

EXTENSIONS OF REMARKS

MILWAUKEE CHILDREN'S HOSPITAL'S 75TH ANNIVERSARY

HON. GLENN R. DAVIS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. DAVIS of Wisconsin. Mr. Speaker, I take this opportunity today to bring to the attention of my colleagues in the House of Representatives and other civic-minded citizens who will read this issue of the CONGRESSIONAL RECORD, a significant date in the history of Milwaukee Children's Hospital. It was on June 18, 1894, that the dream, courage, and vision of seven dedicated women became a reality with the opening of the hospital for the care of sick and needy children, Milwaukee Children's Hospital was then and remains today, 75 years later, the only independent, nonprofit, nontax supported volunteer hospital in Wisconsin maintained exclusively for children who are provided care regardless of creed, color, national origin, or ability to pay.

The original 10 bed hospital was founded in a rented former residence by Milwaukeeans Mrs. Carol Allis, Mrs. Clara Adler, Mrs. Frank Falk, Mrs. Eleanor Simpson, Mrs. Charles Catlin, Dr. Frances Sercombe, and Miss Alice Bradley. The facility they began has grown during its 75-year history in successive steps to keep pace with demand for its services and to remain abreast of medical progress. Today, the hospital is a modern 200-bed teaching hospital that is the center of pediatric patient care and professional education in Wisconsin. It enjoys a reputation of having one of the finest orthopedic sections of any children's hospital in the world. The so-called Milwaukee brace, designed and perfected by a member of its medical staff has gained worldwide acceptance in the correction of deformities caused by scoliosis.

Milwaukee Children's Hospital is one of just 21 such voluntary hospitals in our great Nation that offers complete patient care for children within a medical school environment. It is affiliated with the Marquette Medical School, and is approved by the Joint Commission on Accreditation of Hospitals, approved by the American Medical Association for internship and residency training; approved by the American Dental Association for dental residency training, and approved by the Wisconsin State Board of Nursing for its program of nursing of children. In addition, it conducts several paramedical educational programs.

The hospital epitomizes volunteer service, Judeo-Christian charity, individual dignity, and community service without reliance on taxes.

Milwaukee Children's Hospital in the first 10 months of its history served only 23 patients. Last year, a total of 9,252 youngsters were treated as inpatients and an additional 34,309 visits were re-

corded in its 41 specialty clinics on an outpatient basis. Those clinics are supported by the United Community Services and are manned by members of the hospital's medical staff who donate their time and professional know-how to aid the less fortunate who come to them for help.

During the illustrious history of the hospital there have been 13 civic-minded women who gave freely of their time and energies to act as president of the board of directors. The following, all representing families long prominent in Milwaukee, Wis., and national service activities are to be commended for their dedication: Mrs. Frank Falk, Mrs. F. E. Finney, Miss Alice Bradley, Mrs. Charles Catlin, Mrs. Emelie Nunnemacher, Mrs. Jackson B. Kemper, Miss Paula Uihlein, Mrs. William C. Frye, Mrs. Michael J. Cleary, Mrs. Alfred J. Kieckhefer, Mrs. Cyrus L. Philipp, Miss Catherine B. Cleary, and Mrs. Erwin C. Uihlein, who presently holds that office.

The volunteer board of directors continues today as in the past to benefit from men and women representative of the leaders in all walks of life in the community. The concept of community service on a volunteer basis that guided the founding group continues under the present administration of Edward J. Logan, a man of long and distinguished experience in the hospital field. There are six auxiliaries with a total membership of 350 women who work without compensation in the hospital helping it through many and varied activities.

Truly, Milwaukee Children's Hospital is representative of the type of community organizations that quietly, efficiently, and effectively have played such a tremendous role in making our Nation great.

It is a beacon, too, to those in foreign lands who seek new ways to improve their own Nation's health. And each volunteer, each professional coming to the Milwaukee Children's Hospital to learn and observe departs enriched by what he or she has seen.

It is a pleasure to direct your attention to the contributions Milwaukee Children's Hospital has made to a better way of life for all of us generally and our children specifically.

SENATE PAGE PAUL THOMAS TUCKER DELIVERS MEANINGFUL VALEDICTORIAN ADDRESS AT 1969 CAPITOL PAGE SCHOOL COMMENCEMENT

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, June 18, 1969

Mr. RANDOLPH. Mr. President, it has been my privilege to have sponsored a number of young West Virginians who have served as pages in the Senate and

who have attended the Capitol Page School. Today, I salute the incumbent Paul Thomas Tucker, of Weirton, W. Va.

As Paul moves into the final week of his service of a year and a half—including the second semester of his junior year and all of his senior year at Capitol Page School—it is appropriate that we extend to him congratulations on his achievements and express gratitude for his exemplary performance both as a Senate page and as a student.

Paul, son of Mr. and Mrs. Fred Tucker, graduated as valedictorian of his Capitol Page School class this year and earned a Harvard University scholarship. He will enter Harvard in September following a summer vacation with his family. I know I express the sentiments of Senators and staff and Paul's associates in the group of pages when I say that his efficient and willing services and his friendly and courteous manner will be remembered. He has our best wishes in his future endeavors.

Paul's valedictory address at the Capitol Page School commencement, held in the House Ways and Means Committee auditorium on June 9, was well structured and was a meaningful and challenging presentation. It was delivered in the forceful manner that has marked this young man's history as a high school oratorical contest winner on several occasions in West Virginia.

Mr. President, I ask unanimous consent to have the text of Paul Thomas Tucker's valedictory address at the 1969 Capitol Page School commencement printed in the RECORD.

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

We stand at the foot of a hill. It is the hill of brotherhood, the hill of human greatness, the hill of world unity. Every generation before us has tried to climb that hill and each has done better than the one preceding it, but no generation has ever reached the top. Tonight, as we receive our diplomas, we begin the ascent of that long hill, and we now ask ourselves if we shall be the first to reach the peak. Past generations are watching us; future generations are depending on us. One false step will send us crashing to the bottom.

In recent years much has been said and much has been written about my generation. Many people, it seems, doubt my generation's ability to achieve success. They look to the future with dismay. I look to America's future as a time when my generation will learn to temper power with wisdom, ideas with action, and hatred with justice. I look to America's future as a time of new horizons, new ideals, and new perspectives.

I feel certain that the majority of the members of my generation feel as I do when I say that I believe in freedom for all. I believe in peace on earth. I believe in compassion for my fellow man. I believe in my generation. It is because of this belief in the capabilities of my generation that I now submit that we can reach the top of that hill. The ascent will be a difficult one. The road is rough and littered with the remnants of generations that have faltered by the wayside.

Our success in reaching the peak will not be a question of ability, for ability we have.

It will not be a question of time, for we are young and time is on our side. It will rather be a question of devotion. Will we as a generation be sufficiently devoted to the tasks of achieving freedom and justice for all and peace among mankind? The answer to this question lies with us and it is a question that cannot long remain unanswered. For we shall never reach the top of that hill unless we now begin to climb. We can no longer afford to sit back and watch things happen; we must move forward and make things happen. We must have perseverance in our efforts; we must have devotion to our cause; but, above all, we must have strength in our convictions. If it is cowardice to attempt to talk instead of fight, then let me be a coward. If it is weakness to want to save human lives rather than destroy them, then let me be weak. I do not agree with those who say it is a sign of weakness to be opposed to fighting. I submit that it takes greater strength to talk than it does to fight, and I believe that my generation has that strength.

But I must now warn all enemies of America, all opponents of freedom and justice, that they shall find in our generation the strongest of adversaries. If we must fight, then fight we will, and we will win.

As I look through the audience tonight, I see many members of my parents' generation, and I thank you now for all you have given us. You have left us a nation the prosperity and strength of which no generation has ever seen before. It can only be with the deepest sense of gratitude to you that we now accept these diplomas for we know that we could not be taking even this first step without your help. But it is now necessary that we ask you to give us even more. I appeal to you to have faith in our potential, and I appeal to you to help us when we are in need of help. Give us knowledge so that we might know; give us strength so that we might be strong.

And so, I now say to you, the members of the graduating class of 1969, that we can reach the summit of that hill of brotherhood. With an unflinching courage, an unflagging devotion to purpose, and a never-ending thirst for the right, we must seek new dimensions of human understanding. To act without haste, to judge without prejudice, and to search without fear, these must be the goals of my generation.

HOUSE JOINT RESOLUTION 486

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. ANDERSON of California. Mr. Speaker, I would like to bring to the attention of my colleagues a resolution by the city of Lawndale, Calif., urging the creation of a Presidential Commission between the United States and Mexico to help control the flow of narcotics and dangerous drugs between our two countries.

This resolution asks the President to set up a joint commission with the Mexican Government as Congressman Dick HANNA and I proposed in House Joint Resolution 486.

Mr. Speaker, it is my hope and that of many people in California that President Nixon can be persuaded to take the necessary steps to set up such a Commission. In the southwestern part of the United States the smuggling of narcotic drugs and dangerous drugs into

the country poses the largest single problem for the collectors of the customs and the Federal courts.

I am including in the RECORD a copy of the resolution by the city of Lawndale and a copy of the bill we have introduced:

RESOLUTION No. 961

Whereas, the most effective way to stop the illicit traffic in narcotics and dangerous drugs into our community is to cut off the supply at its source, there should be established a joint presidential commission between the United States and Mexico to undertake an action program to control the flow of narcotics between the two countries, and

Whereas, in 1959, the Board of Supervisors of the County of Los Angeles requested President Eisenhower to establish a control commission to which he responded by sending a fact-finding team to Los Angeles and other cities to investigate the drug traffic problem, and

Whereas, in 1962, President John F. Kennedy called the first White House Conference on Narcotics and Drug Abuse, and, while there was much discussion and debate, little action resulted, and

Whereas, in March, 1968, Supervisor Kenneth Hahn urged President Lyndon B. Johnson to continue to seek at the presidential level the establishment of a joint commission with, but he could not include it in his program at that time, and

Whereas, in 1947, a joint presidential commission was established to set up controls for hoof and mouth disease which was plaguing cattle on both sides of the border, such a commission is even more needed for the health and safety of our young people whose lives are daily influenced by the ready supply of marijuana, barbituates and other dangerous drugs which must be cut off by striking at the steady stream of illicit traffic across the border of Mexico.

Now therefore, be it resolved, that the City Council of the City of Lawndale, California respectfully requests the President of the United States, the Honorable Richard M. Nixon, to establish a commission with the President of Mexico, the Honorable Gustavo Diaz Ordaz, to halt the illicit flow of narcotics and dangerous drugs between our two countries, and

Be it further resolved that copies of this resolution be forwarded to Secretary of State William P. Rogers, Attorney General John N. Mitchell, Secretary of Health, Education, and Welfare Robert H. Finch and to both California Senators and Representatives in the Congress who represent the County of Los Angeles.

Approved and adopted on this 2nd day of June, 1969.

ARTHUR GRIFFIN,
Mayor.

Attest:

GALE F. DREITBACK,
City Clerk.

H.J. RES. 486

Joint resolution to request the President to negotiate with the Mexican Government for the purpose of setting up a joint United States-Mexican commission to investigate the flow of marijuana, narcotic drugs, and dangerous drugs between the United States and Mexico

Whereas Mexico is the primary source of supply for narcotic drugs and dangerous drugs brought into the southwestern part of the United States; and

Whereas these narcotic drugs and dangerous drugs are subsequently distributed throughout the United States; and

Whereas 100 per centum of the marijuana seized by the enforcement officials in the southwestern part of the United States comes from Mexico; and

Whereas the smuggling of narcotic drugs and dangerous drugs into the United States poses the largest single problem for collectors of the customs and for the Federal courts in the southwestern part of the United States; and

Whereas the use of narcotic drugs and dangerous drugs by juveniles has greatly increased due to the easy accessibility of such drugs from Mexico: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is requested to initiate negotiations with the Government of Mexico for the purpose of setting up a joint United States-Mexican commission to investigate and to recommend appropriate solutions concerning the flow of marijuana, narcotic drugs, and dangerous drugs between said countries.

DEATH OF DAVID WEIDNER IN VIETNAM

HON. J. W. FULBRIGHT

OF ARKANSAS

IN THE SENATE OF THE UNITED STATES

Wednesday, June 18, 1969

Mr. FULBRIGHT. Mr. President, I recently received a letter from Mr. Jack B. Harrison of Hazelwood, Mo., with which he enclosed a moving poem which he had written following the death of a young friend in Vietnam. Mr. Harrison's poem helps to bring home the impact of this war on the tens of thousands of families across this land who have lost their loved ones in this tragedy.

I ask unanimous consent to have his letter and the poem printed in the Extensions of Remarks.

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

HAZELWOOD, Mo.,

May 26, 1969.

Senator J. W. FULBRIGHT,
Senate Office Building,
Washington, D.C.

DEAR Mr. FULBRIGHT: The attached was prompted by the death in Vietnam of David Weidner, St. Louis, on May 12th last.

I have known young Weidner and his family since before he was in grade school.

I, with many others, feel this war was not fought to win, and has become a burdensome and unhappy drain on our manpower and financial resources.

I appreciate your efforts and thoughts in regards to seeking the proper solution to an end.

Sincerely,

JACK B. HARRISON.

IN RETROSPECT

From Asia comes a sullen sound,
And dark clouds drift against the sky;
We tread upon a foreign ground—
In valleys low, on mountains high.

So far from home, and yet the call
To town and village, near and far
Goes out, and young men strong and tall
Are wont to taste the wrath of war.

Call back those few years, if we will—
Remember him we called our son;
The plans we made and would fulfill,
When he was just a little one.

Remember only yards ago
We camped beside a crystal stream;
His eyes were bright in campfire's glow—
The culmination of a dream.

Adventure all alone with Dad—
And as I helped him with his line;
I thought if he were all I had,
I would be rich, since he was mine.

Turn back the clock, bring back those days
 And give us but another year;
 To wander down those old byways
 With him whose memory we hold dear.

Should we not question those who hold,
 Our future lies beyond the sea;
 Should we believe what we are told,
 Although our thoughts do not agree.

And, though we march in foreign lands,
 We feel the course is wrong;
 And ask if this be worth the gift
 Of our sons, brave and strong.

J. B. HARRISON.

TOWARD A NATIONAL URBAN POLICY

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, at the 1969 Syracuse University Honors Convocation, Daniel P. Moynihan delivered one of the most important statements I have read on the need to develop a national urban policy and the social and governmental challenges which now confront our cities. Stressing that groups are now registering demands on a groupwise, rather than individual basis, that many of the new issues shall have to be resolved in policy, rather than program terms, and that the United States today does not have an urban policy. Dr. Moynihan then went on to delineate what he termed "the fundamentals of urban policy." It is that portion of his speech in which Dr. Moynihan suggested 10 basic considerations to be borne in mind when constructing an urban policy, which I insert in the RECORD for the information of the Members of Congress:

THE FUNDAMENTS OF URBAN POLICY

It having long been established that with respect to general codes of behavior eleven precepts are too many, and nine too few, ten points of urban policy may be set forth, scaled roughly to correspond to a combined measure of urgency and importance.

1. The poverty and social isolation of minority groups in central cities is the single most serious problem of the American city today. It must be attacked with urgency, with a greater commitment of resources than has heretofore been the case, and with programs designed especially for this purpose.

The 1960's have seen enormous economic advances among minority groups, especially Negroes. Outside the South, 37 percent of Negro families earn \$8,000 per year or more, that being approximately the nation median income.

In cities in the largest metropolitan areas, 20 percent of Negro families in 1967 reported family incomes of \$10,000 or over. Nonetheless, certain forms of social disorganization and dependency appear to be increasing among the urban poor. Recently, Conrad Tauber, Associate Director of the Bureau of the Census reported that in the largest metropolitan areas—those with 1 million or more inhabitants, "the number of black families with a woman as head increased by 83 percent since 1960; the number of black families with a man as head increased by only 15 percent during the same period." Disorganization, isolation, and discrimination seemingly have led to violence and this violence has in turn been increasingly politicized by those seeking a "confrontation"

with "white" society. Urban policy must have as its first goal the transformation of the urban lower class into a stable community based on dependable and adequate income flows, social equality, and social mobility. Efforts to improve the conditions of life in the present caste-created slums must never take precedence over efforts to enable the slum population to disperse throughout the metropolitan areas involved. Urban policy accepts the reality of ethnic neighborhoods based on choice, but asserts that the active intervention of government is called for to enable free choice to include integrated living as the normal option.

It is impossible to comprehend the situation of the black urban poor without first seeing that they have experienced not merely a major migration in the past generation, but also that they now live in a state almost of demographic siege as a result of population growth. The dependency ratio, in terms of children per thousand adult males, for blacks is nearly twice that for whites, and the gap widened sharply in the 1960's.

Children per 1,000 adult males

White:	
1960	1,365
1966	1,406
Negro:	
1960	1,922
1966	2,216

It is this factor, surely, that accounts for much of the present distress of the black urban slums. At the same time, it is fairly clear that the sharp escalation in the number of births that characterized the past twenty-five years has more or less come to an end. The number of Negro females under age five is exactly the number aged 5 to 9. Thus the 1980's will see a slackening of the present severe demands on the earning power of adult Negroes, and also on the public institutions that provide services for children. But for the decade immediately ahead, those demands will continue to rise—especially for central city blacks, whose median age is a little more than 10 years below that for whites—and will clearly have a priority claim on public resources.

1967 Negro female population

Age:	
Under 5	1,443,000
5 to 9	1,443,000
10 to 14	1,298,000
15 to 19	1,102,000
20 to 24	840,000

2. Economic and social forces in urban areas are not self-balancing. Imbalances in industry, transportation, housing, social services and similar elements of urban life frequently tend to become more rather than less pronounced, and this tendency is often abetted by public policies. The concept of urban balance may be tentatively set forth: a social condition in which forces tending to produce imbalance induce counterforces that simultaneously admit change while maintaining equilibrium. It must be the constant object of federal officials whose programs affect urban areas—and there are few whose do not—to seek such equilibrium.

The evidence is considerable that many Federal programs have induced sharp imbalances in the "ecology" of urban areas—the highway program, for example, is frequently charged with this, and there is wide agreement that other, specifically city-oriented programs such as urban renewal, have frequently accomplished just the opposite of their nominal objectives. The reasons are increasingly evident. Cities are complex social systems. Interventions that, intentionally or not, affect one component of the system almost invariably affect second, third, and fourth components as well, and these in turn affect the first component, often in ways quite opposite to the direction of the initial intervention. Most Federal urban programs have assumed fairly simple cause and effect

relationships which do not exist in the complex real world. Moreover, they have typically been based on "common sense" rather than research in an area where common sense can be notoriously misleading. In the words of Jay W. Forrester, "With a high degree of confidence we can say that the intuitive solution to the problems of complex social systems will be wrong most of the time."

3. A least part of the relative ineffectiveness of the efforts of urban government to respond to urban problems derives from the fragmented and obsolescent structure of urban government itself. The Federal Government should constantly encourage and provide incentives for the reorganization of local government in response to the reality of metropolitan conditions. The objective of the Federal Government should be that local government be stronger and more effective, more visible, accessible, and meaningful to local inhabitants. To this end the Federal Government should discourage the creation of paragonments designed to deal with special problems by evading or avoiding the jurisdiction of established local authorities, and should encourage effective decentralization.

Although the "quality" of local government, especially in large cities, has been seen to improve of late, there appears to have been a decline in the vitality of local political systems, and an almost total disappearance of serious effort to reorganize metropolitan areas into new and more rational governmental jurisdictions. Federal efforts to re-create ethnic-neighborhood based community organizations, as in the poverty program, or to induce metropolitan area planning as in various urban development programs, have had a measure of success, but nothing like that hoped for. The middle class norm of "participation" has diffused downward and outward, so that Federal urban programs now routinely require citizen participation in the planning process and beyond, yet somehow this does not seem to have led to more competent communities. In some instances it appears rather to have escalated the level of stalemate.

It may be we have not been entirely candid with ourselves in this area. Citizen participation, as Elliott A. Grause has pointed out, is in practice a "bureaucratic ideology," a device whereby public officials induce non-public individuals to act in a way the officials desire. Although the putative object may be, indeed almost always is, to improve the lot of the citizen, it is not settled that the actual consequences are anything like that. The ways of the officials, of course, are often not those of the elected representatives of the people, and the "citizens" may become a rope in the tug-of-war between bureaucrat and representative. The bureaucracy increasingly gets its way, and acquires a weapon against the elected officers of "representative" government, but it is not clear that it gets its results. A process of cooptation, of diminished rather than enhanced energies, somehow seems to occur.

Something like this may have happened to those groups seeking to influence opinion on matters of public policy which have been openly or covertly supported by the Federal government. This is a new practice in American democracy. It began in the field of foreign affairs, and has now spread to the domestic area. To a quite astonishing degree it will be found that those groups which nominally are pressing for social change and development in this area are in fact subsidized by Federal funds. This occurs in protean ways—research grants, training contracts, or whatever—and is done with the best of intentions. But, again, with what results is far from clear. Can this development, for example, account for the curious fact that there seems to be so much protest in the streets of the nation, but so little, as it were, in its legislatures? Is it the case, in

other words, that the process of public subsidy is subtly debilitating?

Whatever the truth of this judgment, it is nevertheless clear that a national urban policy must look first to the vitality of the elected governments of the urban areas, and must seek to increase their capacity for independent, effective, and creative action. This suggests an effort to find some way out of the present fragmentation, and a certain restraint on the creation of Federally-financed "competitive governments."

Nathan Glazer has made the useful observation that in London and Tokyo comprehensive metropolitan government is combined with a complex system of "sub-governments"—the London Boroughs—representing units of 200,000–250,000 persons. These are "real" governments, with important powers in areas such as education, welfare, and housing. In England, at all events, they are governed through an electoral system involving the national political parties in essentially their national postures. (Indeed, the boroughs make up the basic units of the parties' urban structure.) It may well be there is need for social inventions of this kind in the great American cities, especially with respect to power over matters such as welfare, education, and housing which are now subject to intense debates concerning "local control."

4. A primary object of Federal urban policy must be to restore the fiscal vitality of urban government, with the particular object of ensuring that local governments normally have enough resources on hand or available to make local initiative in public affairs a reality.

