindful that we are dependent upon each other, that we need each other and that we must learn to live together on these shores. Help us to respect the rights of others and help others to respect our rights.

Above all remind us that we are here only for a little while and one day will lay down our tools and stand before Thee. At that time may we be unafraid and unashamed because we have been faithful in our stewardship.

In the spirit of Christ we pray. Amen.

### THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 782. Joint resolution making further continuing appropriations for the fiscal year 1969, and for other purposes.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 123. Joint resolution to extend the time for the making of a final report by the Commission To Study Mortgage Interest Rates.

### MAYORALTY RACE IN NEW YORK CITY

(Mr. HAYS asked and was given permission to address the House for 1 min-

ute and to revise and extend his remarks.)

Mr. HAYS. Mr. Speaker, I was delighted to read in the morning press that the Republican voters of New York finally caught up with the mayor of New York City. I could have told them a lot about it, if anybody had asked me, when he was down here in the House. I do not know of any Member in the House in the 21 years that I have been here who did less and got more action in the press than he did. If you can find one single thing he did while he was down here worthy of merit, I would like to have it called to my attention.

### THE OUTLOOK WAS NOT BRILLIANT

(Mr. SYMINGTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SYMINGTON. Mr. Speaker, I simply want, as an ambulatory member of the Democratic baseball team this morning, to congratulate the Republicans on their victory last night, and the fine team