For all the rise in actual amounts, Federal aid to State and local government has increased only from 12% of State-local revenue in 1958 to 17% in 1967. Increasingly, State and local governments that try to meet their responsibilities lurch from one fiscal crisis to another. In such circumstances, the capacity for creative local government becomes least in precisely those jurisdictions where it might most be expected. As much as any other single factor, this condition may be judged to account for the malaise of city government, and especially for the reluctance of the more self-sufficient suburbs to associate themselves with the nearly bankrupt central cities. Surviving from one fiscal deadline to another, the central cities commonly adopt policies which only compound their ultimate difficulties. Yet their options are so few. As James Q. Wilson writes, "The great bulk of any city's budget is, in effect, a fixed charge the mayor is powerless to alter more than trivially." The basic equation, as it were, of American political economy is that for each one percent increase in the Gross National Product the income of the Federal Government increases one and one-half percent while the normal income of city governments rises half to three-quarters of a point at most. Hence both a clear opportunity and a no less manifest necessity exist for the Federal Government to adopt as a deliberate policy an increase in its aid to urban governments. This should be done in part through revenue sharing, and in part through an increase in categorical assistance, hopefully in much more consolidated forms than now exist, and through credit assistance.

It may not be expected that this process will occur rapidly. The prospects for an enormous "peace and growth dividend" to follow the cessation of hostilities in Vietnam are far less bright than they were painted. But the fact is that the American Gross National Product grows at a better than a billion dollars a week, and we can afford the government we need. This means, among our very first priorities, an increase in the resources available to city governments.

A clear opportunity exists for the Federal

government to adopt as a deliberate policy an increase in its aid to state and local governments in the aftermath of the Vietnam war. Much analysis is in order, but in approximate terms it may be argued that the present proportion of aid should be doubled, with the object that the Federal government contribution constitute one-third of state and local revenue on a permanent basis.

5. Federal urban policy should seek to equalize the provision of public services as among different jurisdictions in metropolitan areas.

Although the standard depiction of the (black) residents of central cities as grossly deprived with respect to schools and other social services, when compared with their suburban (white) neighbors requires endless qualification, the essential truth is that life for the well-to-do is better than life for the poor, and that these populations tend to be separated by artificial government boundaries within metropolitan areas. (The people in between may live on either side of the boundaries, and are typically overlooked altogether.)

As a minimum, Federal policy should seek a dollar-for-dollar equivalence in the provision of social services having most to do with economic and social opportunity. This includes, at the top of the list, public education and public safety. (Obviously there will always be some relatively small jurisdictions—"the Scarsdale school system"—that spend a great deal more than others, but there can be national or regional norms and no central city should be forced to operate below them.)

Beyond the provision of equal resources lies the troubled and elusive question of equal results. Should equality of educational opportunity extend to equality of educational achievement (as between one group of children and another)? Should equality of police protection extend to equality of criminal victimization? That is to say, should there be not only as many police, but also as few crimes in one area of the city as in another? These are hardly simple questions, but as they are increasingly posed it is increasingly evident that we shall have to try to find answers.

The area of housing is one of special and immediate urgency. In America, housing is not regarded as a public utility as it is in many of the industrial democracies of Europe, but there can hardly be any remaining doubt that the strong and regular production of housing is very nearly a public necessity. We shall not solve the problem of racial isolation without it. Housing must not only be open, it must be available. The process of filtration out from dense center city slums can only take place if the housing perimeter, as it were, is sufficiently porous. For too long now the production of housing has been a function not of the need for housing as such, but rather of the need to increase or decrease the money supply, or whatever. Somehow a greater regularity of effective demand must be provided the housing industry, and its level of production must be increased.

6. The Federal Government must assert a specific interest in the movement of people, displaced by technology or driven by poverty, from rural to urban areas, and also in the movement from densely populated central cities to suburban areas.

Much of the present urban crisis derives from the almost total absence of any provision for an orderly movement of persons off the countryside and into the city. The Federal government made extraordinary and extraordinarily successful efforts to provide for the resettlement of Hungarian refugees in the 1950's and Cuban refugees in the 1960's. But almost nothing has been done for Americans driven from their homes by forces no less imperious.

Rural to urban migration has not stopped, and will not for some time. Increasingly, it is possible to predict where it will occur, and

in what time sequence. (In 1968, for example, testing of mechanical tobacco harvesting began on the East Coast and the first mechanical grape pickers were used on the West Coast.) Hence, it is possible to prepare for it, both by training of those who leave, and providing for them where they arrive. Doubtless the United States will remain a nation of exceptionally mobile persons, but the completely unassisted processes of the past need not continue with respect to the migration of impoverished rural populations. There are increasing indications that the dramatic movement of Negro Americans to central city areas may be slackening, and that a counter movement to surrounding suburban areas may have begun. This process is to be encouraged in every way, especially by the maintenance of a flexible and open housing market.

But it remains the case that in the next thirty years we shall add one hundred million persons to our population. Knowing that, it is impossible to have no policy with respect to where they will be located. *For to let nature take its course is a policy.* To consider what might be best for all concerned and to seek to provide it is surely a more acceptable goal.

7. State government has an indispensable role in the management of urban affairs, and must be supported and encouraged by the Federal Government in the performance of this role.

This fact, being all but self-evident, tends to be overlooked. The trend of recent legislative measures, almost invariably prompted by executive initiatives, has been to establish a direct Federal-City relationship. States have been bypassed, and doubtless some have used this as an excuse to avoid their responsibilities of providing the legal and governmental conditions under which urban problems can be effectively confronted.

It has, of course, been a tradition of social reform in America that city government is bad and that, if anything, state government is worse. This is neither true as a generalization nor useful as a principle. But on the other hand, by and large, state governments, with an occasional exception such as New York, have not involved themselves with urban problems, and are readily enough seen by mayors as the real enemy. But this helps neither. States must become involved. City governments, without exception, are creatures of state governments. City boundaries, jurisdictions, and powers are given and taken away by state governments. It is surely time the Federal establishment sought to lend a sense of coherence and a measure of progressivism to this fundamental process.

8. The Federal Government must develop and put into practice far more effective incentive systems than now exist whereby State and local governments, and private interests can be led to achieve the goals of Federal programs.

The typical Federal grant-in-aid program provides its recipients with an immediate reward for promising to work toward some specified goal—raising the educational achievement of minority children, providing medical care for the poor, cleaning up the air, reviving the downtown business district—but almost no reward for actually achieving such goals, and rarely any punishment for failing to do so.

It is by now widely agreed that what Federal grant-in-aid programs must reward is dissimulation. By and large the approach of the Federal Government to most urban problems is to provide local institutions with money in the hope they will perform but with no very powerful incentives to do so.

There is a growing consensus that the Federal Government should provide market competition for public programs, or devise ways to imitate market conditions. In particular, it is increasingly agreed that Federal aid should be given directly to the consumers of the programs concerned—indi-

viduals included—thus enabling them to choose among competing suppliers of the goods or services that the program is designed to provide.

Probably no single development would more enliven and energize the role of government in urban affairs than a move from the monopoly service strategy of the grant-in-aid programs to a market strategy of providing the most reward to those suppliers that survive competition.

In this precise sense, it is evident that Federal programs designed to assist those city-dwelling groups that are least well off, least mobile, and least able to fend for themselves must in many areas move beyond a services strategy to an approach that provides inducements to move from a dependent and deficient status to one of independence and sufficiency. Essentially, this is an income strategy, based fundamentally on the provision of incentives to increase the earnings and to expand the property base of the poorest groups.

Urban policy should in general be directed to raising the level of political activity and concentrating it in the electoral process. It is nonetheless possible and useful to be alert for areas of intense but unproductive political conflict and to devise ways to avoid such conflict through market strategies. Thus conflicts over "control" of public education systems have frequently of late taken on the aspect of disputes over control of a monopoly, a sole source of a needed good. Clearly some of the ferocity that ensues can be avoided through free choice arrangements that, in effect, eliminate monopoly control.

9. The Federal Government must provide more and better information concerning urban affairs, and should sponsor extensive and sustained research into urban problems.

Much of the social progress of recent years derives from the increasing quality and quantity of government-generated statistics and government-supported research. However, there is general agreement that the time is at hand when a general consolidation is in order, bringing a measure of symmetry to the now widely dispersed (and somewhat uneven) data-collecting and research-supporting activities of the Federal government, such consolidation should not be limited to urban problems, but it must surely include attention to urban questions.

The Federal government should, in particular, recognize that most of the issues that appear most critical just now do so in large measure because they are so little understood. This is perhaps especially so with respect to issues of minority group education, but generally applies to all the truly difficult and elusive issues of the moment. More and better inquiry is called for. In particular, the Federal government must begin to sponsor longitudinal research designed to follow individual and communal development over long periods of time.

It should also consider providing demographic and economic projections for political subdivisions as a routine service, much as the weather and the economy are forecast. (Thus, Karl Tauber has shown how seemingly unrelated policies of local governments can increase the degree of racial and economic differentiation between political jurisdictions, especially between central cities and suburbs.)

Similarly, the extraordinary inquiry into the educational system begun by the U.S. Office of Education under the direction of James S. Coleman should somehow be established on an ongoing basis. It is now perfectly clear that little is known about the processes whereby publicly-provided resources affect educational outcomes. The great mass of those involved in education, and of that portion of the public which interests itself in educational matters, continue undisturbed in the old beliefs. But the bases of their belief are already thoroughly undermined and

the whole structure is likely to collapse in a panic of disillusion and despair unless something like new knowledge is developed to replace the old. Here again, longitudinal inquiries are essential.

Much of the methodology of social science originated in clinical psychology, and perhaps for that reason tends to be deficiency-oriented. Social scientists raise social problems, the study of which can become a social problem in its own right if it is never balanced by the identification and analysis of social successes. We are not an unsuccessful country. To the contrary, few societies work as hard at their problems, solve as many, and in the process stumble on more unexpected and fulsome opportunities. The cry of the decent householder who asks why the profession (and the news media which increasingly follow the profession) must be ever preoccupied with juvenile delinquency and never with "juvenile decency" deserves to be heard. Social science like medical science has been preoccupied with pathology, with pain. A measure of inquiry into the sources of health and pleasure is overdue, and is properly a subject of Federal support.

10. The Federal Government, by its own example and by incentives should seek to add to the amenities of the urban environment.

Although there is little that can be stated with confidence in this area, it is hardly to be disputed that most American cities are far uglier than they need be, and that part of this ugliness is allowed, if not indeed rewarded by Federal programs.

Social peace is a primary objective of social policy. To the extent that this derives from a shared sense of the value and significance of the public places and aesthetic value of the city, the Federal government has a direct interest in encouraging such qualities.

Daniel J. Elazar has observed that while Americans have been willing to become urbanized, they have adamantly resisted becoming citified. Yet a measure of this process is needed. There are not half a dozen cities in America whose disappearance would, apart from the inconvenience, cause any real regret. But to lose one of those half-dozen would plunge much of the nation and almost all the immediate inhabitants into genuine grief. Something of value in our lives would have been lost, and we would know it. The difference between those cities that would be missed and those that would not be resides fundamentally in the combination of architectural beauty, social amenity, and cultural vigor that so sets them apart. It has ever been such. To create such a city and to preserve it was the great ideal of the Greek civilization, and it may yet become ours as we step back ever so cautiously from the worship of the nation state with its barbarous modernity and impotent might. We might well consider the claims for a different life asserted in the oath of the Athenian City-State:

We will ever strive for the ideals and sacred things of the city, both alone and with many;

We will unceasingly seek to quicken the sense of public duty;

We will revere and obey the city's laws;

We will transmit this city not only not less, but greater, better and more beautiful than it was transmitted to us.

INDEPENDENCE DAY SALUTE TO ISRAEL

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. POWELL. Mr. Speaker, the State of Israel is a tribute to the very idea of

national independence. Israel has maintained a vigilant watch over her framework of democratic ideals and institutional structure since her independence on May 15, 1948. It would almost seem unnecessary to note this historic event. Each and every day is a testament to Israel's ability to remain a viable nation despite the many obstacles which beset her.

Israel's strength must be viewed in light of her receptiveness to the ideals of democracy, and also in terms of the historical setting. The forefathers of the Israelis were the ancient Hebrews who made the journey to Canaan under the hand of Abraham. Four hundred years later they again journeyed back to the Promised Land—Israel—led by Moses.

The long and arduous search for the promised land has continued since the Jewish people lost control of their country to the Romans. Through the 20 centuries that have passed they have carefully preserved their identity, heritage, and unity. I suppose the most obvious example of Israel's tradition would be the maintenance of the Jewish religion and the Hebrew language.

In the path of Israel's development have come economic, political, and social progress which, relative to their scale, are perhaps unparalleled in recent history. Economic development has been especially phenomenal. If we look at the first days of Israel's independence, the economy at that time stood close to the level of that of other developing countries. Israel was far down the scale in degree of economic development when compared with Western European countries, and only about a quarter of that of the United States. Since that time Israel has achieved a relative economic position superior to that of some Western European countries. Indeed, it has outstripped countries like West Germany, Holland, and Finland on a per capita basis. Small though she is, Israel today maintains her status as a power in the Middle East and seems likely to remain in that position for some years to come.

Agricultural development is most impressive. The amount of land under cultivation has almost tripled since 1948. About 412,000 acres are presently under cultivation. Just 20 years ago only 75,000 acres were under cultivation. At the same time Israel has moved to diversify her economy, by increasing the role of industry. By 1967 farming contributed only 10 percent of the national income, while mining and manufacturing accounted for 25 percent.

With Israel's economic achievements have come important steps toward political and social progress. She has maintained a particularly close attachment to parliamentary democracy founded on the freedom and responsibility of government. The Israelis zealously guard freedom of worship, speech, association, assembly, and the press.

As a world power Israel has maintained excellent relations with the United States and the world community within the United Nations, despite the unfortunate conflict with her Arab neighbors.

In closing, Mr. Speaker, may I express the hope that the peace which we all desire may soon come to the Middle East.

Given peace for all the nations of the area, Israel has much to offer in leading the way to economic and social progress.

THE FUTURE OF AMERICAN POLITICS

HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. JOHNSON of Pennsylvania. Mr. Speaker, one of my constituents, and a good friend, Samuel E. Leshner, of Bradford, passed away on June 9, 1969. He recently retired from the clothing business, and though over 70 years of age, enrolled as a student of political science at the Bradford campus of the University of Pittsburgh. One of his assignments was to write his concept of "The Future of American Politics." His family has been kind enough to send me a copy of his statement, which I am pleased to submit for the RECORD, as follows:

THE FUTURE OF AMERICAN POLITICS—A POINT OF VIEW

(By Samuel E. Leshner)

Nothing, it seems to me, is a more powerful and direct expression of human nature than politics. The form of government may differ from nation to nation and from period to period throughout human history, but the challenges and temptations are strangely similar. And so are the human responses—in terms of motivations, frustrations, satisfactions and the like. Wherever and whenever people swarm, the need for leadership exists—if only to direct traffic and establish the claims of identity and common purpose. This is as true of a college class or club or clique as it is of a university itself vis-a-vis other universities. And it is as true of a village and county and state as it is of a nation among nations.

Heaven knows, this is an obvious statement of fact. And it is no less obvious that wherever the need for leadership exists potential leaders emerge and present themselves—in numbers that forever exceed the situation's immediate requirement. And with that begins the contest, the conspiracy, the power struggle—however gigantic or minuscule—however deft or ruthless—however profane or noble. The struggle, no matter where the arena and no matter what the terms, is inevitable. It is a struggle to achieve power—and thereafter to hold onto its scepter in the face of those who would snatch it away.

The history of man could be written—and in fact largely has been—in terms of this power struggle. From sword and poisoned cup and guillotine to betrayals in smoke-filled rooms, the mechanics may differ from time to time and place to place but the nature of the contest and the need for at least some degree of conspiracy remain more or less constant.

There is also the persistent and seldom submerged contest between the leaders and the led. For blood and sweat and tears are needed for support and survival—and it is the lot of the led to supply them. In modern terms, it costs money to support a government—its needed operations and its self-determined payrolls—and that means revenues mostly too little and too late out of taxes forever too high. From this usually one-sided contest between king and subjects—or between bureaucrat and taxpayer—there can be little or no retreat. And even where the government is of the people, by the peo-

ple and for the people, the built-in contests show no signs of perishing from the earth. . . .

And so the pulling and hauling that identifies our American political scene, from the precinct level to the highest towers of our Federal government. Hence, the divisions that all too often exceed the limitations of wholesome debate, the fractures that threaten fragmentation in areas where greater unity of purpose is needed; hence the corruptions engendered by political power; hence the costly collisions and collusions among forces; the conspiracies that would influence elections, government investments leading to waste; hence, even social upheavals and leading court decisions based as often upon changing political considerations as upon the law of the land.

Truly we live in troubled times. Our ship of state rides with shivering timbers in a storm-tossed political sea. Sometimes as we read our papers and magazines and follow the network's political newscasts we are moved to say with the spirit Ariel in Shakespeare's *Tempest*, "Hell is empty; and all the devils are here!"

What, then of the nation's political future—the system which has survived a number of earlier and certainly serious storms? Will it collapse under the assault of even more rugged circumstance? Are its days, like those of other political experiments, definitely numbered? Or will its system of built-in checks and balances, its comparatively commodious response to the changing needs of people, survive and continue in service to the affluent society which it undeniably helped to create and bring to fruition.

The answer as I see it—and I hasten to suggest that I am hardly an expert—is reflected solely in the answer to another question: What of human nature? Has human nature, not alone on these shores, but in the world at large enough goodness and faith and idealism—mixed in with common sense—to deal fairly with itself, meaning the other fellow along with oneself? Or is mankind deeply and irrevocably convinced that there is no god but power and no throne and scepter but money?

Old Benjamin Franklin, stepping outside after attending the birth of our nation, identified our form of government as: "A republic, if we can keep it!" And his "we" meant you and I. Uncle Ben also said another thing worth remembering and applying to the situation in our country and the world today. He told the Constitutional Convention, already beginning to haggle over political considerations, "Gentlemen, we'd better hang together, or we'll all hang separately."

And that's just about as far as I feel I can afford to go in the direction of prophecy. The people of this country and the leaders we elect to office can certainly hang together. Or—we can hang separately. The choice is up to us. Our political system is ready to oblige us either way.

ALABAMA INTERNATIONAL MOTOR SPEEDWAY AT TALLADEGA, ALA.

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. NICHOLS. Mr. Speaker, I am extremely pleased that Mr. Bill France, of the Daytona International Motor Speedway, has selected my congressional district and particularly my home county, to construct a new motor speedway. The first speed tests are scheduled to begin

early in August and the first weekend of racing is now set for September 13 and 14.

I hope that any of our colleagues who are racing fans will plan to come to the Alabama International Motor Speedway at Talladega for the inauguration of this fine track. This article, which appeared in the Birmingham News recently, gives more details about the track and I include it in the RECORD at this point:

TICKETS BEING MAILED—FIRST TESTS SET AT TALLADEGA AUGUST 9

(By Clyde Bolton)

The first lap at speed at Alabama International Motor Speedway apparently will be turned in two months.

Roger Bear, promotions director for the 2.6-mile super-track, said Ford and Good-year will begin a week of tests on Aug. 9.

Firestone, the other principal builder of stock car racing tires, probably will follow the next week, he said.

Bear said the track had not been informed who the driver or drivers for the tests would be.

Tire companies normally run tests well before a major Grand National event in an attempt to come up with a proper compound for the particular track. Racing teams, such as Ford's sometimes lease a track for practice, too.

The first weekend of racing at the \$4 million speedway is Sept. 13-14. The Bahama 400, a Grand Touring race, is set for that Saturday with the Talladega 500, a Grand National event, the next day.

Bear said construction continues on schedules. Paving is well under way and steps for the grandstands have been installed.

Mailing of tickets has begun, and the demand indicates a crowd of 100,000 for the Talladega 500, Bear said.

Although no ticket count has been made, the money taken in indicates advance sales are just below those of the Daytona 500 at a comparable date, he said.

The Daytona 500 drew the South's largest sports crowd, 101,000. Bear said AIMS anticipates more of a day-of-the-race sale than Daytona normally has, though.

Plenty of tickets are available. Ticket order blanks can be acquired by writing to Ticket Dept., Alabama International Motor Speedway, Talladega, Ala.

EXCERPTS FROM ADDRESS BY CLARENCE PALMBY, ASSISTANT SECRETARY OF AGRICULTURE

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. ZWACH. Mr. Speaker, one of the most informative, factual statements that has recently been issued from the Department of Agriculture was given in an address by the Assistant Secretary for International Affairs and Commodity Programs, Mr. Clarence Palmby, at Kansas City on May 27.

Mr. Palmby spoke at the Third National Feed Production School held in conjunction with other functions of the American Feed Manufacturers Association.

The contents of this entire message provides the base or cornerstone for Congress to consider as we develop plans or conduct hearings on a new farm pro-

gram to replace the expiring one at the end of 1970. I have taken the liberty of editing the address and repeating these entire sections that I believe are most pertinent. Copies of the complete address can be secured from the Department. The excerpts follow:

EXCERPTS FROM ADDRESS BY CLARENCE PALMBY, ASSISTANT SECRETARY OF AGRICULTURE, MAY 27

Total feed grain utilization, stoked by increased animal units in the United States and stepped up rates of feeding, is running at a record level. This heavy domestic consumption of feed grains this year will more than off-set a 23 percent decrease in exports. Total utilization is exceeding 1968 production by almost 5 million short tons—which will bring the prospective carryover to 44 million tons, as compared with about 48 million at the beginning of the 1968/69 season.

Corn has accounted for much of the increased disappearance of feed grains this year. "Free" stocks on April 1 were less than 2.0 billion bushels and were well below prospective April-September requirements. That will mean some withdrawal of stocks from the loan program or from CCC inventory. The corn carryover is now expected to be reduced to around 925 million bushels—about 20 percent less than on October 1, 1968.

The October 1 carryover of grain sorghums, if disappearance estimates are realized, will be slightly larger than last season but below the 1962-66 average.

Demand for high protein feeds also has been comparatively strong this year. Consumption of these feeds in October-March was up 6%.

Wheat feeding this year is expected to total around 200 million bushels, about a third larger than last year and the most since World War II. The corn and wheat price margin has greatly narrowed, as April prices reveal. That month farmers received \$2.13 for 100 pounds of wheat—only 13 cents more than corn. With corn prices expected to hold firmer this summer than last, seasonal weakness in wheat prices at harvest time would further reduce the margin and stimulate heavy wheat feeding this summer.

PROSPECTS IN 1970'S BASICALLY FAVORABLE

I want to turn now to the subject assigned me here today—the world feed situation in the 1970's. Let me say right off that prospects are basically favorable. There will be problems and some of them are potentially serious, but I think the favorable factors will outweigh the less favorable.

The brightest single factor in the world feed situation ahead is the economic growth that is taking place all over the globe. In my opinion this growth will continue in the 1970's and beyond.

The U.S. Growth rate, as measured in terms of gross national product per capita, is increasing at an annual rate of about 4½ percent a year. Europe's rate is rising at about 2 percent. Japan is registering a phenomenal increase of about 12½%. And what may be highly significant from the standpoint of the future is the growth of the less developed countries, which as a group have a surprisingly high growth rate of about 3 percent.

We know that a strong economy encourages high consumption of feed. The cause-and-effect chain works this way: Economic growth supports jobs and purchasing power. Ability to buy stimulates diet upgrading—usually reflected in increased consumption of red meats and poultry. This increased consumption, in turn, calls for enlarged herds and flocks, which mean increased use of feedstuffs. The currently heavy consumption of feedstuffs in the United States basically reflects a prosperity situation, although favorable price ratios also are playing a role.

What's encouraging about world economic growth is the big potential that exists abroad. Most foreign countries have far to go before they even approach America's consumption of red meats and poultry.

U.S. Consumption of red meats is the world's fifth largest. We are exceeded in our meat-eating only by Uruguay, New Zealand, Argentina, and Australia. With an annual consumption of about 180 pounds per person—and further expansion in prospect—our consumption compares with 138 pounds in Great Britain, 124 in West Germany and Austria, 71 in the Soviet Union, 67 in Italy, and only 20 in Japan. As you can see there's much room for further expansion of meat consumption and U.S. feed sales.

U.S. consumption of poultry meat has been running at about 48 pounds, whereas Europe's rate ranges downward from 23 pounds in France and 20 in Great Britain to 9 in Denmark, Japan's poultry consumption is only 6 pounds per person.

We are vigorously exploiting these possibilities through the market promotion work being carried on cooperatively by trade groups and the Department of Agriculture in some 70 countries. This program, another of the favorable long-term factors of the 70's, is helping us capitalize on the trade-expanding climate that economic growth is creating around the world.

Our own strong agricultural plant is one of the most favorable factors we have going for us as we head into the 1970's. Nowhere in the world is there such an ideal combination of soil and climate as we have in the U.S. These natural blessings, plus a superb technology, have enabled us to produce feed grains and soybeans more efficiently than any other country.

It is universally recognized that the United States is the world's most reliable supplier of feedstuffs. That reputation will continue to stand us in good stead in a world that is almost desperately eager to enjoy the good things that science and technology can make available. But our strategic position does not give us a "lock" on a big importer, such as Japan, just because that country up to now has looked to us as a major source of supply. Our efficiency gives us an advantage in the fight for export markets only if we satisfy our foreign customers with dependable supplies at reasonable prices.

It would be hard to overemphasize that expression "reasonable prices." Our preeminent place as a supplier of feedstuffs has been built on a pricing policy that allowed our products to compete. We get into trouble only when we deviate from that policy. Three years ago, we set price supports for soybeans at a level that was too high. The effect was to increase competition for soybeans and products both here and abroad. What happened: Fishmeal imports have cut into soybean meal demand in this country. Fishmeal imports will replace 750,000 tons of soybean meal equivalent this year. Another competitor is a synthetic product—urea—which this year will also replace 750,000 tons of soybean meal equivalent. Abroad, we ran into increased competition from sunflower seed, rapeseed, and fish meal and oil.

So this year the Department of Agriculture had to decide whether to continue a price support policy that was damaging the soybean industry or to resume a course that would permit growth. The decision was to reduce the support level. Decisions always are difficult when farm prices are concerned, but in this instance the longtime welfare of soybean farmers and the industry generally called for a change.

Efficiency in feed production has been a major factor in holding down farmers' livestock production costs. The comparisons between what farmers pay for feed and for other items of cost are startling. In 1968 farmers paid 24 percent more for buildings and fencing than in 1954; they paid 55%

more for farm machinery; they paid 80% more for wages. But for feed, they paid 9 percent less than in 1954. Consumers gain from this, of course. When livestock producers can produce at lower input cost, they produce more product at lower cost.

PROBLEMS

But as I mentioned earlier, there are some problems that will create trouble for the feed industry in the 1970's. Many of these problems, as today, involve our export markets in one way or another.

Protectionism, of course, is high on the list of the problems we face. Protectionism hits us several ways, as can be demonstrated by examining the situation in our largest single market for feedstuffs—the European Community.

The Community's common agricultural policy for grains sets producer prices at levels well above world prices—about two-thirds above, as a matter of fact. These prices are insulated from the influence of world prices by means of fixed threshold or import prices maintained by levies that vary with changes in world prices.

An important ingredient of the system is a built-in preference for trade among member countries of Community grains as compared with grains from outside countries. The preference established for producers is maintained by keeping threshold prices—the prices that must be paid for non-Community grain—above prices at which trade takes place among Community countries.

Surpluses produced under the stimulus of the high protected Community prices are disposed of in the commercial world market for what they will bring. This is done by means of export subsidies which the Community refers to as "restitutions." By whatever name they hurt us in other countries. Let me cite two examples:

In the Japanese fiscal year that ended March 31, 1968, the United States sold Japan 108,000 short tons of barley; France sold Japan about 14,000 tons. In the fiscal year ending in 1969, however, U.S. barley sales dropped to only 9,000 tons, but France's sales—reflecting wide use of "restitutions"—soared to 500,000 tons.

About two weeks ago Taiwan purchased 1.7 billion bushels of French feed wheat from the European Community at a price of \$47.85 per metric ton, delivered to Taiwan. This fire sale price represented an export subsidy greatly in excess of the actual selling price at French ports. The lowest possible price for U.S. soft wheat delivered to Taiwanese ports for nearby delivery is about \$65.00 per metric ton.

The feed wheat purchased by Taiwan from the Community replaces U.S. No. 2 yellow corn or Thai maize in feed formation. The price for U.S. corn delivered to Taiwan for the same period is about \$65.00 per metric ton.

The poor business judgment being exercised by the Community in offering feed wheat at irresponsible prices is impossible to explain.

Year after year the Community has increased the target price for corn and grain sorghum to force a greater substitution of domestically produced wheat and barley for imported corn and sorghum, as well as to encourage corn producers through denaturing subsidies to utilize more wheat as animal feed. As a result of these and other moves, the use of feed wheat in the Community has increased from an average of 4.5 million short tons in the 1956-60 period to 7.7 million last year.

The competitive position of grain sorghum in three major Community markets—West Germany, Netherlands and Belgium—has been badly crippled as the threshold price differential between corn, grain sorghum and barley has been narrowed. As a result Community-produced barley and wheat have nearly completely replaced grain sorghum in

livestock and poultry rations in the Community.

The Community's policy of protectionism also has encouraged imports into the Community of many other feed ingredients as substitutes for cereals. The import charges for such ingredients as cowpeas, manioc, corn gluten meal, corn gluten feed and numerous other items encouraged substantial increases in their importation and use in feed formulation.

It could be that soybeans, the U.S. miracle crop, is also running into protectionist problems in Europe. Let me say a few words about it.

We have had a trade with the Community in oilseeds, vegetable oils and meal of almost \$500 million annually. But the policy makers in the Community are now debating a proposal that may greatly damage that trade. Specifically, the proposal as recommended by Dr. Mansholt, Vice President of the European Community Commission, would constitute an internal tax of \$60 a metric ton on vegetable and marine oils and \$30 a metric ton on oil cakes. The tax on oils would be aimed at discouraging the consumption of margarine in lieu of butter. The tax on meal would have the objective of bringing the price of meal more nearly in line with cereals and to discourage further increases in milk production.

The United States has vigorously opposed this proposal. We have made it known to officials of the Community and of the member countries that such a tax would seriously affect our trade and U.S.-Community relations. We have advised them that if the tax should be adopted, the United States will move swiftly to restore the balance of trade advantage between us. All in all, it's the most serious protectionist problem yet faced by American agriculture.

What feed use patterns can we look for in the Community in the 1970's?

There are signs that the Community is taking a closer look at its agricultural programs. I heard many expressions of concern from business and industry leaders while in Europe on my recent trade trip. That's encouraging. But a person would have to be far more optimistic than I am to see any early, meaningful change in the protectionist pattern that the Community has set for its agriculture. I am afraid that until the Community, the United States, and other trading nations decide that national farm policies, as well as tariffs and nontariff barriers, should be negotiated, we can look for a continuation of the protectionist problems we have had to face up to in recent years.

Rising competition will be a problem in the 1970's.

Production gains continue in most of the surplus producing countries. As compared with the early 1960's, Argentina has upped corn production by 44 percent and France by 97 percent. France has stepped up barley output by 25 percent, and Canada by 89 percent. The Soviet Union has expanded production of sunflower seed, which competes with our soybeans and cottonseed. Canada has boosted wheat production by 21 percent and Australia by 75 percent. And so it goes.

Crop production also is rising in most of the developing countries, but notably in India, Pakistan, and the Philippines. In these countries, there has been a marked expansion in use of fertilizer and machinery. There has been improvement in irrigation, storage, and transportation. There has been establishment of extension services and production credit. New strains of wheat and rice are making an extremely significant contribution.

The dwarf wheat developed in Mexico already has spread rather far in Asia. In India and Pakistan, Mexican wheat now covers about 15 to 20 percent of the total wheat acreage. Wheat production in West and South Asia in 1969 may be about 20 percent

higher because of the new wheat varieties. Such increases really are a tremendous achievement, especially so for countries that are always walking a nutritional tight-wire.

However, there are several factors that will probably impede expansion of the new wheat. A substantial part of available irrigated acreage has already been planted to dwarf varieties; farmers lacking reliable irrigation cannot afford the risk of borrowing money for fertilizer and chemicals required to produce the new grain. As production increases, farm prices may fall and the priority given to agriculture by the governments of these countries may lessen. Unless the marketing and distribution facilities are improved, price declines may give farmers much less incentive than at present to adopt the new varieties and produce more with them.

When we talk about increasing competition, let's not forget feed wheat, which is becoming a growing factor in world grain trade.

Several things are stimulating feed wheat use. I have already discussed the protectionist policies of Western Europe, which encourage wheat production over and above usual food and feed requirements. There is the increasing production of Mexican hybrids in the developing countries, which probably will mean some reduction in their demand for coarse grains as well as some decline in the food-aid drawdown on wheat supplies of the United States, Canada, and Australia. Also, there is the U.S. wheat program, which allows market prices of wheat to come closer to coarse grain prices than was the case some years ago.

How much wheat we'll feed in this country in the 1970's is rather hard to estimate at this time. The 200 million bushels that we'll feed this year reflect some rather unusual situations—heavy wheat supplies all over the world, smaller world volume of trade, the withdrawal of Japan from our market for several weeks, a dock strike. It is conceivable that these influences brought prices of wheat and coarse grains closer together than we would normally expect, even with the type of wheat program that we have. Assuming that we continue with wheat and feed grain programs of the type we now have, we certainly will feed substantially more wheat than the 50 to 60 million bushels fed in the late 1950's. It is conceivable that in future years the United States may feed substantially more than the 200 million bushels that will be fed this year.

There are two technological developments taking place in the United States. Their full potential cannot be fully visualized at this time, but both must be recognized as possibilities of major magnitude as they may affect future feed formulation. These are: (1) The development of hybrid wheat, and (2) the near perfection of high selective amino acid corn.

It is entirely conceivable that during the decade of the 70's, the traditional Midwest cropping pattern may be changed to accommodate high yielding hybrid wheat varieties and high selective amino acid corn.

If high yielding hybrid wheat varieties are further perfected, it is entirely possible that this grain may in increasing volume find its way into feed channels, possibly at the expense of the old standby—corn.

If commercial high selective amino acid corn is further perfected, it is possible that an increasing volume of this new ingredient may find its way into feed formulation and to a degree at the expense of soybean meal and other high protein ingredients.

It will be interesting to note the change in cropping patterns, not only in the United States but in other countries as still more technical breakthroughs become a reality.

Aside from the possible effects of new technology, use of feed wheat in the industrialized countries as a whole is expected to increase in total as well as in relation to use

of coarse grains for feed. Projections of the Organization for Economic Cooperation and Development indicate that use of bread grains, mainly wheat, in the OECD countries will show an increase of about 40 percent by 1975, as compared with 1961-63. The OECD countries include Canada, the United States, the European Community and other Western European countries, Japan, Australia, and New Zealand. The OECD also estimates that feed wheat use in 1975 will be equivalent on a tonnage basis to 11 percent of coarse grain use as compared with 8 percent in 1961-63.

A few other statistics may be of interest. For the developed countries as a whole, grain consumption this year is estimated at 608 million short tons, of which 76 percent or 464 million short tons can be identified as indirect consumption. Of these developed countries, the United States is by far the largest feeder. Our use of grain for feed and industrial use accounts for 38 percent of the world total. Next is Western Europe, with 25 percent; the USSR with 21; Eastern Europe with 10; Canada with 4; and Japan with 2.

IN CONCLUSION

Well, these are the things—favorable and less favorable—that will shape the feed situation in the 1970's. Altogether, it's an encouraging future that feed producers and the feed industry are heading into.

Here at home our population continues to expand. We're now a nation of 202 million. We are adding 2 million people each year. That's equivalent to adding two Metropolitan Kansas City Areas to our population annually.

With our expanding human numbers, we are not only eating more meat and poultry in total, but also more per capita. As compared with the late 1950's, our consumption of all red meats has increased by 17 percent—and beef by 33 percent. Poultry meat consumption is up 34 percent. These substantial increases far more than offset moderate declines in consumption of fluid milk and eggs.

The export situation for fed grains is less bright than the domestic picture. It appears now that our feed grain exports will gain at a rate of 6 to 7 percent a year in the early 1970's. *I would hasten to add that this projection is subject to change without further notice.* The 6 to 7 percent increase, however, means exports in 1975 of about 27 million short tons as compared with 18.0 million this current marketing year. Assuming that we maintain our present access situation in the European Community, we estimate that soybean exports in 1975 will be about 430 million bushels as compared with 285 million this year and that shipments of soybean meal will be over 4.0 million tons, as compared with 2.7 million this year.

So I say again: It's an encouraging future that American feed producers and the American feed industry face in the years immediately ahead. And it's a satisfying future. Feed producers and the feed industry are essential parts of a livestock economy that is doing so very much to make American agriculture great. You should feel proud—and I'm sure you are—to be part in these fast-moving days of some really important action.

CONGRESSIONAL DUTIES LEAVE
NO TIME FOR LAW PRACTICE

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. HUNGATE. Mr. Speaker, the law partnership of Hungate & Grewach, formed in 1956, is being terminated June

30, 1969. Congressional duties leave no time to devote to the practice of law.

While a century ago, Abraham Lincoln may well have been right in his statement that—

Give our clients to understand that the election of a President makes no change in the firm of Lincoln and Herndon. If I live I'm coming back sometime, and then we'll go right on practicing law as if nothing had ever happened.

A great many changes have occurred in that time, including what we pay our public servants. Since coming to Congress, my annual share of partnership earnings has always been less than \$4,200. The recent pay increase has completely convinced me that Members of Congress should devote all their time to congressional duties and not engage in activities for outside income. I would think the same rules should be applied to the Supreme Court.

The partnership association was terminated as it had been conducted in the past 13 years—on a note of friendship and cordiality. My partner, Pete Grewach, has purchased my interest in the partnership and will continue to practice law in the present location of the Hungate & Grewach law office in Troy, Mo.

PPBS AND THE CONGRESS

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. TUNNEY. Mr. Speaker, I would like to bring the attention of my colleagues to a speech given in Cincinnati recently by Robert L. Chartrand, who is with the Science Policy Research Division of the Library of Congress.

The occasion for the speech was the 35th annual National Planning Conference of the American Society of Planning Officials and covered the use of a planning-programming-budgeting system in the Congress.

Mr. Chartrand's knowledge of this area makes his remarks of special interest to Members of Congress. It follows:

THE QUEST FOR CERTAINTY: PPBS AND THE CONGRESS

(By Robert L. Chartrand)

(NOTE.—The views expressed in this paper are those of the author and are not necessarily those of the Legislative Reference Service nor the Library of Congress.)

The importance of delineating plans, programs, and a budget which are realistic and responsive to the needs of the Nation is an unquestioned factor of our civilization. So diversified are the national requirements for measures which can ensure security against external and internal threats, as well as a sustained pattern of improvement in the standard of living, that all necessary resources must be marshalled to achieve the desired effectiveness in governing. Where traditional planning-programming-budgeting objectives and procedures do not suffice, innovative replacements must be conceived. The derivation of such objectives and procedures cannot be fanciful nor nostalgic. The quest is for certainty . . . certainty in planning for and attaining an identifiable future.

While the Federal Planning-Programming-Budgeting System (PPBS) is generally considered to be a creature of the executive branch, its effect has permeated all sectors of government. The Congress, in fulfilling its constitutionally imparted duties in authorizing and appropriating fiscal monies, has accorded only modest attention as yet to the nature and impact of PPBS. Hearings have been held, debate in both chambers has occurred, and individual Members have addressed themselves in speeches and writings to the "new" system. In spite of these activities, much remains to be accomplished in orienting and educating the legislators to the potential of PPBS.

The pressures upon the decision-maker to render meaningful judgments have increased with the complexity of our society. A concomitant trend has been the need of the governmental manager for information that is accurate, timely, comprehensive, and relevant. The importance of creating and employing management tools such as PPBS was underscored by President Johnson in his comments on the introduction of the Planning-Programming-Budgeting System on a governmentwide basis:

"The objective of this program is simple: to use the most modern management tools so that the full promise of a finer life can be brought to every American at the least possible cost.

"This program is aimed at finding new ways to do new jobs faster, better, less expensively; to insure sounder judgment through more accurate information; to pinpoint those things we ought to do less; to make our decision-making process as up to date as our space-exploring equipment."¹

In order to achieve an improved level of performance, there must be competent manpower to design, test, and implement the new systems. This has come to pass within the executive branch through the efforts of the Civil Service Commission seminar series and special courses of study conducted arranged by the National Institute of Public Affairs at several universities (e.g., Carnegie-Mellon University, University of California at Irvine, and Princeton University). More than 1,000 Federal personnel now have received various forms of PPBS training.

Comparable efforts to alert legislative branch staff persons have not been initiated. A number of Congressmen have raised the issue of establishing a congressional analytical support capability. Questions such as these have been asked: should an independent systems analysis center for the Congress be created? Under whose aegis should such a center function? Should each committee maintain its own staff of experienced analysts capable of assessing the work of selected executive departments and agencies? Should steps be taken to communicate to the two Committees on Appropriations and other concerned congressional elements all of the background reasoning and identifiable options developed during the budgetary process by a given agency?

The criticality of providing Congress with expertise sufficient to at least minimally evaluate the budget as presented is concerning many public and private thinkers. Policy choices will rest upon the availability of certain key data. In *The Year 2000*, authors Kahn and Wiener assert the need for:

" . . . a new sophistication in methodology. We have begun to assemble statistical time-series both to plot trend lines and to extrapolate likely developments . . . Along with time-series, we have begun to construct 'models' or likely combinations of trends and developments in order to uncover the connections and causal relations between variables."²

First of all, Congress must understand the essence of PPBS; the system features four distinctive characteristics:

1. It focuses on identifying the funda-

mental objectives of the Government and then relating all activities to these (regardless of organizational placement);

2. Future year implications are explicitly identified;

3. All pertinent costs are considered; and

4. Systematic analysis of alternatives is performed. This is the crux of PPBS. It involves (a) identification of Government objectives, (b) explicit, systematic identification of alternative ways of carrying out the objectives, (c) estimation of the total cost implications of each alternative, and (d) estimation of the expected results of each alternative.³

Second, the problem of multiple-year planning must be addressed. The utility of a "rolling 5-year plan," introduced in the Department of Defense in 1961, in all areas of national planning has been challenged. In testimony before the Special Subcommittee on the Utilization of Scientific Manpower of the Senate Committee on Labor and Public Welfare, Henry Rowen (then Assistant Director of the Bureau of the Budget) noted that some nonmilitary Federal components long had employed multiple-year planning, but with a discernible difference:

" . . . these earlier plans have lacked something very important. They lacked tying the specific accomplishments which were spelled out in those plans to the finances required to accomplish them in a very specific, precise, and detailed way. They weren't really operational, they were sort of dreams for the most part, things that would be nice to have."⁴

At this juncture, the ability of Congress in the budget review to ascertain the long-range impact of a program on the national budget is sharply circumscribed. Program expansion or contraction all too often is chancy at best. Participation in the reformulation of program objectives seldom involves congressional action backed by analytical expertise. Dr. Bertram M. Gross describes the present PPB-style of systems analysis as "a systematic way of thinking about nonsystems."⁵ Little wonder that the Congress, in its search for order and an understandable mode of operation, is hard put to perceive the true nature and significance of PPBS.

Third, the Congress would like to understand more fully—clearly and concisely, and not cloaked in the jargon of the technocrat—what PPBS means to the executive branch budgeteer and how congressional functioning in the authorization-appropriations cycle will be affected. Change in the traditional methods of budget preparation, submission, and review has a deleterious effect on the certainty of the end result. The concern of the Members of Congress regarding this disconcerting possibility has been expressed, and caused the authors of *Congress Needs Help* to make this observation:

"Congress should develop an improved ability to test in advance the relative effectiveness of alternative courses of action. Cost-effectiveness analysis has become a standard tool of American management. Because effectiveness must be measured in tangible results affecting people, it cannot be measured solely in accounting terms. What is needed is operations analysis, disclosing what people get from alternative expenditures of time, effort and money."⁶

And so a situation is developing where increasing numbers of Congressmen and staff assistants are becoming aware of the existence of PPBS, but through a glass darkly. Most professional forums do not deal with PPBS in the congressional milieu. A notable exception to this is the recent volume entitled *Information Support, Program Budgeting, and the Congress*. The result of a two-day seminar sponsored by the American Enterprise Institute for Public Policy Research, this book explores the effect of the new system on Congress.

During the course of the seminar, Dr. Werner Z. Hirsch of the University of Cali-

Footnotes at end of article.

fornia at Los Angeles pointed out that program budgeting assisted the decision-maker at three levels:

[1] On the highest level it can be used to help select a budget mix composed of such large program areas as national security, social development, economic development, law and order, and administration—and still give special consideration to the major programs within each of these areas.

[2] On the second level, program analysis can help to determine the best mix of subprograms and sub-subprograms, regardless of whether they are parts of one or more larger programs.

[3] Finally, there is the relatively low-level decision concerned with inputs, i. e., determining the most efficient way of obtaining a given program objective.⁷

Dr. Hirsch then proceeded to opine that Congress should address itself primarily to the first two decision tasks, but has been handicapped in performing effectively. Enumerated as the three deficiencies which prevent Congress from utilizing program budgeting in its decision process: "lack of analytical information; lack of a method to integrate information to give an overall perspective of the budget; and lack of a procedure to review and evaluate the performance of the various agencies and the specific programs within the agencies."⁸

Another problem which has caused congressional brow furrowing is the increasing number of Federal missions which transcend fulfillment by a single executive branch department or cognizance by a single appropriations overseer. Examples of these are numerous—and increase with each passing year—e.g., education, oceanography, and urban development. In many instances, traditional dialogue between the department and the legislative counterpart is thwarted. One corrective device for studying a given problem and posing solution alternatives has been the presidential commission, but this does not directly improve the dilemma facing the Congress as it seeks to evaluate objectives (or progress) and allocate funds.

In the past few years, terminology has been introduced in proposed legislation to use systems technology to attain "strengthened management practices." For example, during the 90th Congress, this phrase was included in H. R. 12048 which would amend further the Foreign Assistance Act of 1961, as prepared by Representative John V. Tunney of California:

"The Congress believes that United States foreign aid funds could be utilized more effectively by the application of advanced management decision-making, information and analysis, automatic data processing, benefit-cost studies, and information retrieval."⁹

Another congressional gambit was in the area of devising better program evaluation mechanisms. Several legislators have been concerned with the absence of assertive control over program performance and what is being achieved with the tax money being spent. A number of bills has been introduced both in the 90th and 91st Congresses calling for the use of "objective, scientific, and empirical analysis" in evaluating all Federal programs and activities. This would be achieved through the establishment of an Office of Program Analysis and Evaluation and its legislative counter-mechanism, a Joint Committee of Congress on Program Analysis and Evaluation.¹⁰

In his contribution to the seminar, Dr. Richard F. Fenno of the University of Rochester pointed out that appropriations subcommittees make their decisions on the basis of sampling information, which is of three kinds: program information, confidence information, and support information. Time constrains the Members to reviewing new programs and expansions of old programs.

Dr. Fenno speaks of "uncertainty reduction," and cites the type of executive branch activity aimed at achieving this:

[1] Maintenance of year-round, informal contacts between administrator and subcommittee member or between budget officer and committee staff member;

[2] The rehearsals held in the agency prior to committee hearings;

[3] The tending of subcommittee member complaints;

[4] The careful obedience to the language of intent in last year's committee report;

[5] The reading of last year's testimony for clues;

[6] The attentiveness to clientele complaints; and

[7] The attempts to compromise intra-agency or interagency conflict and enforce loyalty to the executive budget.¹¹

The form which the budget takes—and here the role of PPBS comes into full play—may largely determine what the committee on appropriations will discuss with the agency representative. Is program to be stressed, or will it be such object expenditures as travel and equipment? The frame of reference, then, is the key. The very nature of the executive-legislative appropriations conversation—and which element enjoys the intellectual advantage—hinges on where the budgetary presentation emphasis is placed.

The role of the Appropriations Committee may be affected in three ways by PPBS, suggests Dr. Fenno:

[1] Will PPBS in any way keep appropriations subcommittees from having the kind of sampling-type conversations with executives which legislators find advantageous?

[2] Will PPBS help subcommittee members to pursue their traditional mode of decisionmaking?

[3] Will PPBS open up new types of legislative-executive conversation that will be advantageous to subcommittee members?¹²

The ramifications of greater congressional awareness and understanding of PPBS are significant, for many departures from past established practices and executive-legislative budgetary interactions could ensue. A topic still hotly debated involves the extent to which congressional inquirers should have access to preliminary budgetary information. Implicit in the section on "Budget Information" in the "Final Report" of the Joint Committee on the Organization of the Congress¹³ is enhanced congressional access to departmental fiscal data. The General Accounting Office, in this case, is to be the instrument for collecting, storing, processing (often with computers), and providing to the Congress such information as is requested.

Congressional understanding of the role of automatic data processing (ADP) in the analytic function has improved markedly in the recent past, but some confusion still exists regarding the way in which this tool can be—and should be—used for optimum effectiveness. Dr. Alain C. Enthoven, Assistant Secretary for Systems Analysis of the Department of Defense, established a framework within which the use of ADP should be considered:

"One of the primary advantages of the computer to the systems analysis function is to permit us to examine a much larger number of alternatives in a shorter period of time than would be otherwise possible. This is especially important in the case of very complex and interrelated systems where hand calculations would limit the time available for the more important work of analysis."¹⁴

As the Congress has turned its attention to the impact of systems planning and computer technology on the Nation and those who must govern, its elements have begun to move to comprehend better the nature and uses of the innovative tools and techniques. The Senate Special Subcommittee on the

Utilization of Scientific Manpower was the first committee group to solicit comment from qualified persons on the strengths and shortcomings of the new system. Commentary was received from experienced managers in the PPBS area at the national level (e.g., Rowen and Enthoven), the Federal departmental level (e.g., William Gorham of HEW and Joseph A. Kershaw of OEO), and from the States (e.g., Vincent J. Moore of New York and Roger Schrantz of Wisconsin).

Exploratory hearings in the PPBS realm also were held by the Subcommittee on National Security and International Operations of the Senate Committee on Government Operations. Chairman (Senator) Henry M. Jackson of Washington opened the sessions by emphasizing that "... our Senate subcommittee has had a continuing interest in the role of budgetary process in helping plan and control national security policy."¹⁵ Next, he stated his belief that the subcommittee could perform a useful function by a "frank stock-taking of the benefits and costs of the planning-programming-budgeting system."¹⁶ The subcommittee was presented with detailed testimony by Charles L. Schultze, then Director of the Bureau of the Budget, and Dr. Enthoven. This commentary reflected a top level assessment of PPBS policy, management experience, personnel selection and performance, evaluation procedures, and individual department and agency experience.

Eight committee prints have been issued during the 1967-1969 period by the subcommittee. These are wide-ranging in subject matter, and reflect contributions from both the public and private sectors:

1. "Official Documents."
2. "Initial Memorandum."
3. "Selected Comment."
4. "PPBS and Foreign Affairs."
5. "Budget Bureau Guidelines of 1968."
6. "Program Budgeting in Foreign Affairs: Some Reflections."
7. "Interim Observations."
8. "Rescuing Policy Analysis from PPBS."

In September of 1967, the Subcommittee on Economy in Government of the Joint Economic Committee commenced a series of hearings on "The Planning-Programming-Budgeting System: Progress and Potentials." With the focus on improving management in government, Senator William E. Proxmire of Wisconsin, the chairman, called attention to Federal responsibility for handling approximately 175 billion dollars annually and the need for the best possible control mechanisms:

"Certainly at a time when approximately 30 percent of our national income flows through the public sector, it is of the utmost importance that our policymakers be armed with the best possible tools for evaluating the effectiveness of our public programs and expenditures."¹⁷

Discussion regarding the intrinsic worth of PPBS was sustained, with advocates of the new system claiming "that for the first time it provides decision-makers with a rational basis for choosing between alternative policies," while those critical of PPBS viewed its advocates "as a new breed of technocrat who think [sic] the computer can take the politics out of decision-making."¹⁸ Testimony was presented by representatives of such civilian agencies as the Department of the Interior, the Department of Housing and Urban Development, and the Department of Health, Education, and Welfare. Metropolitan and State applications of PPBS also were described for the subcommittee; examples were New York City and the State of Wisconsin. The future of PPBS in various surroundings was discussed by government and private sector witnesses.

In addition to holding hearings, the Congress also has begun to inject wording which requires Federal program managers and State/local program planners to utilize certain guidelines, procedures, and documenta-

⁷Footnotes at end of article.

tion as they carry out various experimental and operational projects. An excellent treatment of this trend is contained in *Encouraging Improved Planning in State and Local Government: The Federal Role*, recently published by the State and Local Finances Project of The George Washington University.¹⁰ For various public legislation, Dr. Selma J. Mushkin and her co-authors have outlined the "analytical planning process requirements" and "analytical documents required by the federal government as a product of the planning efforts." The significance of highlighting this type of legislative encouragement or coercive direction should not be overlooked. Many major pieces of legislation require the type of analytical planning which has become synonymous with PPBS; for example, the Highway Planning and Research Program (P.L. 85-767), the Omnibus Crime Control and Safe Streets Act (P.L. 90-351), and the Elementary and Secondary Education Act (P.L. 89-10).

The demands upon contemporary government management to plan better, budget more knowledgeably, and develop programs responsive to the needs of society are increasingly burdensome. Full use must be made of the PPBS criteria, guidelines, formats, and procedures as they have been developed during the past decade and tested by various Federal components. The congressional responsibility to confront the PPBS phenomenon is two-fold: first, there must be a continuing evaluation by the Congress of the efficacy of PPBS as an executive branch management instrument; and second, appropriate congressional elements must move to utilize where desirable the program presentations inspired by the PPBS contributions to the Federal agency budget documentation.

The success of the Federal Planning-Programming-Budgeting System is contingent not so much upon the directives which establish and perpetuate it as upon the spirit with which it is enacted. No planning system will be without fault, nor lacking in detractors. Today, there must be the opportunity for a candid examination of the alternatives for determining our future as a Nation. The potential of PPBS in projecting and arriving at a desired future condition is great, and must be seen and seized by the executive and legislative leadership. This action can result in ascertaining more decisively the linkage between then and now.

FOOTNOTES

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² Kahn, Herman and Anthony J. Wiener. *The Year 2000*. New York, The MacMillan Company, 1967, p. xxvi-xxvii.

³ Hatry, Harry P. and John F. Cotton. Program planning for state, county, city. Washington, State-Local Finances Project of The George Washington University, January 1967, p. 15.

⁴ U.S. Congress. Senate. Committee on Labor and Public Welfare. Special Subcommittee on the Utilization of Scientific Manpower. Scientific manpower utilization, 1965-66. Hearings before the Special Subcommittee (89th Cong., 2nd sess., May 17, 1966), p. 154. [Remarks of Henry S. Rowen].

⁵ Gross, Bertram M. The new systems budgeting. In *Public administration review*, v. XXIX, n. 2, March/April 1969, p. 124.

⁶ A. D. Little Company, Inc. Management study of the U.S. Congress. Report to NBC News, November 24, 1965, p. 31.

⁷ Hirsch, Werner Z. Congress and program budgeting: problems and potentials. In *Information support, program budgeting, and the Congress* (Chartrand, Robert L., Ken-

neth Janda, and Michael Hugo, ed.) New York, Spartan Books, 1968, p. 197-198.

⁸ *Ibid.*, p. 198.

⁹ U.S. Congress. House. H.R. 12048. A Bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes. (90th Cong., 1st sess., August 2, 1967), p. 38.

¹⁰ U.S. Congress. House. H.R. 12291. A Bill to establish an Office of Program Analysis and Evaluation and a Joint Committee of Congress on Program Analysis and Evaluation. (90th Cong., 1st sess., August 10, 1967), p. 4.

¹¹ Fenno, Richard F. The impact of PPBS on the congressional appropriations process. In *Information support, program budgeting, and the Congress* (Chartrand, Robert L., Kenneth Janda, and Michael Hugo, ed.) New York, Spartan Books, 1968, p. 182-183.

¹² *Ibid.*, p. 184-185.

¹³ U.S. Congress. Senate. Joint Committee on the Organization of the Congress. Final report. (89th Cong., 2nd sess., Report No. 1414, 1966), p. 27-30.

¹⁴ Scientific manpower utilization, 1965-66, *op. cit.*, p. 149. [Remarks of Alain C. Enthoven].

¹⁵ U.S. Congress. Senate. Committee on Government Operations. Subcommittee on National Security and International Operations. Planning-programming-budgeting. Hearings before the Subcommittee (90th Cong., 1st sess., August 23, 1967), p. 1 [Remarks of Senator Henry M. Jackson].

¹⁶ *Ibid.*

¹⁷ U.S. Congress. Joint Economic Committee. Subcommittee on Economy in Government. The Planning-programming-budgeting system: progress and potentials. Hearings before the Subcommittee (90th Cong., 1st sess., September 14, 1967), p. 1 [Remarks of Senator William E. Proxmire].

¹⁸ *Ibid.*, p. 1-2.

¹⁹ Mushkin, Selma J., Harry P. Hatry, and Marjorie C. Willcox. Encouraging improved planning in state and local government: the federal role. Washington, D.C., State-Local Finances Project, The George Washington University, September 1968, 54 p. plus Appendix.

LEGISLATIVE QUESTIONNAIRE

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. PATTEN. Mr. Speaker, every year since 1966, I have mailed a legislative questionnaire to every home in the congressional district I represent—the 15th of New Jersey.

I believe it is essential that a Congressman keep abreast of the legislative views of his constituents. I am eagerly looking forward to their replies on some of the more important issues facing America.

The questions are:

Would you support a proposed "New System of Federal Taxation," which would revise and/or eliminate the number of deductions now available, but would impose a low tax on all taxable income of all persons, thereby providing a more simplified tax system?

Do you feel that the present Electoral College should be abolished and be replaced with a system that would elect the President by direct popular vote?

Should a Cabinet-level Department of Consumer Affairs be created to protect consumers?

What impression has the Nixon Administration made on you so far?

Would you approve of a "Preventicare" pro-

gram that would provide a free medical examination every year after 50 years of age?

Do you believe that the voting age should be lowered from 21 to 18 years of age?

Do you support the Administration's proposed \$8 billion "Safeguard" anti-ballistic missile (ABM) plan?

Concerning the Vietnam conflict, do you favor (select one):

(a) A continuation of the present military policy?

(b) A unilateral withdrawal of 50,000 U.S. troops who would be replaced by a like number of South Vietnamese troops?

(c) Limiting U.S. military efforts to protecting population centers in South Vietnam?

(d) None of the above 3 selections—insert your alternate choice below.

Do you feel that disarmament talks between the U.S. and the Soviet Union would be fruitful?

Are you concerned about the reported danger of a "military-industrial complex?"

RINGING OF THE BELLS

HON. DON. H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. DON H. CLAUSEN. Mr. Speaker, in view of the fact that, in 2 weeks, all citizens of this great country will be celebrating Independence Day, I would like to take this opportunity to bring to the attention of my colleagues an outstanding tribute that is to be paid to the United States on the 193d anniversary of the signing of the Declaration of Independence by the city of Petaluma, in my district in California. I am inserting a copy of Mayor Helen Putnam's proclamation, and the city council resolution, proclaiming the "Ringing of the Bells," in the RECORD.

The content of the resolution needs repeating over and over again in these troubled times. I, therefore, encourage every Member of Congress to read it and further suggest you ask all of the political entities and subdivisions of your respective congressional districts to adopt and implement similar resolutions. The resolution follows:

RESOLUTION 5233 APPROVING PROCLAMATION ISSUED BY THE MAYOR REGARDING "RINGING OF THE BELLS," AND URGING CITIZENS TO COMPLY

Introduced by Councilman Jack W. Cavanaugh, Jr., at a regular meeting of the City Council of the City of Petaluma on the 2nd day of June 1969.

Whereas, Helen Putnam, Mayor of the City of Petaluma, has issued a proclamation reading as follows:

"PROCLAMATION—CITY OF PETALUMA

"Whereas, one hundred and ninety-three years ago on July Fourth, fifty-six freedom loving men penned democracy's greatest manifesto, The Declaration of Independence; and

"Whereas, the Declaration of Independence embodies our proven and great American principles and represents the foundation of our nation and people. This was a divinely inspired document voicing what our nation's founders believed would be a new order of the ages; and

"Whereas, on July Fourth each year Petaluma citizens pause with the rest of the country to pay tribute to the founding day of our nation and to reaffirm our deep and

unwavering belief in our rich American heritage and principles; and

"Whereas, we must, however, do more than make this a day of rest and vacation. We must let the rest of the world know that we do 'hold these truths to be self-evident; that all men are created equal, that they are endowed by their Creator with certain inalienable rights. To secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.'

"Now, therefore, I, Helen Putnam, Mayor of the City of Petaluma, do hereby proclaim a citywide 'Ring of the Bells' for four minutes at 11:00 a.m., Pacific Daylight Time, on July Fourth as a solemn tribute to our national unity and our undying devotion to our country and for what it stands."

Whereas, this Council heartily concurs in the statements made hereinabove;

Now, therefore, be it resolved that this Council strongly urges the citizens of the City of Petaluma to comply with the citywide "Ring of the Bells" for a period of four minutes at 11:00 a.m., Pacific Daylight Time on July 4, 1969.

A CHALLENGE BUT NO APOLOGIES

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. GIBBONS. Mr. Speaker, I would like to call to the attention of the House an editorial entitled "A Challenge but No Apologies," by Mr. James A. Gallery, editor of the Palmetto Press, Palmetto, Fla.

While the editorial is directed primarily to graduates, it applies to all Americans, for it points out so well what a proud heritage we have, and that we must not take our heritage of freedom lightly.

I commend this splendid editorial to all of the Members of the House, as follows:

[From the Palmetto (Fla.) Press,
June 12, 1967]

A CHALLENGE BUT NO APOLOGIES

Traditionally, Commencement oratory fills the air with "challenges, opportunities, and awesome responsibilities," and variations thereof, reminding graduates that they will be called upon to provide leadership and assume significant functions in the years to come.

This, perhaps, is as it should be, because it is fundamentally true in a general sense, if not specifically applicable to each and every graduate.

In recent years, however, another ingredient has been added to the repertoire of charges presented to graduates by individuals of a peculiar school of thought that more or less amounts to an apology for "the mess we've made of things, we're sorry, and we're relying on you to straighten them out."

It is with this lately-introduced concept that we take issue, making no claim to having yet produced a Utopia or having equitably solved each and every problem encountered in the past 25 years or so.

Admittedly there are serious and baffling foreign and domestic questions that are yet to be resolved, and indeed the best efforts of us all will be required to find meaningful and equitable answers.

Acknowledging all this, we would like to remind today's graduates that we have managed to maintain a democratic society and a free enterprise system that, despite imperfections and outspoken, strident critics,

have produced the most powerful and affluent nation in the world, one that is both envied and coveted by foreign powers of varying proportions.

Consider, 1969 graduate: you live in a land of political, social, religious, and economic freedom that permits the widest possible latitude of expression and opportunity within the framework of a form of government designed to protect the rights of the majority, basic to the functioning of a democratic society.

You have been given the opportunity of obtaining an education and the extent to which you have capitalized on this opportunity has been largely a matter of your own volition.

These are some of the basic heritages that your parents, grandparents, and great-grandparents have managed to preserve for you, not without considerable personal sacrifice including the bearing of arms and enduring the inanities of war.

We have not succeeded in abolishing warfare, nor is it likely that you will, as long as there are forces in this world that are determined to inflict opposing viewpoints at whatever the cost in human lives.

We have not succeeded in eliminating poverty; again, it is not likely that you will either, within the frame-work of a free society. For a free society is a dynamic one and its technological advances in the various enterprises sometimes result in temporary displacement of people dependent upon the former system for their livelihood.

More significantly, perhaps, is the fact that experienced social workers can document a number of welfare cases in which the recipients apparently prefer the welfare status to one of gainful employment for which they are well qualified. Thus, the problem is one of motivation rather than circumstance.

Which leads to a major lesson we have learned repeatedly in foreign and domestic matters over the past quarter-century or so.

Americans always had a tendency to view most problems through glasses tinted with enthusiastic and optimistic idealism. That is to say, we have presumed that the application of our own institutions and aspirations will strike an immediate and responsive chord in peoples within and without our own physical boundaries.

And we have been disappointed, if not outright confounded, when the recipients of our "gifts," in the form of cash, credits, loans, counsel or what have you, have gladly accepted the loot but, through applying a different set of values, misunderstanding, lack of adequate preparation or background, or just plain lethargy, have evidenced a preference for the former condition.

No, allegiance cannot be instilled nor a level of aspiration raised by an external force however sincere the intent, and it has little permanent value until such time as the initiative stems from within, whether it be a nation or an individual.

In the realm of ideas—political, social, economic, per se—you may have already learned there is hardly anything novel about 20th century concepts except the catch-word or variation.

"God Is Dead?" The ancient Hebrews expressed the thought frequently during the Babylonian captivity and other times of stress. Before and after that, the Phoenicians, Egyptians, and Greeks "buried" what they deemed "ineffectual" Gods with almost monotonous regularity.

"Commune-ism?" Again, the Hebrews and other nomadic tribes practiced this politico-economic theory in its purist, non-militant sense as did 17th and 18th century American colonists.

On the other hand, there is little difference between the Marxist-Lenin-interpreted "Common-ism" (we prefer to spell it that way) ruled over by a totalitarian dictator-

ship and the former iron-clad Czar-ist regimes. Roles have been changed but the end result is the same.

"Generation Gap?" A Bible student recently reminded us that King David had to call out the Israeli Army on three different occasions to put down revolts led by his own three sons.

"Make Love, Not War?" He didn't put it exactly in those words, but the late Neville Chamberlain returned from the Hitler-dominated conference in 1937 with a "Peace in our time" accommodation for handing over Czechoslovakia to the Nazi despot.

Two years later, Chamberlain's nation was plunged into its darkest hour of peril that might have been avoided—or postponed until Britain was better prepared—had the Prime Minister taken a firmer stand at Prague. At least that's what German historians of the era say.

The "Establishment?" Well, what'll you have? The Soviet Union has one, as does Cuba, Red China, Nigeria, and assorted "emerging" nations and tribes all over the world. By whatever name, it merely serves as a vehicle through which order is maintained and desired goals attained or strived for.

The absence of any "Establishment," of course, represents absolute anarchy, heretofore "enjoyed" by cannibals and other aborigines almost exclusively.

No, there isn't a concept without precedence, save in the scientific world where new theories and refinements of older ones occur almost daily. Infrequently, however, are they equated with social matters. (What, for example, is the relationship between a lunar landing and, say, urban renewal?) Furthermore, scientists are a little leary of generalizations with regard to human behavior because homo sapiens happens to be of such a variable nature.

Thus, graduates, we make no apologies for your heritage. Challenges? Yes. Opportunities? Certainly, particularly in the area of human relationships where, individual identities are being muted by an increasingly-computerized society.

Nonetheless, in a land of liberty, you have a tremendous advantage over the caged-in, spoon-fed static variety.

In your deliberations, don't be reluctant to examine what's gone before simply because it represents a former endeavor. After all, that's the basis of all learning and a most logical reference in studying "new" problems.

We salute you and wish you Godspeed in the venture of your choosing. Don't, however, take your heritage of freedom lightly. "Born Free" is a claim that cannot be made by more than two-thirds of the world's population today, and it's infinitely less costly and painful to preserve than redeem.

HONORING OUR RETURNING VETERANS

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. JOELSON. Mr. Speaker, although many decry the fact that our veterans are not accorded their due honor, few do anything to try to remedy the matter. For that reason, I am particularly pleased to insert the following articles from the Evening News of June 14, 1969. This newspaper circulates in the congressional district which I represent, and I think it particularly appropriate that the article appeared on Flag Day. Me-

morial Post 9458 is to be congratulated on its work in spearheading the program. The article follows:

**BLOOMINGDALE PARADE TO HONOR 200
RECENT VETS**

BLOOMINGDALE.—Over 200 veterans of the armed forces, who served in and since the Korean War, will be honored Monday night with a parade and recognition night sponsored through the joint efforts of the Bloomingdale VFW and the Tri-Boro veterans.

"We hope to start a fire here in Bloomingdale that will spread all over the country," committee member Fred Shepherd told The News. "General (William) Westmoreland said that nobody is showing recognition to the veterans. So three of us got together and sent him a letter." Shepherd said in explaining how the project got started.

"We've gotten tremendous cooperation," Shepherd said. "It seems all four services want this. And Rep. Charles Joelson promised to enter it in the Congressional Record for posterity."

TO REPRESENT GENERAL

Westmoreland is sending a full colonel as a personal representative. He is with the Joint Chiefs of Staff.

Memorial Post 9458, VFW, of Bloomingdale, will join with VFW and American Legion posts from Butler, Kinnelon and Bloomingdale which form the Tri-Boro Post, for the event.

The parade will begin sharply at 7 p.m. in front of the municipal building on High Street, Butler. The veterans will lead the parade and will fall out at the reviewing stand at Sloan's Park in Bloomingdale. The route will be from the Borough Hall down Park Place, turning right onto Main Street, into Bloomingdale, and then to the park.

Arthur "Bud" Bossard is general chairman. Herman Rickman will be general grand marshal.

BANDS TO MARCH

The 1st Army Band, 3rd Naval District Band and Air Force Band from McGuire AFB will march, joined by a color guard of Marines. Members of the Women's Army Corps are expected to participate.

Many state and district Legion and VFW leaders will participate.

Carl Whritenour will act as master of ceremonies at a program planned at the reviewing stand following the parade. Warren Hopper will welcome the veterans. Invocations will be given by the Rev. John V. Bolin of the Church of our Lady of the Magnificat, Kinnelon. The benediction will be offered by the Rev. Hugh McNelly of the Bloomingdale Methodist Church.

Commander Joe Franko of the Bloomingdale VFW post, Commander Dick Larkin of the American Legion Post and Commander Roger Snyder of Butler will be assisted by the mayors of the three boroughs in presenting gifts to the veterans.

**THE 3D DIVISION APPLIES NEW
CONCEPTS TO OVERCOME PROBLEMS OF WAR**

HON. TOM STEED

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. STEED. Mr. Speaker, the forces of the 3d Marine Division operating in South Vietnam are applying new concepts of amphibious warfare in a nuclear environment against guerrilla opposition.

Extensive use of helicopters logistically have characterized these efforts under the direction of Brig. Gen. Frank E. Gar-

retson, commanding general, Task Force Hotel, the forward operating headquarters of the division.

Two articles in Sea Tiger, Navy-Marine Corps publication, give graphic details:

**THE 3D DIVISION APPLIES NEW CONCEPTS TO
OVERCOME PROBLEMS OF WAR**

(By GySgt. John Conick)

VANDEGRIFT COMBAT BASE.—Time and distance factors for helicopters created new problems in Operation Dewey Canyon.

To meet the problems, staff officers of the 3d Marine Division developed new applications of amphibious techniques.

Operation Dewey Canyon conducted by 9th Marines just northwest of the Ashau Valley, was centered 27 miles southeast of Vandegrift and about 30 miles west of Hue.

Every Marine and every pound of equipment, supplies and ammunition had to be helicopter transported to the battlefield.

"Our main problem was helicopter turn-around time," said Brig. Gen. Frank E. Garretson, commanding general, Task Force Hotel with headquarters here. "To do this we positioned, in forward areas, a small logistical support activity and a limited refueling capability."

The forward supply activity cut down flying time for helicopters delivering ammunition and rations to assaulting units particularly in bad weather. The refueling capability permitted gunships to spend more time on station, orbiting and working in the combat area.

"Vandegrift continued to be our main logistic supply point," Gen. Garretson continued, "but in near-critical or emergency situation, or if the weather closed in, we were in a position to support our units more effectively because of the shorter helicopter turn-around time."

Helicopters using the forward installations travel five to eight miles instead of the 27-mile one-way distance from Vandegrift to assaulting units. A considerable saving in time.

"Weather was another factor in our considerations. Our early experience in the northern Ashau Valley complex indicated that at times it cleared or was satisfactory there for helicopter operations hours before weather lifted at Vandegrift. When this occurred, our copters went over or around the clouds and began to work several hours earlier," observed Garretson.

Disposal cargo slings were devised to speed operations. It was no longer necessary for helicopters to linger in the landing zones to retrieve slings from the units on the move. This lessened the enemy's opportunity to spot the unit's location as well as cutting down hovering time in zones subject to enemy small arms, mortar or artillery fire.

Senior officers in this operation remarked that in addition to disposable slings we could use disposable containers for everything lifted to front line troops in order to minimize helicopter usage. As an example, the 2½ gallon plastic water container is considered essential. The heavy, World War II, five-gallon water can has outlived its usefulness in present day helicopter operations.

Another important addition to the forward area of Dewey Canyon Operation was the Air Support Radar Teams (ASRT). The equipment is composed of highly sophisticated radar and electronic computing equipment that enables pilots to drop bomb loads on targets without actually seeing them. ASRT is also used to guide helicopters to ground units during bad weather when visual flight rules cannot be used. And it can be used to assist in parachute delivery of supplies.

CH-47 Chinook helicopters of "B" Co., 159th Assault Helicopter Bn., 101st Airborne Division, gave Marine flyers of the 1st Marine Air Wing a major assist when a record 1,047,000 pounds of cargo was moved from Vandegrift to assaulting units in Operation Dewey Canyon, Feb. 18.

"The NVA threw about 40 rounds at us," recalled Simpson, "but we managed to fire almost 50 rounds at them."

"The Marines have devised a method to move supplies by getting maximum loads and utilization from our helo's," said Army Capt. David Anderson (61 Moonglo Circle, Columbia, S.C.), liaison officer. "They always have something to do. There is no such thing as piecemeal helicopter operations."

An Army Counter-Mortar Radar Team was also displaced to a forward position in the Dewey Canyon operation. The counter mortar team enables Marine artillery to immediately return heavy and accurate fire on enemy artillery and mortar positions foolish enough to keep firing for any length of time.

"Although the 9th Marines have been heavily engaged, we've continued to bring in new replacements and Marines returning to units in the field after R&R (Rest and Recuperation Leave).

"Outbound flights have carried end-of-tour men to rear areas. We have added special helo flights to meet these needs as necessary," concluded Garretson.

PRESENT WARFARE ADAPTING TO LOCALE

(By CWO L. F. Nadolny)

VANDEGRIFT COMBAT BASE.—The war in Northern I Corps has been likened to amphibious warfare in a nuclear environment applied against guerrilla forces by Brig. Gen. Frank E. Garretson, commanding general, Task Force Hotel, the forward operating headquarters of the 3rd Marine Division here.

He also spoke with pride of the men carrying the battle to the enemy and how the limiting effects of the monsoon season are being met.

"The North Vietnamese Army has largely resorted to guerrilla tactics in recent months. The wide dispersion of our units as we seek these elusive enemy elements is a page from a nuclear warfare text. We would disperse in much the same manner if we faced nuclear weapons," he explained.

The tactical area of responsibility of the 3rd Marine Division covers over 600 square miles in Northern I Corps. Division units are spread from Cua Viet on the Gulf of Tonkin in the east, along the Demilitarized Zone to the Laotian Border in the north and west, to the upper regions of the Ashau Valley in the south.

"We have retained our amphibious character despite the fact that we are operating from land bases instead of helicopter carriers and other convoy elements lying off shore," said the General.

As an example he cited what in Marine Corps parlance is known as a floating dump (offshore supply ship). In a conventional, across the beach amphibious assault, the Logistics Support Activity (LSA) would call for needed supplies from the floating dump. The supplies would be delivered to the beach by landing craft and perhaps trucked to the requesting unit.

"Here at Vandegrift we are not living from the sea. We have stockpiled our floating dump ashore near the LSA. Whatever is needed can be quickly positioned on a helo pad, picked up by helicopter as an external load, and delivered to the requesting unit in the jungle or on a mountain peak. This is an adaptation from our amphibious vertical envelopment concept," he pointed out.

Historically, the Marine Corps began experimenting with helicopters shortly after World War II. During the Korean War, the Marine Corps used helicopters for medical evacuations, reconnaissance insertions and limited troop deployments. The ever changing and expanding concepts of vertical envelopment are evolutions of these early efforts.

"We haven't hesitated at all to use Army developed helicopter techniques," Gen. Gar-

retson stated with a smile. "Most notable of these are the helicopter dependent fire support bases on mountain peaks and the swift insertion of helicopter-borne troops for cordon operations."

Monsoon type weather in Northern I Corps on occasion hampers and slows helicopter operations. Rain, clouds, and fog sometime combine to bring the ceiling to the ground and visibility to within feet. During these periods pilots sit and wait for even a momentary break in the weather.

"I'll tip my hat to our young pilots. Given any kind of a minimum opportunity, particularly in case of emergency evacuations, they will fly through cloud covered mountain passes at 1,200 feet and less, and follow streams along mist-shrouded valley floors to reach their destinations," he said in tribute.

Perhaps the hat should also be tipped to Major Gen. Raymond G. Davis, commanding general, 3rd Marine Division, and Garretson. Despite the weather, on only rare occasions has either missed daily visits to units in the bush. Rifemen and cannoneers all across Northern I Corps have come to know them by sight.

When weather prevents normal helicopter resupply, fixed wing transport aircraft and helicopters may para-drop rations and ammunition to waiting units.

"Operating above the cloud cover at 5,000 feet and directed by radar, our para-drops have been on target and recoverable at least 50 per cent of the time. This means that bad weather slows us up but it certainly doesn't stop us," observed Gen. Garretson.

During the current monsoon season, bad weather has inhibited operations for several periods of four and five days. Some division positions encounter "in and out" weather conditions. In this situation helicopters will orbit the position and deliver external loads in the landing zone during momentary breaks in the cloud cover.

The esteem he holds for the troops fighting in the jungles and mountains was evident as Gen. Garretson said, "The ability of small unit leaders and commanders to organize quickly and be prepared for anywhere from two hours to 30 days in the bush is fantastic."

"Loyalty of the rifemen to each other and to the unit, especially while in contact with the enemy, is of the highest possible order. Many with wounds of varying degree of severity refuse evacuation until the contact is clearly broken. It is a mark of them as men and as Marines."

A number of 3rd Marine Division fire support bases have been continuously occupied since their construction and Leathernecks have taken advantage of the time to improve their circumstances. Gen. Garretson grinned as he spoke of their accomplishments.

"We expect our men to use the material at hand to improve their bunkers. Such things as filling ammo boxes with dirt are common. But it takes a little extra effort to build stairways of empty shell casings up steep slopes."

KENT STATE UNIVERSITY AND THE SDS

HON. J. WILLIAM STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. STANTON. Mr. Speaker, I think it would be of interest to my colleagues who are concerned with peacekeeping activities on university campuses to know how Kent State University, in my district, handled this problem this past year.

Under the capable leadership of Presi-

dent Robert White, Kent State met this problem with remarkable results. This was done despite the presence of many—at times up to 100—nonstudent agitators from other areas. It was also done despite the Students for a Democratic Society's high priority to "bring down" Kent State University.

I am attaching a copy of a letter that I received from a reporter, William G. Armstrong, who wrote a series of articles concerning this subject. I am also placing in the RECORD the two articles that Mr. Armstrong wrote covering this subject in depth. It is my hope that the two articles might have points which other universities could share.

The material follows:

BEREA, OHIO,
June 6, 1969.

HON. J. WILLIAM STANTON,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN STANTON: As the Kent State University academic year draws to a close, it might be well to pause and review the peace-keeping activities of university officials during this unusually turbulent time.

As violence of major proportions rocked hundreds of American campuses, raining destruction and injury on the property and person of those involved—and causing some of them to shut their doors to even serious students—Kent State University remained open and remarkably well-ordered.

This, despite the fact of the presence of many—at times up to 100—non-student agitators from other areas, and Kent State University's high priority on Students for a Democratic Society's list of schools to "bring down."

Long hours of in-depth planning went into the maintenance of peace on campus this year, and the deep concern of Kent State officials, as well as their brilliant reaction to crises which arose, precluded violent demonstrations on a massive, disruptive scale. As a reporter for both The Daily Kent Stater and the Kent-Pavenna Record Courier, I was privileged to observe some of this planning and see it go into effect. Consequently I grew to have a great deal of respect for those who were calling the shots under heavy pressure in the students' best interests.

Kent State remained open this spring, despite repeated threats against the personnel and the physical plant; the Administration, under Pres. Robert I. White, merits a word of praise for this. I am enclosing two articles from the Record Courier which illustrate the usage of one of the most effective methods of averting campus uprisings—the use of temporary restraining orders. As can be seen from the articles, they were employed in a special selective usage at KSU.

Yours sincerely,

BILL ARMSTRONG.

RESTRAINING ORDERS WERE USED FIRST AT KENT STATE UNIVERSITY

(By Bill Armstrong)

Temporary restraining orders (TROs) were issued April 9 by Portage County Municipal Court against the five major leaders of Students for a Democratic Society (SDS) who took part in a demonstration at the Kent State Administration Building the previous day. All five persons are non-students.

This legal technique—in a special usage first employed at KSU—may prove to be the key to the prevention of future large-scale disorders on American college campuses.

TROs have been used at other colleges primarily to break up demonstrations or sit-ins already in progress, such as at Howard and Dartmouth during April. Kent State,

however, is the first university at which they have been used to enjoin certain persons from coming onto the campus.

The order is analogous to that issued by a judge in labor disputes merely on the threat of a worker strike. It has the effect of prohibiting the persons from appearing on campus for any reason, merely as a result of statements or actions considered violent and dangerous.

If for any reason the persons reappear while the injunction is in effect, they are in contempt of court and are subject to immediate arrest. Under such circumstances, there is no jury trial—the penalty is determined solely by the judge.

The idea for using TROs in this manner was conceived last fall by Barclay D. McMillen of the KSU political science department while he was teaching a class in Constitutional Law.

Use of the injunction, however, has met with some local controversy, since it is naturally regarded as a very powerful weapon of the court.

Ralph Oates, KSU director of student conduct, said that he gives qualified endorsement to using TROs.

"I think the injunction is good if used sparingly," he said, adding that he hoped issuance of further injunctions would not prove necessary.

The order of disciplinary action which Oates said he would prefer to follow is in three steps: university disciplinary proceedings; if those fail, or are disrupted, then civil arrests may take place; and lastly, if arrests do not control the demonstrators, then injunctions.

It has been pointed out, though, that in the situation of non-students participating in violent disruptions, the university cannot act internally against them.

Barclay D. McMillen, special advisor on student rights, said he favors use of injunctions mainly against these non-students, whose declared purpose for being on campus is to cause disruptions.

He noted that continued use of TROs against troublesome non-students gradually reduces the number of persons able to participate in any further disturbances.

Political science professor Byron G. Lander expressed a somewhat different point of view. He maintained that universities should use great discretion in applying legal sanctions as severe as TROs, and that Kent State did not exercise that discretion.

Lander added that restraining orders particularly should not be used as an "anticipatory action," as he claims they were at KSU. He stressed that TROs should only be used "with a great deal of discretion and solely as a last resort."

Robert Matson, vice president for student affairs, suggested in a Record-Courier interview May 12 "preventive rules," which would give universities power to restrict certain speakers and organizations from campus.

Matson made it clear that these should only be used "when there is sufficient evidence of conspiracy (by said persons) against the university."

Apparently, however, the courts have been successful in KSU's case in the attempt to keep certain SDS leaders off campus. Of the five originally served injunctions—Rick Erickson, Howard Emmer, Colin Neiburger, George Gibeaut and Jeff Powell—none has been illegally on campus since.

The only time they were on campus was April 16, during the Student Conduct Board hearings at the Music and Speech Center. Disruption of those hearings resulted in 53 arrests.

The restraining order was modified for the five SDSers, according to the Court of Common Pleas journal entry, for the sole purpose of their acting as witnesses in the Conduct Board hearings.

A highly ranked university aide speculated that other regional SDS leaders who would

have considered coming to Kent to help were sufficiently scared or warned by what happened to the leadership here that they decided not to come.

INJUNCTIONS: ANSWER TO SDS

(By Bill Armstrong)

Court injunctions seem to have been the answer to problems in several universities throughout the nation this spring.

At Kent State, the Students for a Democratic Society (SDS) leaders who were barred from campus have gone elsewhere—some to other schools in Ohio. This is one reason why it has been suggested that state-wide authority be given to the Attorney-General to enjoin "hard-core" revolutionaries from all state-supported universities.

Besides the effect of keeping state universities free of violence, the effect of temporary restraining orders (TROs) against campus revolutionaries may also eliminate the clamor in legislative chambers for restrictive and much-feared regulations of university administrations.

Many college administrators have called for "local autonomy" in handling their own problems, and this may prove to be a good compromise.

Much of the legislation that has been proposed this year, administrators feel, could jeopardize control over local affairs and impair the free functioning of an academic community.

Perhaps lawmakers were remembering W. B. Yeats' "The Second Coming" as they flooded the hoppers of state and national legislatures this year with bills to curb college-age protestors. Yeats wrote:

"Things fall apart. The center cannot hold. Mere anarchy is loosed upon the world. The blood-dimmed tide is loosed, and everywhere the ceremony of innocence is drowned. The best lack all conviction, while the worst are full of passionate intensity."

As major institutions faced the spring offensive of SDS, they quickly picked up the use of temporary restraining orders to control it.

University authorities agree about the potency of such injunctions and the net positive aspects of using them.

First, their use does not necessitate university disciplinary action so the orders are equally good when issued against non-students, who reportedly have been at the root of much of the trouble at several schools, including Kent.

Secondly, a court order can immediately remove the disruptors from campus and keep them away. Violators are subject to immediate arrest and sentencing without a jury trial, because the judge issuing the order exercises sole jurisdiction in the matter.

Thirdly, most of the usually bold campus revolutionaries have some measure of respect (or fear) of the court's power, and realize that defiance of a TRO—even by setting foot on campus—may quickly put them behind bars.

Fourth, schools can avoid calling in outside police forces and can have the brunt of the blame absorbed by the court system. This distracts the attention of the rebels from the university, and gives them a vaguer, much less familiar target.

Where violations of the injunctions occur, as at Dartmouth and Columbia recently, what one professor described as "instant justice" can be dealt.

The judge, acting alone, determines the penalties for violators; at Dartmouth, those who violated the injunction were given 45-day sentences.

The use of injunctions at Columbia this spring was described by Prof. Edward Kalajian at a conference on "Student Protest and the Law" at Ann Arbor, Mich., two weeks ago:

"It was first used in connection with a sit-in which occurred in the Columbia College

Admissions Office on April 14 and 15, by a group of black students and non-students.

(Note that the injunction use against non-students at Columbia occurred after the KSU disturbances and the resultant court order here.)

"This group vacated the premises at 2 a.m. as soon as their attorneys were provided with copies of the injunction.

"On April 17, a group, estimated to exceed 200 students and non-students, occupied Philosophy Hall in an SDS-sponsored sit-in. That group vacated the premises less than an hour after the university's injunction was served in the building."

Kalajian then described a building occupation which took place two weeks later, involving several hundred of the same group: "They refused to leave when warned that they were violating the injunction against disruptive demonstrations.

"However, as soon as they heard that the court had signed a writ of body attachment, directing the sheriff of the City of New York to bring them before the court on charges of criminal contempt, they scurried from the building after covering their faces with cloth to conceal their identities."

It now seems clear to some observers that the cure for campus demonstrations may be spreading from one university administration to another as quickly as the disease itself spread earlier in the year.

There are currently two schools of thought circulating in universities as to the future measures of discipline to be invoked. Clearly, universities' student conduct codes as presently written are not equipped to handle revolutionary violence; they will have to be revised.

Some persons would agree with KSU's student conduct director, who maintains a preference for internal discipline and arrests—in that order—before temporary restraining orders.

Others say that TROs are the key to quelling and averting future trouble at universities and that they should be served to all self-declared revolutionaries.

The chief task now before the universities is to cool down the state legislatures and convince them that problems are locally soluble.

INDEPENDENCE DAY SALUTE TO MOROCCO

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. POWELL. Mr. Speaker, it was just a short 13 years ago, on March 2, 1956, that Morocco celebrated its liberation from French colonial rule.

The kingdom of Morocco is situated at the northwestern corner of Africa and is bounded on the north by the Mediterranean Sea. On the east and the south-east it is bounded by Algeria. By means of comparison the kingdom is a bit larger than the State of California—169,999 square miles.

The United States has attempted to assist the developing country economically. In 1961, for instance, Moroccans were faced with an agricultural crisis and the United States responded to their request for aid with wheat and animal foodstuffs to the value of \$23 million. When crop failures in 1961 affected an estimated two-thirds or three-quarters of the grain, a relief scheme for the peasants was hastily improvised.

Over the years since Morocco's achieve-

ment of independence, there has been a growing contrast between the traditional and the modern. While the population is predominantly agricultural and pastoral, there are a number of large and prosperous new towns.

Casablanca is not only the capital, but is "the commercial, financial, and industrial heart of the country," as John Gunther has written in "Inside Africa."

Morocco is an active and respected member of the international community. It is a member of the United Nations and of that organization's specialized agencies. Morocco participated in the Belgrade conference of "noncommitted" nations. Morocco's approach to foreign relations may be understood as a blend of neutralism, pan-Arabism, and pan-Africanism.

Morocco has been striving to overcome the numerous complex problems which confront new states. The country has made remarkable political progress, establishing a constitutional monarchy in 1962 and electing its first parliament in 1963. Political stability and gradually improving economic conditions auger well for the country's future.

Mr. Speaker, I extend my belated warm and hearty congratulations to the Moroccan people as they march forward together.

WILLIAM F. PUTNAM

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. BOLAND. Mr. Speaker, William F. Putnam, president of the Springfield Television Broadcasting Corp., is justly celebrated for the editorials he delivers over television station WWLP in my home city of Springfield, Mass. Mr. Putnam's editorials broadcast daily are not the tepid sort characteristic of many television stations. Chary of the FCC, afraid to bruise the sensibilities of any group of listeners, many television stations turn out editorials designed to please everyone and annoy no one. Mr. Putnam's editorials are different—dramatically different. Frank, straightforward, written in a brisk and lively style, his editorials take explicit stands on controversial issues. They stir the kind of discussion and debate any community needs to arrive at rational decision in controversial problems. Mr. Putnam and WWLP are to be commended for community service.

The Brattleboro, Vt., Daily Reformer has published an editorial paying tribute to Mr. Putnam. With permission, Mr. Speaker, I put this editorial in the RECORD at this point:

[From the Brattleboro (Vt.) Daily Reformer, June 2, 1969]

HELLO THERE, MR. PUTNAM

One of our favorite editorial writers is not a newspaperman. So our admiration of the daily stint he subjects himself to is without bias. Except that we are probably biased in favor of his speaking his convictions, his sense of fairness and his ability to provoke other people to think for themselves.

William Putnam is owner and manager of a TV station, channel 22, operating out of Springfield, Mass. Editorial comment is not frequently heard from TV stations or from the networks. But William Putnam's editorials come over the air daily, and have for more years than any other TV editorial writer. He calls the shots as he sees them—on local, state and national affairs. His editorials are well researched; he deals with facts; his style is concise and pungent.

We may be wrong, but we are inclined to think that his task is harder than ours—which may be one of the reasons why most TV stations shy away from editorials, along with other reasons designed to avoid annoying advertisers, the FCC or their listeners. Their listeners, of course, include politicians who can exert pressure against renewal of TV licenses.

As we were saying, Mr. Putnam's editorial task may be harder than that of a newspaper editorial writer—because the TV editorial is three-dimensional while the newspaperman's is two-dimensional. What we mean is that the newspaperman's job comprises himself and his typewriter, while the TV man's has the added factor of appearance before the camera to deliver his message personally.

It is difficult for us old hot-metal hacks to appreciate what must go on in the mind of a TV editorial writer when he moves from his typewriter to face the camera. Let's say that on a particular occasion he is teeming with disgust for some politician's high-handed self interest, or filled with the frustration all of us feel when Congress or the state legislature ignores a pressing public need, like tax reform.

On such occasion, the TV editorial writer faces the camera in order to reach and warn the listening and viewing public. But what does he actually face in order to deliver his impassioned comment? He is facing a big black camera operated by some sloppy Joe who couldn't care less about what is being said. On all sides of him are four walls, within which the heat from the lights is probably unbearable, and where the constant movements of the camera and light crews make him wonder if he is just mumbling to himself or really reaching "those people out there" at the end of the air waves.

So, as a constant viewer and listener to William Putnam's daily editorials we pay our respect to a fellow editorial writer who puts his faith in the democratic system on the line. He spells out its rottenness when he sees the system being corrupted by politicians who place themselves above it, and he is a working conservationist in that he tries to help conserve the best of the past while urging reasonable innovations in tune with our times.

It's a thankless job. But we think it is important.

SOUTH VIETNAM'S REFUGEES

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. BUCHANAN. Mr. Speaker, the Christian Science Monitor published on June 4 an article on South Vietnam's refugees written by Elizabeth Pond, the paper's special correspondent in Saigon.

Despite its somewhat unfortunate headline "Aid 'Too Little Too Late'?" this article is the fairest, best balanced, and most factual presentation of this program ever to come to my attention. The writer has made an extraordinary effort to describe the intricacies of a

program which is attempting to help the Vietnamese refugees in the midst of war under tenuous security conditions and with the very limited manpower and resources available to the Ministry of Health, Social Welfare, and Relief of the Government of Vietnam.

The article has only one shortcoming which I would like to correct. It states that only 430 million piasters, or one-third of 1 percent of Vietnam's national budget, is available to the social welfare branch of the ministry. It fails to mention that the Ministry's own funds are supplemented by 3.2 billion piasters, the equivalent of \$27.1 million from the American Aid Chapter of the Agency for International Development.

In addition approximately \$30 million worth of AID-financed surplus food and other commodities are distributed to refugees, orphanages, homes for the aged, and other needy persons.

In 1969 total American assistance to the refugees will amount to more than \$60 million.

The article from the Christian Science Monitor follows:

SOUTH VIETNAM'S REFUGEES: AID "TOO LITTLE, TOO LATE"?

(NOTE.—There are 1.3 million refugees in South Vietnam. The government appropriates one-third of 1 percent of the national budget to helping them. But, concerned officials point out, there is still no concept of their long-term rehabilitation into a structured society. This problem, they say, has not yet been faced.)

(By Elizabeth Pond)

SAIGON.—The refugee program in Vietnam is at the critical point where it is, or should be, moving from emergency relief to long-term rehabilitation. But at the moment it appears headed for a "too little, too late" rating.

This is not to denigrate either the Herculean relief effort that has been made so far or the dedicated few on both the Vietnamese and the American sides who have labored to feed and shelter the millions of refugees the Vietnam war has created.

Officials point out with some pride that this is the first time in history that wide-scale care for war-created refugees has been instituted while the war was still in process.

Even so, the refugee problems are staggering in that they have a low-priority rating when pitted against continuing military operations, intensified peace negotiations, and political skirmishing in Saigon. Also they may well create the conditions all over again for a new Communist insurgency.

LEADERS DEPLETED

Any war is disruptive. A civil war is especially brutal. A guerrilla civil war reinforced by massive artillery and air power may be the most cruel of all (short of some nuclear holocaust). And a war that has raged intermittently for a quarter of a century defies comprehension in its results.

Apart from the dead, this war has bled the country of several generations of leaders, displaced up to a third of the population, rent the social fabric, destroyed villages and placed villagers in urban slums and worsening health conditions.

In all it has produced at least 4 million refugees, 300,000 physically disabled, 20,000 to 50,000 prostitutes, more than 90,000 orphans, and no one knows just how many juvenile delinquents and predelinquents.

One sees the evidence daily—the dirty homeless shoeshine boy in Saigon, the apathetic old man in a refugee camp with nothing to do, the widow in her late 20's

who has lost both legs and whose two children are in hospitals with wounds.

COMMUNIST ZONE FLED

But the situation now is vastly improved over two years ago or even a year ago, as a brief chronology shows.

The first wave of refugees in the post-French period was the 900,000 northerners (primarily Roman Catholics) who left the Communist north after the division of Vietnam in 1954. They built new villages in the south and were for the most part successfully resettled within three years.

The next wave came when the National Liberation Front (NLF) began its guerrilla war in the early '60's. By mid-1965 the numbers of new refugees, the majority of whom were fleeing NLF terror, had reached some 600,000.

These, however, were not so fortunate as the earlier refugees. They did not have the political glamour of the anti-Communist northerners, nor were they Catholics coming to a hospitable Catholic regime. They were instead an unwelcome burden to a government that had no tradition of social welfare or public services, that was paper thin in administrators, that was only beginning to restabilize itself after the 1963 assassination of President Ngo Dinh Diem, and was fighting for its life on the battlefield.

The refugees were ignored as well by the Americans, who were fully occupied with the military side of introducing combat troops to Vietnam.

In late 1965 a minimal stopgap program of aid to refugees at last was begun. In early 1966 a special Commissariat for Refugees was established by the South Vietnamese Government.

In the beginning of 1967 the big U.S. military sweeps such as "Cedar Falls" and "Junction City" were inaugurated in III Corps, with villagers forced to move from their homes as large NLF-controlled areas were cleared and turned into free-fire zones.

More serious quantitatively was the explosion of bitter large unit warfare in the Demilitarized Zone (DMZ) area. As U.S. and South Vietnamese troops sought to meet the threat of main-force North Vietnamese units with frontal assaults, new refugees were created at a rate of 10,000 and 20,000 per week. One operation cleared 10,000 villagers out of a battle area within four days.

I Corps quickly became the critical area for refugees. In a matter of months half a million people or 20 percent of the area's 2.5 million were refugees — not cumulatively, but simultaneously. Some were forcibly moved against their will by U.S. soldiers, some fled the cross fire or especially American bombing and free-fire zones of their own volition.

OFFICIALS NOT NOTIFIED

Frequently, for reasons of military security, refugee officials were not notified in advance when a clearing operation was planned and could not prepare for the sudden influx. More than once a responsible American official was first informed of incoming refugees by radio from the helicopter transporting the refugees.

Arguments over the military efficacy of such operations go on ad infinitum. One school argues that this massive relocation deprived the NLF of porters, rice growers, and recruits, as was finally proved in late 1968.

Another school argues that the shifts as conducted were simply irrelevant to the main objective of counterinsurgency: security for the population.

Whether the relocation was necessary or not from a military point, it did take place, and took place with a speed and under conditions that made it impossible to care for the refugees adequately.

In refugee camps there were repeated acute water shortages; some near starva-

tion; widespread malnutrition; extended breakdowns of distribution either through sheer lack of cadres or through division of goods and money; overcrowding; hazardous sanitary and health conditions; an absence of schooling for 90 percent of the I Corps refugee children; a frequent absence of farmland, jobs, job opportunities, and vocational training for adults. Above all, there was a lack of security, as Viet Cong attacks on the camps amply illustrated.

Furthermore, despite, real concern in the Refugee Commissariat, Saigon — and province chiefs — tended to view the refugees with suspicion as Viet Cong sympathizers, which many of them were.

PRESSURE ON CHIEFS

Then a combination of things happened. On the Vietnamese side the Commissioner for Refugees put pressure on the I Corps province chiefs to support the program. Refugee officials were allotted more gas for transportation. Mobile distribution teams began to fill the wide gaps left by inadequate local cadres.

On the American side, the 1967-69 Kennedy subcommittee hearings spotlighted the plight of the refugees and brought considerable pressure on the Johnson administration to step up the American effort.

The vast American logistical system was then geared up to service the refugee program, and Americans began exercising more control over relief commodities in provincial warehouses, so reducing illegal diversion of supplies.

Then any progress in meeting the needs of the refugees was shattered during February, 1968, with the countryside Tet offensive of the NLF and the North Vietnamese Army (NVA).

In this and the subsequent May and August offensives almost a million more people were made homeless, whether from the NLF-NVA attacks or from the heavy counterforce of allied bombing and artillery in the cities. The planned refugee program, itself an emergency operation, had to be subordinated to even more of a crash program.

SWEEPS HALTED

But Tet also brought an end to the wide-scale creation of refugees by allied military operations. Multidivisional sweeps were halted as American troops were pulled in to defend the cities. And this effect was reinforced by the tactical preferences of the new U.S. commander in Vietnam, Gen. Creighton W. Abrams. The order went out to avoid creating more refugees by military operations, and with some exceptions this principle has been adhered to since.

By fall of 1968 the allies had begun a counteroffensive into the countryside, in the three-month accelerated Pacification Campaign. With the NLF stripping the countryside of guerrillas and political cadres to serve main-force units, the allied push met less resistance than anticipated and succeeded dramatically in its aim of widening the area of government "presence."

Thus the stage was set by the beginning of 1969 to get on with the return to villages or permanent resettling of the longer-term refugees that had always been the intended goal of the refugee program.

The bulk of the 1968 refugees, many of whom remained in their home areas and were employed but simply needed help in rebuilding their homes, were on their feet again. And widening government "control" in the countryside (or at least lessening NLF control) opened the way for older refugees to move back to their villages.

SUCCESSSES REPORTED

This program now is in operation. But it has its drawbacks: The majority of the 215,000 who have returned to their villages or were resettled permanently in 1969 are still 1968 refugees, not the earlier ones. And the

refugees themselves are reluctant to move back in many cases, as they are not persuaded that security exists.

Because of this some observers fear that the program may turn into yet another massive forced relocation, though there is no evidence of this so far.

But the resettlement program has successes, too. Along the coast of I Corps, new fishing cooperatives are beginning to work well. In the Mekong Delta villagers have begun drifting back from open fields to the wooded canals and roadsides they had left years before because of continuous infiltration by NLF snipers and subsequent allied bombing and artillery strikes.

The ambitious Pacification Campaign for this year calls for reducing the present 1.3 million unsettled refugees (the unofficial number runs somewhat higher) to one million by this fall. Refugee officials hope to bring it down even lower, to 600,000.

Meanwhile, conditions at the temporary camps are being improved. U.S. funds devoted to refugee programs in the narrow sense are considered adequate now by officials. More than 40 percent of refugee children are reported in school.

TOLERABLE CONDITIONS

The well-known Cam Lo camp south of the DMZ has a new irrigation system that should make the surrounding land arable for the first time in the two years refugees have lived there. U.S. Army and Marine medics have supplemented the less than 150 civilian doctors serving the countryside.

Yet serious problems remain. Insecurity is the worst, especially in the three southern provinces of I Corps, where the poorly defended refugee hamlets have come under repeated NLF attacks by both direct and indirect fire this year. Disease and high infant mortality have been reported in individual camps.

Seventy percent of the camps (and 90 percent of those in I Corps) are still rated deficient by refugee officials in terms of overcrowding, water, jobs, classrooms, clinics, and/or security.

But there have not been epidemics, nor has there been starvation. Rudimentary living conditions at least are on the whole much more tolerable now than they were in 1967.

Vietnam is fortunate. It is a fertile land, rich in natural resources—except in the inland mountains—and 90 percent of the population lives in the delta and coastal plain.

People do not starve when they are neglected. And Vietnam is fortunate in the resilience and ingenuity of its people, who have maintained their identity and cohesion over a millennia of sporadic wars.

The future remains an ominous question mark, however.

What happens when a family—and tradition—oriented society is torn from its roots on the scale that has occurred in Vietnam? What happens to children who have been removed from the discipline of fathers, village society, and quiet lives as buffalo herdboys to the urban slum world of theft and prostitution?

How does a nation rebuild after so much death and anguish?

URGENCY VOICED

Getting beyond charity to "social reform" and "real planning" was what the Health, Social Welfare, and Relief Minister, Dr. Tran Lu Y, called for in an interview.

His deputy for social welfare, Dr. Ton That Niem, said the same thing in different words. Until now refugee and welfare programs have been "conditioned by the war," he commented. There has not yet emerged any program of prevention or development. Yet "the poverty of people" is what the Communists feed on.

An American official summed up the need as the rebuilding of a social infrastructure to replace that shattered by the war, one that

would encourage development and yet not violate traditional local customs, and practices.

All officials spoke with urgency. All agreed that the problem had not even been faced yet.

In part this is a question of money. The social welfare branch of the ministry had its proposed budget sliced in half this year—down to 430 million piasters (\$3.6 million), or one-third of 1 percent of the South Vietnamese national budget.

DRASTIC CUTS IN PROGRAM

This has meant severe reductions not only in relief programs, such as orphan assistance, but also drastic cuts in planned community and day-care centers that were to have been the core of long-term community development.

This affects many more people than just refugees and ex-refugees, while the impact on those once dispossessed is likely to be proportionately greater.

But beyond money is the deeper question of concept—and a program to implement that concept. The U.S. has accepted and is discharging a responsibility for emergency help to refugees.

It has not yet, at least as evidenced in the total refugee and social welfare program, accepted a responsibility to promote long-term rehabilitation of these people into a restructured society. Nor has the South Vietnamese Government done so. Meanwhile, the NLF is waiting in the wings.

COMMENCEMENT ADDRESS, HOLLINS COLLEGE, 1969

HON. RICHARD H. POFF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. POFF, Mr. Speaker, I was much impressed with a newspaper report of a speech delivered by Dr. John A. Logan, Jr., president of Hollins College, situated in the congressional district I am privileged to represent. I made it my business to acquire a full copy and having read it I find it even more meaningful than the newspaper story suggested. I would like to share it with my colleagues, and under leave to extend my remarks, I include the text in full in the RECORD at this point:

COMMENCEMENT ADDRESS BY DR. JOHN A. LOGAN

Members of the Graduating Class, the remarks I bring to you today arise out of a genuine concern for the future of my profession. My profession is teaching and scholarship, even though as a college president I teach seldom, and no longer do research in my field of academic specialization. I have not changed my profession, but simply my role in it; as an administrator, my task is to preserve and enhance the environment for learning by students and faculty at this college, and the vast majority of my colleagues in other institutions conceive of their mission in the same way.

This has been an especially trying year for college presidents. No one envies them their job any longer. There was a time, not so many years ago, when the busy man of affairs used to think longingly about retiring to the tranquil groves of academe to preside as a benign autocrat over a peaceful company of scholars, old and young, removed from the hurly-burly of the world. Not so nowadays. The college president find himself catapulted into the arena of social upheaval, at the focal point of the anguish of our so-

ciety. An embattled figure, he endures abuse and vilification, assaults on his privacy and even his person, and he is necessarily and intensely unpopular with at least some of the numerous constituencies whose divergent interests he is trying to serve and to reconcile. He is today's archetype of the anti-hero, beleaguered and battle-weary.

No wonder then, that so many college presidents are retiring from the fray to more congenial pursuits. In the space of a few weeks this year, five presidents of large state universities resigned their positions, all giving reasons which included some variation of the plea of "presidential fatigue" which Elvis Stahr, former Secretary of the Army, and more recently president of Indiana University, made upon leaving to take his post as president of the Audubon Society. Ray Heffner, who was an undergraduate at Yale with me, is leaving the presidency of Brown University after three years in office because, as he put it, "I have simply reached the conclusion that I do not enjoy being a university president." His tenure was not marked by any outbreaks of violence, but one can assume that this outward calm was achieved by prodigious expenditures of energy and influence.

My old friend, Douglas Knight, is leaving Duke University after six years, the last two of them harrowing in the extreme. He has referred to the "sometimes savage" demands made on the president and his family, and obvious reference to the fact that his home was occupied by demonstrators for several days, part of which time he was lying upstairs seriously ill.

Three of the five campuses of the City University of New York are currently without chief executives. The president of one of these, Buell Gallagher of CUNY, resigned twice this year. In April he announced his intention of leaving in protest against crippling budget cuts by state and municipal governments. This month he left precipitously in the face of political pressures arising out of his handling of rioting by black and Puerto Rican students, which led to pitched battles with whites and the destruction by fire of a college auditorium.

At the present moment, there are 80 to 100 four-year colleges and universities seeking new presidents. Among them are some of the most prestigious institutions in the country. Swarthmore has just announced a successor of Courtney Smith, who was tragically felled by a heart attack in the midst of a violent confrontation with black students demanding social programs at this Quaker institution with a venerable tradition of reasonableness, highest intellectual standards, and above all, non-violence.

Sooner or later, all these posts will be filled, but how well and for how long are crucial questions. The average tenure of college presidents is dropping alarmingly. In 1960 the average was 10 years, in 1968 it was just under 6. My eight years at Hollins seem brief to me, but I am among the veteran incumbents in this kind of post. The lack of continuity in leadership that these statistics reveal is a serious matter in itself, but perhaps more disturbing is the fact that so many of these able and dedicated men are leaving the profession entirely. They are not only weary, but profoundly disillusioned at the manifest impossibility of maintaining institutional integrity under present circumstances.

Some of you may have read the front page article in last Sunday's New York Times about the "new breed" of college president being sought these days. As one wit described it, they are no longer looking for Clark Kerr, but for Clark Kent. Superman or not, the search is for men who can "stand up to students," who will have no hesitation about calling in the police, and who have what President Nixon recently described as "backbone."

All of this reveals some fundamental misconceptions about the actual powers of the president, and the mode of governance of most of our better colleges and universities. No president or his administration will long exercise authority without the active support of the faculty. Faculty power is a fact, especially in those areas of most intense concern to dissident students. Faculties must make the decisions about curricular matters which determine whether courses shall be "relevant" in the sense students are demanding, or whether a genuine concern with good teaching will return to the university. Faculty standards dictate a "publish or perish" policy, faculty decisions determine whether to accept research contracts from what the radicals call the "military-industrial complex." The same can be said of giving academic credit for ROTC, or establishing separate black studies programs with open admission, no grades, non-academic teachers, and so on.

The president can have all the "backbone" in the world, but if his faculty fails to assume its rightful share of the responsibility, an appearance of institutional spinelessness is inevitable. Harvard's confrontation with the SDS over ROTC this spring is a case in point. President Pusey acted quickly after the expiration of his twelve-hour ultimatum to use police to end the sit-in. When he went to the faculty for confirmation of the penalties levied against the demonstrators, the faculty waffled and tried to have it both ways, by voting censure on both the students and the administration for their actions. The vacillation of the Cornell faculty similarly reflected a confusion about their own most fundamental interests.

It is difficult to see how any faculty can countenance the use of force by student dissidents. One of the most clearly established principles in American jurisprudence is that the right of dissent extends to every form of speech, and includes the right to picket peacefully, or to stage mass demonstrations, so long as there is no interference with the rights of others, no obstruction of normal traffic or business, no breach of any reasonable law, and no violence or destruction. This is true of our civil society, and observance of these principles is especially important in institutions of higher learning.

Many of you will remember about the famous incidents during the early years of the University of Virginia. Thomas Jefferson, the earliest champion of public higher education, and one of the most eloquent spokesmen for personal liberty, described his ideal of university governance in a letter of August, 1825:

"Our University goes on well. We have passed the limit of 100 students some time since. As yet it has been a model of order and good behavior, having never yet had occasion for the exercise of a single act of authority. We studiously avoid too much government. We treat them as men and gentlemen, under the guidance mainly of their own discretion. They so consider themselves, and make it their pride to acquire that character for their institution."

Shortly thereafter, however, a serious riot occurred, in which faculty members were insulted and manhandled by masked student revellers. The University authorities took swift action, with resulting changes in policy which Mr. Jefferson described in a second letter three months later:

"We have no further fear of anything of the kind from the present set, but as at the next term their numbers will be more than doubled by the accession of an additional band, as unbroken as these were, we mean to be prepared, and to ask of the legislature a power to call in the civil authority in the first instant of disorder, and to quell it on the spot by imprisonment and the same legal coercions provided against disorder generally

committed by other citizens, from whom, at their age, they have no right to distinction."

Student unrest has become a national issue, as both Mr. Nixon's statements and those of the Attorney General and members of Congress testify. Every local politician can expect enthusiastic agreement from his constituents for any attack on the shocking events on our campuses. * * * They issued statements saying that the fundamental causes of unrest arise from impatience at slow progress in dealing with national problems such as Vietnam, poverty, and racism. While there is much truth in these assertions, it is no excuse for a failure to take stronger measures to put our academic house in order.

Very important values are at stake, including the essential freedom of the university. Federal intervention in campus disciplinary questions has already come in the form of statutory provisions for denying Federal aid to students arrested in civil disturbances. This is a notable extension of the police power through the spending power, and may be only a prelude to much more extensive erosion of institutional autonomy by many levels of government.

The image of higher education among the population at large is in a sorry state, and support for our colleges and universities is imperiled. In a narrow sense, this means money. Some business corporations are reducing support, and many alumni are in a state of impotent outrage. One cannot expect that after the war in Vietnam is over, a bonanza of public funds will rescue our colleges. Their priority in the scale of national concerns is dropping with their prestige.

But far more than money is involved. To use an overworked word, our "credibility" is in question. The considerable respect our institutions of higher learning have enjoyed is declining, and with it much of our potential as a humanizing influence. How can one expect that anti-intellectualism will not flourish in the society at large, when it is openly tolerated on campuses? Surely it is evident that the minority of student radicals are aiming not at reform, but at the destruction of the university. They are often abetted and encouraged by a few members of the faculty who have clearly abandoned any pretense of objectivity, who have deserted scholarship substituted dogma for reasoned argument. These are few in number, but they have forfeited every claim to consideration under the ordinary canons of academic freedom. The preservation of freedom in any community assumes the existence of appropriate constraints against its destruction. There must be order as well as freedom, in due balance.

We must not lose sight of the fact that the essence of the college or university is that it is the place, above all other places, where the truth is sought. The truth as we know it is never perfect, never final. The university does not possess it, but it values it above all else. It believes in facts, and searches them out. It maintains a vigilance against the abuse of facts, against dishonesty in any form.

This search proceeds through experiment and observation; it is refined through debate and reasoned argumentation. Violence does not lead to truth, nor does the kind of confrontation politics which are practiced by the New Left. Furthermore, these tactics can only lead ultimately to repression, for chaos invites tyranny. If these things happen, we will have lost the precious fruits of centuries of struggle for freedom of inquiry and expression.

I return in closing to the college presidency. Aside from the personal compassion I feel for the many good men who have been mangled by ugly events and by the accountability they must assume for things manifestly beyond their control, I worry about the future of our noble profession. I speak again

as the scholar and teacher, who feels strongly that his vocation is to aid in the search for truth which is the necessary foundation for action in behalf of constructive social change. Our society needs our colleges and universities as never before, and our colleges and universities need leaders who are educators, not martinets. Good men will come forward if they can be assured of support from their faculties and from the moderate majority of students. At the moment, in too many institutions, such support is at best passive and unorganized.

Some of you may feel that you have been deprived of something vital to your education, that you have been out of the mainstream of your generation by having spent four years at Hollins, where the only disruption of classes was caused by the Hong Kong 'flu, and the only destruction was the loss of the dairy barns in a fire that was clearly an act of God. As you have gathered from my remarks, I could not disagree more thoroughly, and I submit that it is no accident that your experience was atypical in this regard. This is hardly an apathetic campus, and we have faced many questions which divided us. Nor have you failed to address yourselves to the great issues of our times. But we have remained a genuine community, with a tacit understanding that every view will be heard, that every question can be rationally discussed and acted upon in an atmosphere of mutual respect and tolerance. Sometimes the tolerance has worn thin, but it has never yet broken. Sometimes the leprous rage that infects our nation has appeared among us, but it has never dominated an issue here. Great changes have taken place in your years at Hollins—in the structure of student government and in its powers, in the shape of the curriculum, in the rules that govern student life, in the size of the college and its physical facilities.

The most remarkable thing about Hollins is not its academic excellence, but the fact that everyone connected with it cares so intensely about it in a positive and constructive way. Even those in our midst who most passionately wish it to be different, do so out of affection rather than revulsion.

It is no small thing that we have not lost our capacity to laugh, and rarer still, that we have not lost our capacity to love.

I wish you every success in the adventures which await you, and wish you Godspeed.

MAURITIUS 1 YEAR LATER

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. POWELL. Mr. Speaker, when Sir Seewoosagur Ramgoolam's Independence Party triumphed at the polls on March 12 last year, the prophets of doom announced in a chorus of voices that the little island in the midst of the Indian Ocean did not have a chance to survive as an independent nation. Prior to independence there had been considerable violence between the Creole and Indian communities. Commentators presumed that the withdrawal of British protection could only result in wholesale rioting. Happily enough, the communal rioting that wracked the island prior to the option for independence was not repeated. Indeed the general atmosphere of the island has been cordial.

Traditionally, the Mauritian economy was, and still is, based on sugar. In an effort to reduce economic dependence on

a single product, the government has considered and is now acting upon several means of diversification. Because of the location of the island, consideration has been given to the development of a free port that would serve the Indian Ocean area in much the same way that Hong Kong serves the Far East. Since the level of technical training is considerably higher than many other countries of the third world, there is a strong possibility that light industries devoted to producing finished products from imported raw materials may develop. Because of the great beauty of their semitropical island, Mauritians hope that it will develop into a tourist center.

Unlike many of the emerging nations, Mauritius has a very high level of education. There are enough persons trained in the professions and the civil service ranks among the most competent by any standard. There are no less than 32 newspapers in a number of languages.

Refusing to adopt a dogmatic foreign policy, Prime Minister Ramboolum has pursued a foreign policy of nonalignment. His country has joined the Organization of African Unity and enjoys cordial relations with the United States. Indeed, Mauritius has cooperated with the United States, allowing the island to be used as a satellite tracking station for the American space program.

It is truly edifying to see so much accomplishment in only 1 year. Perhaps if those prophets of doom had taken a closer look at the human resources that the Mauritians had available to them rather than one or two unfortunate incidents, they might not have been so pessimistic in considering Mauritius' future.

THE GREAT AMERICAN COUNTRYSIDE

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. ZWACH. Mr. Speaker, I am vitally concerned that the attention of the administration and Congress be brought to the problems of rural America. There is a very close relationship between the economic and social forces starting at the country or rural level and the consequent public recognition of the so-called urban crisis. Many studies have been made regarding the poverty problem, and one of them identifies 40 percent of the low-income people as living in our rural areas. There are about 70 million people living on the farms, or in villages or cities with less than 15,000 population. If we have 20 million total impoverished Americans, then 14 million of them must come from the 70 million referred to above. The logic of this startling figure can be quickly ascertained when we recall that these people have historically had in recent years about two-thirds of the per capita income of city dwellers.

Some concrete work is underway to show and to lead the way in using the

resources of the countryside in order to provide a better balance of people, incomes, and opportunity in our Nation. Much good work has been performed by Mr. G. B. Gunlogson, Racine, Wis., on this possibility. He has recently completed a booklet on this subject, and I am inserting a portion of that report here. Complete copies of this presentation can be secured from my office or by writing directly to Mr. Gunlogson, 400 Cross Creek Road. The title of this work is "Redistribution of People."

The material referred to follows:

THE GREAT AMERICAN COUNTRYSIDE

This is the heart of all our natural resources. It comprises more than 98 percent of the United States in land area and living space. It includes more than 16,000 towns and cities up to 15,000 in population . . . 2,800,000 farms and the most efficient agriculture in the world . . . nearly 3 million miles of surfaced highways . . . 200,000 miles of railways . . . 250,000 miles of gas transmission lines . . . electric power everywhere . . . thousands of parks and recreation areas, lakes, rivers, mountains . . . more than 70 million people.

These 16,000 towns and cities are the gateways to the country. Much of the vitality, the planning, and the progress in the countryside are centered around its small cities. They provide business services, educational, health, social, and recreational facilities, and opportunities. The country towns are the gateways not only to all our land resources but to a highly diversified economy.

Farming is by far the most important industry in the country; but the farm population is down to about 10 million, while 60 million people live in the towns and small cities. Together this population is little more than one-third of the nation's total, yet it occupies more than 98 percent of the United States. In this vast countryside complex there are almost unlimited opportunities for industrial development, business and service enterprises, recreational facilities, schools, homesites, and congenial living conditions for millions of additional people.

Actually, a great deal of progress is already under way. Vast physical improvements have been made. The acre yield of some of the basic crops has been doubled and trebled during the last 30 years. All this has gone on without attracting much public attention, yet it has probably contributed more to our basic resources than all the skyscrapers built during this period. More than 7,000 country towns and cities now have modern highways, power, improved educational health and recreational facilities—often better than found in big cities.

In much of the countryside and in thousands of its small cities, the record of literacy and school attendance is higher than in New York or Philadelphia. These enriched resources and physical improvements can bring a new era of development to the countryside.

NATURAL RESOURCES THAT ARE VITAL TO HUMAN WELFARE

The extent of our dependence on natural resources is something that has never been measured or fully defined. It is usually equated in terms of production of food, forests, and minerals. We have looked on land, not as something of which we are a part, but rather as a purely negotiable and profit-producing asset.

The relationship of land and human ecology brings us to one of the most critical questions concerning our future. To what extent can man be alienated from the natural world and still retain the qualities of a human being?

In the world we live in today, we may need more than ever the aspiration and regeneration which only the good earth can give. The

urge to seek relaxation and enjoyment amidst woods and waters is universal. This year it is estimated that there will be 150 million admissions to national parks and areas under the supervision of the National Park Service. Many more will be seeking enjoyment and relaxation in state parks and other areas away from big cities.

People living in big cities have the means invariably also have country homes or spend frequent vacations there. The very poor reach there only through charity or not at all.

Millions of boys and girls go to camps and to farms for brief periods. There are many organizations, some national in scope, that provide funds to enable city children to enjoy these experiences. But there are too many other children in big cities that have never heard the sounds of birds and little animals in their native habitat nor breathed the fresh air of the woodlands.

This pattern of development is essential if we are going to utilize effectively our total natural resources. It is no less important for the future of industrial development. The countryside is the source of most of our fresh water supply. Notwithstanding the present danger of pollution from certain agricultural chemicals originating in areas of highly intensive farming, the earth itself is a vital factor in the recharge cycle of water. Pollution of all kinds is easier to control, and some of the processes are automatic. The process of photosynthesis is an important factor in reducing air pollution. Woodlands and croplands reduce noise.

Only recently professional planners for urban areas have been advocating the benefits of "greenbelts" adjacent to these areas, but for most big cities it is too late and too expensive to apply this concept. We have just begun to explore how important the green chemistries of the countryside are to not only human well-being but to the future progress of industry as well. Technology cannot transform the nature of man, but it can ruin his environment.

THE COUNTRYSIDE MOVEMENT WOULD BRING MAJOR OPPORTUNITIES TO PEOPLE AND INDUSTRY

1) There is no other way to make our total natural resources and living space available to the greatest number of people. It would help to relieve the large cities of the pressure and problems from excessive population. It would make the countryside a more valuable economic partner of the cities and a better customer of their services.

2) It would produce a stronger and broader base for a new and sustained economic progress for the whole nation. Jobs can be created in the countryside far more economically than in big cities. In fact, countless jobs would be created automatically once the countryside movement gets under way.

3) Markets for a wide assortment of industrial goods would expand. People employed in small cities and in the country buy more automobiles, appliances, sporting equipment, and consumer hardgoods than big-city dwellers. The margin of spendable incomes is higher, and people can live better on smaller incomes.

4) Nowhere else are there to be found greater future opportunities for industry and new business development. Nowhere else is investment safer. Nowhere else is there a more geographically diversified market for almost every kind of product and service. Here are green earth, ample living space, and all the vital resources to sustain the highest standard of living to be found anywhere in the world.

Studies covering a large number of industrial plants opened in small cities within the last few years have revealed some significant facts. In general, the attitude of the workmen is better than in big-city plants. They have more pride in their place of work. More of them own their homes and take more interest in the total welfare of the community. They are stable and responsible.

These advantages may be more important than is generally recognized by industry or the local community. Similar surveys in different sections of the country are now under way. They will be of much value to industry as well as all small cities.

People in the country are learning that a good town must provide business services, educational, health, social and recreational facilities, and opportunities for young people. To support such a town requires the cooperation of all the interests in the community.

5) Farmers, too, would have as much or more to gain than anyone. It could bring more local processing and packaging of farm products, as well as increase local consumption and demand for various products of the land. It would mean more local opportunities for farm families, and there would be more incentive to build for the future. Farming would become increasingly related to the total land economy.

6) More than at any other time in our history, the whole nation needs the countryside. Almost wherever we look in the world, there is war or the threat of war. This year billions of dollars are going into defense and to fight a war in Asia. Despite these great expenditures and efforts, it may be assumed that a growing number of intercontinental missiles are zeroed in on every big city in the country. Whatever our defense calculations may be, the nation's ultimate survival would be in the countryside.

STIMULATING A NEW SPIRIT OF ADVENTURE

The first gain would come from the stirring of individual initiative and imagination. The effect would be something like that of the Homestead Act of 100 years ago, the discovery of gold in the western states, or the concentration of industry during the World War. It would automatically lead to redistribution of people.

What is needed to bring about this rebirth in America is not so much the expenditure of vast sums of public funds, but rather that of understanding and information. We need to rediscover the countryside again as it is today and not as it was a generation ago. The total countryside needs to be defined and made known to the public. It needs more aggressive selling of all the things it has to offer for better living.

The term "rural" or "rural America" when used to define the total countryside as it is today—that vast body of America outside the boundaries of big-city complexes—is an unfortunate term. It tends to perpetuate an image and background that go back before the turn of the century. "Rural America" is decadent, whereas the "modern countryside" is the future of America.

MANY POSITIVE FORCES ARE GAINING MOMENTUM

Not long ago Ambassador Karl Rolvaag, former Governor of Minnesota, wrote: "Sooner or later the rush from country to the cities, and now from the cities to the suburbs, will return to an exodus back to the countryside." A large number of leaders in industry and government have recently expressed the need for a better balance between the urban and countryside economies. During the last year or two, various bills have been presented in Congress designed to aid this movement.

One of these would establish a Commission that could help bring to public attention a wide range of viewpoints concerning causes and solutions of problems that confront both cities and countryside. It could help give direction to the many discordant policies and forces that have tended to widen the urban-countryside gap. It is hoped that this measure may lead to a Congressional Committee on Countryside Affairs.

Everywhere there are area development units and organizations. State and federal agencies, colleges, churches, and others are becoming increasingly active in this movement. There is now being established a na-

tional association of citizens for countryside development. This will provide the total countryside with new representation and a voice at the national level. It will serve as an agency for education and promotion at both the community and national levels.

Improvements in the physical assets have been and are being realized, including modern highways, power, education, health, and recreation facilities. Fortunately, these developments are taking place at just the time when population and social pressures are building to painful heights in the big cities. This is the new and better future which all America should be looking forward to.

"THE TWO-EDGED SWORD" IS SUBJECT OF SBC PRESIDENT'S ADDRESS

HON. EARLE CABELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. CABELL. Mr. Speaker, I would like to insert in the RECORD the following address by Dr. W. A. Criswell, of Dallas, Tex., before the recent Southern Baptist Convention in New Orleans, where he was reelected president of the convention.

Dr. Criswell is a great spiritual leader who is in his 25th year of service at the First Baptist Church in Dallas and is in his 45th year in the ministry. He has contributed greatly to making the First Baptist Church in Dallas, with its 15,000 members, one of the largest churches in the world.

The address follows:

THE TWO-EDGED SWORD

(By W. A. Criswell)

The Roman legions conquered the civilized world with the double-edged sword. With it they overwhelmed the heretofore invincible Greek Phalanx. Fearlessly charging the enemy at close quarters, they outmaneuvered the spearman with their long javelins, the cavalry with their frightened horses, and even the footmen with their heavy armor. These legions could and did cut armies to pieces.

The fearsome and formidable weapon had a cutting edge on both sides. It was two-edged. This sword is a picture of the Word of God: "For the Word of God is quick, and powerful, and sharper than any two-edged sword..." (Hebrews 4:12). It is a type of the message of Christ: "And out of his mouth went a sharp two-edged sword..." (Revelations 1:16).

The Christian religion has two sharp, cutting edges. One edge is faith, the other is works. One is believing; the other is doing. One is evangelism; the other is ministering. The Christian religion is a great communication; it is a great compassion. It is a great conviction; it is a great commitment. It is a great doctrine; it is a great deed. It is a great message; it is a great ministry. It is a great speech; it is a great sympathy. It is a sublime word; it is a heavenly work. It is an eloquent propaganda; it is a glorious practice. It is a noble orthodoxy; it is a magnificent orthodoxy.

These are the two hemispheres of the Christian religion. Separated, they bleed themselves white. Together, they are a glory before the Lord. Cleave the message from the ministry and the whole becomes dust and ashes before our eyes. Joined with unbreakable links they become the work of God unto salvation and with the power of Christ in the redemption of human life.

Our ministry and message must be to the whole man. Half a religion is not enough. A whole man needs a whole religion. True

Christianity involves both the body and the soul, the head and the heart, the inward and the outward life. A theological dualism that separates the temporal from the eternal, the physical from the spiritual, the soul from the body, this world from the world to come, is alien to the mind of Christ. A person is a whole being, a total personality and is to be ministered to as such.

In this life we cannot separate soul and body and even in the life to come the regenerated spirit is to be reunited with the resurrected, glorified body. Both make up the total person. The soul is not to be lodged in its place and the body in another. Loving lost souls we minister to human needs. We seek a balanced ministry of evangelism and social responsibility. True pietism and social action are not opposites. Only the monk seeks to disengage himself from the tensions and trials of society. To become involved with the problems of mankind is to follow the example of Christ who came not to be ministered unto but to minister.

The Christian must express himself in two directions: vertical and horizontal, toward God and toward man. Our relationship to God is incomplete until it manifests itself in better relationships with men. Faith and works are inseparable halves of genuine Christianity. Neither is a substitute for the other. Faith without works is dead. The Saviour who died for us and by whose atoning grace we are saved is the Saviour who answers prayer in giving us daily bread.

We are to deliver the whole gospel of Christ. We are to preach Jesus born of a virgin, the child of prophecy; Jesus dying for our sins according to the Scriptures; Jesus raised from the dead for our justification; Jesus interceding in heaven for us sinners; Jesus coming again in power and great glory.

But we are also to preach Jesus moved with compassion on the multitudes; Jesus preaching hope to the poor; Jesus healing the sick and cleansing the leper; Jesus feeding the hungry and strengthening the weak. In the message of Christ there is no conflict between the Good Samaritan attitude toward the weary world and the salvation of the soul by the blood of the Crucified One. Both are a part of the gospel.

The Christian faith is more than words, doctrines, sermons. It is also loving dedication in human service, offering hands of help. It is the translation of the word, the speech, the idea into reality that gives the message power and relevancy. A gifted scientist one time showed me on a table in his laboratory a glass model he had worked out for the breaking up of molecules in crude oil into high powered gasoline. He then took me to the window of his study and showed me a full square mile of heavy industrial, chemical installation, then humbly, simply said, "This", pointing to the laboratory table of glass tubes and condensers, "is that," pointing to the gigantic plant. The idea translated into reality gave it pertinency. The idea unapplied is worthless.

Herein is a marvelous thing. All the great ideas of spiritual revelation are active, atomic and dynamic; never static, passive, nor dormant. The idea of God as the "Logos" in John 1:1 is the revelation of the active God that we know in creation and re-creation, the God of expression toward which Plato and Philo reached in their philosophy. God necessarily moves, advances. He never recedes. His creation is followed by redemption. His redemption is followed by sanctification. His sanctification is followed by glorification. Convulsions of nature and nations disorders and dissolution of social orders impede Him not. God's sovereign purposes move inexorably on. It is His will that His saints shall possess the earth.

The idea of "faith" in Hebrews, chapter 11, is above all things dynamic. "By faith Noah . . ." How do we know he had faith? Because "he prepared an ark to the saving of his

house." "By faith Abraham . . ." How do we know he had faith? Because "when he was called to go out into a place which he should after receive for an inheritance, obeyed; and he went out, not knowing whither he went." "By faith Moses . . ." How do we know he had faith? Because "he refused to be called the son of Pharaoh's daughter, choosing rather to suffer affliction with the people of God, than to enjoy the pleasures of sin for a season."

The idea of "love" in the Bible is ever expressive, moving, ministering. We know God loves us because He sent His son to die for us (I John 4:9). He who loves God must love his brother also (I John 4:21). Loving our brother is a form of loving and worshipping God, a way of serving the Lord.

If there is any reality in the truth we have heard in sermons and in lessons it is because we have seen it, experienced it, done it, proved it. As long as the message is only words and sentences it is nothing. Argue, discuss, preach, debate as we may, it still is nothing but breath and sound. The great sermon, the mighty avowal, is still just language until it assumes the form of flesh and blood. It is God incarnate, God in the flesh, who is Immanuel, God with us. It is the truth translated into life and deed that is really truth.

Herein is a glory of glories of the Christian religion. All the truth of the Christian message is demonstrable truth. It is truth that takes effect in changed lives, new hopes, new aspirations. "If any man be in Christ he is a new creature" (II Corinthians 5:17). It is truth that becomes flesh and bones as the Lord Jesus raised from the dead. It is truth that can be handled and seen, proved and tested. The son of a Professor of Systematic Theology in a Seminary said to his illustrious father one morning: "Dad, why did you never tell me about the power of the gospel to change human life?" The father replied, "Son, I have sought to tell you through all the years!" The youth replied, "Well, father, somehow I never saw it until last night down at the rescue mission."

Bible religion is experimental religion, heartfelt religion, life-changing religion, soulsaving religion. It is a religion that sings—

"Saved by the blood of the Crucified One,
All praise to the Father, all praise to the Son,
All praise to the Spirit, the great Three in One,
Saved by the blood of the Crucified One."

And it is a religion that sings—

"'Tis the old time religion
Makes me love everybody.
It will take us all to heaven,
It's good enough for me."

"Everybody."

"Red and yellow, black and white
They are precious in His sight.
Jesus loves the many people of the world."

Is there anything wherein we can say, "This is Christianity, come and see?" Many of us would point to the great convention, thrilling with the verdict, "This is the faith!" But Jesus never mentioned it, nor did He ever refer to it. Some of us would point to the glorious, sermonic peroration, rising with its inspiration to exclaim, "This is the faith!" Jesus never mentioned it, nor did He ever refer to it. Others of us would point to the imposing cathedral and following its pompous service reply, "This is the faith!" Jesus never mentioned it, nor did He ever refer to it. But He did have something to say about a cup of cold water, seeking the lost sheep, knocking at the door, honoring a despised Samaritan.

This is our heavenly calling, to translate the sermon into flesh and blood, soulwinning and brotherhood, to match the deed

with the doctrine, to minister to the needs of the people.

"A local pastor of great austerity
Climbed upon his high church steeple
To be nearer God, that he might hand
God's word down to the people.
In his day God said, 'Come down and die,'
And he called out from his steeple,
'Where art thou, God?' and the Lord replied,
'Down here among my people.'"

Jesus' ministry was decidedly, emphatically two-fold: meeting spiritual needs and physical needs. Forgiving sins and feeding the hungry were a part of his dedicated work.

The needs of the world greatly concerned Jesus. The poor, the sick, the unclean, the outcast and the needy were ever on his heart. "Jesus filled with compassion" is ever His endearing name. He drove the money changers from the temple of prayer. He condemned the Scribes and Pharisees for their piety without godliness, their orthodoxy without righteousness.

It was Jesus himself who taught us to pray, "Thy kingdom come, Thy will be done on earth as it is in heaven." The whole range of human life—our unseen motives and our outward relationships—are to be brought into obedience to Christ. He commands us to feed the hungry, heal the sick, visit the imprisoned, clothe the naked, liberate the oppressed, love the unlovely. Part of the discipleship of Jesus is lifting the destitute out of the gutter, bridging the gulf between races and answering the cries of the helpless. The loving deed in Christ's name may be a more effective witness for the Saviour than the mouthing of pious platitudes and threadbare clichés.

The early church, also, shared that two-edged ministry. The apostles gave themselves to prayer and the ministry of the word while the deacons assumed the responsibilities of caring for the poor and serving tables. Through the years since, the churches and their leaders have been true to those dual responsibilities. List the famous preachers and you will have a roster of men who battled for social betterment. Charles G. Finney, who had last century's greatest revival, was the most outspoken preacher of his days against slavery. Charles H. Spurgeon sought to alleviate the plight of the helpless poor in industrial England. Dwight L. Moody in America and F. B. Meyer in England were the champions of homeless children. Billy Sunday was the greatest foe to the liquor traffic the world has ever seen.

On the mission field the story is no different. The missionaries have led the way in social service. William Carey secured passage of the law in India abolishing the cruel practice of throwing children into the Ganges River. He later led India to pass a law abolishing the religious rite whereby a widow was forced to self-immolation on the funeral pyre of her husband. David Livingston moved the whole earth against African slave traders. He wrote in his diary just before he died on his knees, this sentence, "All I can say in my solitude is this, may God's blessing rest upon any man, Englishman, American or Turk, who will help to heal this open sore of the world." Adoniram Judson warred against the despotic East India Company.

Nor has the record of our Southern Baptist Convention been any different. Our messengers in assembled convocation have spoken out time and again concerning the social and political issues of the day. We have forcefully and emphatically voiced our convictions concerning war and peace, disarmament, human rights and liberties, race, poverty and crime. Were we to do different now it would be to change the course of our own history.

We are not to cower before the world and the onslaughts of Satan as though we were craven slaves. We are to press the battle against the enemies of God and of mankind.

Putting on the whole armor of the Almighty we are to hold in our hand the double-edged sword of the Spirit, the Word of God, the saving, changing, gospel of Christ. The sword is an offensive weapon. The two-edged sword is for attack. Christ expected His gospel to march, go, move, conquer, attack.

We have been thrust into a world of conflict and tension with a two-edged sword, not a staff. In the closing day of our Lord's earthly ministry, Luke records this conversation between Jesus and his disciples: "When I sent you without purse, and scrip, and shoes, lacked ye any thing? And they said, Nothing. Then said he unto them, But now, he that hath a purse, let him take it, and likewise his scrip; and he that hath no sword, let him sell his garment, and buy one" (Luke 22:35-36).

The prophetic outline of Christian history is replete with warnings such as our Lord's, "In the world ye shall have tribulations." The fulfillment of these prophecies is written in tears, blood, agony, martyrdom and death. The Christian soldiers have battled paganism, heathenism, materialism, secularism, sensualism, racism, and atheism and the rising powers of spiritual darkness. We are ever just one generation from total eclipse. We are in a war from which there is no discharge. We shall be the church triumphant in heaven someday but we are the church militant now.

Satan has cast down the gauntlet to our generation. He has defied and defamed God and dared us to resist. Our days are like those described as "a flood after the woman, that he might cause her to be carried away of the flood." We are battling for our very existence in the earth. Baptists and Christian believers everywhere face a flood tide of evil that seeks to drown us, bury us. Satan has not only blunted our attack but stopped our forward thrust.

Even statistics alarm us in pointing out our diminishing percentage of believers in the earth. Some say that 185 years ago 25% of the world's population was evangelical Christian. Today it is 8%. By 1980 it will be 4%. By the year 2000 it will be 2%. And what of the next century? Last year on all of our mission fields Southern Baptists baptized 65,000 converts. But 65,000,000 souls were born. Carry out that ratio in geometrical progression through a few years and the flood-tide of pagan darkness in the world becomes impenetrable.

Nor is Satan done. He is ploughing us up in our own country and among our own people. He is demolishing our institutions and tearing our social fabric apart with the sordid inroads of crime. For every dollar we spend on our churches we are forced to spend \$12,000 on crime and filth. And as though this were not evil enough, he has raised up a brand of vipers that sink their fangs into the very heart life of our republic. It is called "The New Left." J. Edgar Hoover described it in this way:

"The mood of the New Left and its philosophy of life is one of defiance, hostility, and opposition to our free society. It seeks to destroy, not to build. Its whole approach is one of negativism—to criticize, belittle, denigrate the principles on which this nation was built. Cynicism, pessimism and callousness are its mottoes. As its heart, the New Left is nihilistic and anarchistic.

"Basic to the New Left's mood is the idea that contemporary American society (contemptuously called the "Establishment") is corrupt, evil and malignant and must be destroyed. It must—along with its Judaic-Christian values—be liquidated."

The evil, vicious implementation of this New Left can be dramatically illustrated in the college radicals who are seeking to destroy our institutions. Respect for the rights of others can return to the campus only as brave administrators confront these armed militants with the simple but firm demand that they be a cooperating part of the academic

community or get out. And as the President of Notre Dame said, "You have fifteen minutes in which to decide!"

The Director of the Federal Bureau of Investigation makes this appeal to us: "Never have the churches lived in a time of greater opportunity to exhibit the importance of faith in God and of obedience to His will, and never in the history of our generation would their failure to do so be more calamitous."

In the name of God, we accept the challenge to resist. In Christian commitment, in a common determination, we shall march together, work together, struggle together, strive together. We have no time to divide, not now; we have no time for petty accusations and arguments, not now. Our very life is at stake.

The best defense, the strategists say, is an offense. Press the attack to the enemy. Carry the war to the foe. Alexander the Great was asked, "How did you conquer the world?" He replied, "By never turning back!"

"Like a mighty army
Moves the church of God;
Brothers, we are treading,
Where the saints have trod;
We are not divided,
All one body we,
All in hope and doctrine,
One in charity."

The mystic William Blake said it for us:

"Bring me my bow of burning gold,
Bring me my arrows of desire.
Bring me my spear, O clouds, unfold,
Bring me my chariot of fire.
We shall not cease from battle strife,
Nor shall the sword sleep in our hand,
Till we have built Jerusalem,
In the fair and pleasant land."

American and Christian civilization lie in the balance. If we fall here we fall everywhere. If we fall now, we, for our part, have fallen for all time. Armageddon is at our door. I lived through World War II. Listen to the men who fought through that terrible holocaust: General of the Army, Dwight D. Eisenhower: "There is implied no limit to the capacity of science to reach the maximum destructive effect . . . The only hope for the world as we know it is in complete spiritual regeneration, a strengthening of moral fibre. And again: "I'm convinced from what I know of world conditions that the only hope of our day is a religious revival." General of the Army Douglas MacArthur: "We have had our last chance. If we do not now devise some better system, Armageddon will be at our door. The problem basically is theological and involves a spiritual recrudescence of human character. It must be of the spirit if we are to save the flesh."

At a banquet in Dallas for Speaker of the House Sam Rayburn, I was invited to lead the invocation and was seated by the side of the illustrious American statesman. In his address, after describing the frightful possibilities of the atomic bomb, he dramatically turned to me and said, "I am not a preacher, Sir, but I believe that if the world and its civilization are not to be destroyed, we must have a resurrection of the old time religion." The applause was deafening. He later joined the little Primitive Baptist Church near Bonham, Texas, from which church he was buried with the President of the United States in attendance.

There is so much to be done in these trying days and so little time in which to do it, that the exigencies of the hour should drive us to our knees in supplication. Every church should be shocked out of its complacency and lethargy. Working together we should face a new day of commitment to our heavenly assignment. Marching together we should seek openness of heart and life and love to all men everywhere. Striving together we should be of one mind in presenting the

gospel as applicable to all men and able to save all the uttermost. Living together we should shine as lights of the Lord in a dark world, adorning the gospel in word and in deed.

Our spirit and our preaching should be positive, not negative. Up, not down. Onward, not backward. Victorious, not defeated. Optimistic, not pessimistic. Our Lord spoke of trials but also of triumph: "In this world ye shall have tribulations, but be of good cheer, I have overcome the world." We should pray to lift up the hearts of men, not cast them down. We should be evangelists preaching the good news to our generation; all this with heavenly answers, not with questioning doubts that darken the hopes of men. We should be preaching not what we do not believe, but what we do believe.

This is a critical hour and the only way out is up. Modern men are weary with being told what they cannot believe. They want to know what, if anything, they can believe. They are not interested in an emasculated, anemic, denatured Christianity, offered to them as a concession to this supposed modernity of mind. They are frank to say that if the church is just another conglomerate of social welfare agencies, if the Bible is so unreliable you cannot accept it as really true, if the Christian faith is based on a gigantic fraud about a man who didn't really rise from the dead, then there is no use trying to modernize all this mess. Just throw it out and be done with it. This is what uncounted numbers of students have done. This is what uncounted numbers of business men have done. If you persist in handing out stones when people ask for bread, they will quit coming to the bakery. When you give serpents for fish and scorpions for eggs, the market is ready to close.

But we are under no compulsion to be party to so disastrous a course. Some of us have a deep-seated fear that we shall become like other denominations who, stressing the so-called "social" gospel (there is but one gospel according to Galatians 1:6-9), have lost their institutions, forsaken their missionary zeal, given up their soul-winning passion, and have died in their churches where they have not closed them altogether. But we need not be that way, nor shall we become so if we remain true to the basic assignment of the Great Commission and follow the divine pattern set by our Lord and His apostles. The extension of applied Christianity to social issues, making the world a better place to live in, must ever be the fruit of a personal, individual relationship with Jesus Christ. Our social action must have its roots in Christ's redemptive message. The agnostic, the atheist, the infidel, the unbeliever can engage in social action—and many times do. But the Christian labors in an altogether different kind of a framework and from an altogether different motive. Loving God we love and serve our brother. But loving God must always be first.

The Christian message is one with an emphasis. Jesus taught and preached with an emphasis. He himself said there is a first commandment, then a second. It is this in His Great Commission, there is order, as well as content and one is as inspired as the other. The first order is to make disciples, to win men to Christ. That command is the only imperative in the Greek sentence in Matthew 28: 19-20. All the other words are supporting participles.

We have a first and a primary task, that of evangelizing the world. Jesus explicitly said so. With gratitude for the moving hand of God in our midst, making us sensitive to social needs, yet we must not be blinded to the fact that the New Testament places the emphasis upon the proclamation of the gospel of redemption (I Corinthians 15: 1-4). The church must ever remember that its major task is to meet man's most serious need, the regeneration of the soul.

Modern denial for the need of such a gospel is loud and vociferous. The blasphemous deniers state their case bluntly, rudely brutally. They say if you have tractors to move mountains you don't need faith. If you have penicillin you don't need prayer. If you have positive thinking you don't need salvation. If you have the state you don't need the church. If you have manuals on science you don't need the Bible. And if you have an Edison or an Einstein you don't need Jesus. They define life in terms of material values. But the gospel message addresses itself to a far deeper human need, the need of regeneration, the need of a changed heart, the need of solving the spiritual problem of sin. Tractors, penicillin, manuals on science, affluence, governmental agencies cannot teach it, nay, are objectly helpless before it.

The Christian religion is essentially a message of redemption. It's fundamental purpose is to deliver us from the bondage of sin. It is not in the first place an ethic, although it is ethical. It is not in the first place a theology, although it is theological. It is not in the first place reformational, although it carries with it social, cultural, and political reforms. It is first and above all redemptive. "He was delivered for our sins and raised for our justification."

This truth can be poignantly seen in a symbol of the church. The symbol of the church is not a burning bush. It is not two tablets of stone. It is not a seven branched lampstand. It is not a halo around a submissive head. It is not even a golden crown. It is a rugged, bloody cross. A cross in all its naked hideousness as the Roman would have it. A cross in all its philosophical irrationality as the Greek would have it. But a cross in all its power to save as Paul preached it (Galatians 6: 14).

"Have you been to Jesus for the cleansing power,

Are you washed in the blood of the Lamb?
Are you fully trusting in his grace this hour,
Are you washed in the blood of the Lamb?"

Paul came to Rome to preach the gospel at the center of the civilized world. Rome was a city of slavery, but he did not center his preaching against slavery. Rome was a city of lust but he did not center his preaching on moral reform. Rome was a center of economic injustice, but he did not center his preaching on the distribution and equality of wealth. Rome was a city of violence, of bloody gladiatorial combat, but he did not center his preaching against the inhumanity of man to man. Rome was a city built on the spoils of war, but he did not center his preaching on pacifism. Paul preached the power of the cross to save and these cruel enemies of God and of man fell in their day. Evangelism will have a changing effect upon the social conditions of man. The power of the gospel in itself provoked social action—the decay of the coliseum for gladiatorial combat, the outlawing of crucifixion, of the exposure of children, of selling into slavery, of imprisonment for debt, of degradation of womanhood, of a thousand other social ills.

Shall we change the gospel message that Paul preached? Update the Bible? Modernize the Saviour? Re-define God? Update to what date? Re-define to what definition? God does not change. Sin does not change. The need of regeneration does not change. Our involvement with the structure of society in its political, cultural and educational tensions, must not blind our hearts to the primary need for conversion, for a personal relationship with Christ.

The modern, secular pre-occupation of the church with economic and political considerations makes it just one other reforming agency of which there are ten thousand. Emphasize the secular and we become like a multitude of other clamoring voices and of no particular, distinctive use. We have no

special mission. If the church is just another social agency, why bother with the church? If the minister is just another social worker, why bother with being a minister?

But the true church and the true minister are something more and beyond. They represent God as a light in a dark world. The church is not the church when it is merely a political platform. The church is not the church when it is merely a center of social activity. The church is not the church when it is merely decorating the pig pen instead of getting the prodigal out of it and at home where he belongs. The church is not the church when it is merely denouncing, scolding, castigating, browbeating, condemning.

The church is truly the church when it is preaching to lost, hopeless men the message of hope and salvation, the redeeming grace of God in Christ Jesus. The church is truly the church when it is evangelizing, converting to the faith, winning to Christ. The church is truly the church when it is theologizing, indoctrinating, teaching the mind of God as it was in Christ Jesus. The church is truly the church when it is ministering encouraging, helping, lifting up the spirits of downcast men. The church is truly the church when it is facing the problem of sin, battling frustration, disease, hopelessness, despair, death. The church is truly the church when it is pointing men to the Lamb of God that taketh away the sin of the world. The church is truly the church when it is worshipping the Lord God and exalting Jesus our Saviour. The church is truly the church when it is appealing for a disciplined life, free from the lusts of the flesh and of the world. The church is truly the church when it reminds the saints that we are citizens of two worlds, this world and the world which is to come and that we are to glorify God in both.

George W. Truett said in his immortal address on the steps of our national capital, "Every organization and agency of the churches should keep afire with the passion of New Testament evangelism . . ." If we fail in our social work, agencies of the government both national and local will take it up. But if we fail in our evangelism assignment there is no other agency to preach the gospel God will remove our lampstand.

As long as Southern Baptists do not embrace an anemic, enervating theology; as long as Southern Baptists maintain an unswerving commitment to the Bible as the inspired Word of God; as long as Southern Baptists believe that men are lost without Christ and that our assignment includes reaching all men with the saving gospel; as long as Southern Baptists repudiate the subtle heresy of universalism, that all are saved anyway; as long as Southern Baptists preach that Jesus died for our sins and rose again for our justification and that sinners can come to God for forgiveness and redemption in Him; as long as Southern Baptists preach evangelistic sermons and offer an invitation, preaching for a verdict; then our social action will not sidetrack us.

But when we cease to believe the Bible doctrine of judgment and hell, we shall become universalists and not evangelists. When we cease to believe that Jesus is God in the flesh, Immanuel, we shall be unitarians and not trinitarians. When we cease to strive to convert the heathen and work only for an institutionalized Christianity, we shall be Westernizers and not Christianizers. When we cease to believe that the Bible is the Word of God we shall be apostates and not apostles of the faith. When we cease to believe that we are called to win souls, we shall be no longer fishers of men but keepers of the aquarium. When we cease to believe in the heavenly mandate of the Great Commission, we shall be dead and not alive.

With few exceptions, our churches, our pastors, our people are committed to the

delivery of the whole message of Christ. We have dedicated ourselves to the creation of the brotherhood of the redeemed bought by the blood of the Crucified One. We are building the real and true temple of God with jade from the East, coral from India, ebony from Africa, ivory from the hands of the white man and pearls from the isles of the sea, all encircled with the rainbow promises of God. We are waiting for, praying for, working for and believing in the coming of the King and the Kingdom, even as He taught us to pray, "Thy Kingdom come thy will be done on earth as it is in heaven."

TOGO AFTER 9 YEARS OF INDEPENDENCE

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. POWELL. Mr. Speaker, last April, the citizens of Togo celebrated the ninth anniversary of independence from France. These 9 years, often tense, always ebullient, have witnessed one of the most exciting examples of nation-building in modern Africa.

What kind of people are the Togolese? They are like Gen. Etienne Eyadema, President of the Republic, who acquiesced to the demand of the people that he remain in office despite his personal desire to retire from government. They are men of courage like Avoumissodo Etou, over 75 years of age and blind, who can comment after his long life that "each time it rains, the good Lord and the good earth give us enough to eat." They are the people of Gbodjomé who taxed themselves to build a health clinic rather than wait for government aid.

Of the Republic of Togo, the best way to describe it is "booming." In its annual report, the American Embassy noted that "Lomé—the capital and leading port city—offers an outstanding opportunity for manufacturers to take advantage of: First, Togo's central location for the West African market; second, a relatively abundant labor market; third, customs exemption for imports of raw materials and reexport of finished products; and fourth, liberal tax and other benefits for newly established firms." The largest industry is a phosphate mine and washing plant in the southeastern part of the country. It was started just a few years ago, and last year exports totaled about 1.3 million tons and accounted for about 10 percent of the government's revenues. In the future Lomé looks forward to the growth of the mineral industry, hopefully at its current breath-taking pace. In an effort at diversification, the Datcha textile mill has been expanded and conceivably may ultimately be the major supplier of textiles to the large consumer market of West Africa.

It would be fatuous to contend that Togo is without problems or that the future will be rosy without further concerted and sustained effort on the part of the people. But the fact is that the people of Togo are determined to disprove the all-too-common arguments heard in Paris and Washington that Togo's future is to be no more than that of an African-style banana republic. Considering the

efforts that the Togolese have expended in the past it would appear that the so-called experts will be proved wrong and General Eyadema and Avoumissodo Etou will be vindicated.

MARTIN LUTHER KING—THREAT TO NATIONAL SECURITY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. RARICK. Mr. Speaker, the FBI has replied to urging by a Washington gossip columnist that J. Edgar Hoover be removed from office because of unauthorized wiretappings on Martin Luther King. The reply is that Bobby Kennedy—then Attorney General—had authorized the FBI wiretapping on King's phone as part of a "national security" investigation.

National security can only be interpreted that the suspect's actions and associations were deemed a threat, active or potential, to the American people.

Those fully informed of King's true mission have remained silent too long. We cannot permit this distorted image of Dr. King to continue by hiding his true role. The Dr. Jekyll and Mr. Hyde must be exposed.

If history is to be factual, let it record his promoted plaudets, but also give equal exposure to the truth—his actions, confidants, and financiers—which were acknowledged even by Bobby Kennedy as a threat to our country and our form of government.

The American people are convinced that someone is hiding the full story on Martin Luther King. They want all the truth so they can decide for themselves what he really was.

Mr. Speaker, I call again on President Nixon to authorize J. Edgar Hoover and the FBI to make public the full file on King's activities, his confidants, and financiers, so our people will know why he was even regarded as dangerous by Robert F. Kennedy.

Several news clippings follow my remarks:

[From the Washington Evening Star, June 18, 1969]

FBI CLAIMS KENNEDY OK'D TAPPING OF DR. KING'S PHONE

(By Lyle Denniston)

A top official of the FBI has claimed that official wiretapping of Dr. Martin Luther King Jr. had the advance approval of the late Atty. Gen. Robert F. Kennedy.

Clyde A. Tolson, the bureau's associate director, defended the legality of the much-criticized tapping of King's phone in a letter dated Monday.

The letter was sent to Carl T. Rowan, a columnist for The Star, and was intended as an answer to an article Rowan wrote for last Sunday's edition, attacking FBI Director J. Edgar Hoover for the electronic spying on King. A copy of the letter was sent to the editor of The Star.

"For your information," Tolson wrote to the columnist, "the wiretap on Martin Luther King Jr. was specifically approved in advance in writing by the late attorney gen-

eral of the United States, Mr. Robert F. Kennedy."

FIRST REVEALED IN HOUSTON

Tolson added that the monitoring device "was strictly in the field of internal security, and, therefore, was within the provision laid down by the then President of the United States."

The first public revelation that King had been the subject of FBI wiretapping came earlier this month in a federal court hearing in Houston.

Robert Nichols, a special agent in the FBI office in Atlanta, testified that he had supervised a device attached to the telephone lines at King's home there.

The wiretap apparently was installed sometime in 1964, and there have been indications that the wiretapping continued for some time after that, perhaps until shortly before King's assassination April 4, 1968. Kennedy was attorney general from January 1961 until Sept. 3, 1964.

If the wiretapping had the specific approval of the attorney general, and if it was used as part of a "national security" investigation, it apparently was not operated in violation of legal restrictions in effect at the time.

ROWAN BLASTS HOOVER

Tolson's letter seemed clearly designed to show that both aspects of legality had been met by the FBI. His letter was prompted by comments by the columnist that Hoover had been flouting the law by permitting the wiretap on King's phone. Rowan directly accused Hoover of "abuse of contempt for the law."

Branding this a "malicious" and "scurrilous" article, Tolson invited Rowan to give his answer wide publicity.

The FBI's new defense of itself seemed likely to start a new round of public dispute over the official responsibility for the use of electronic listening devices.

Three years ago, Hoover and Robert Kennedy, then a U.S. senator from New York, traded public charges that each other was responsible for approval of the use of hidden microphones, as opposed to direct wiretap, for investigation.

KENNEDY RELEASED LETTER

At that time, the late senator made public a letter to him dated Feb. 17, 1966, from Courtney A. Evans, who had been assistant FBI director while Kennedy was attorney general.

While Kennedy relied on that letter to help him make the point that the use of hidden microphones was not Kennedy's responsibility, the letter did carry a paragraph which suggests that Kennedy had been involved directly in approving the use of wiretaps.

The paragraph read: "On Jan. 10, 1961, while you were attorney general designate, a memorandum was delivered to you furnishing a summary on the use of wiretapping by the FBI in serious national security cases. Thereafter, individual requests in these serious national security cases for wiretap authorization were sent to you by the FBI for approval. These were the only wiretap authorization which were ever submitted to you."

Evans, now a Washington lawyer, said last night that he simply had no recollection about whether a wiretap authorization directed at King had ever been involved in his discussion with Kennedy.

INTEREST SAID TO FLAG

If the King wiretap was installed any time during 1964, and if it did have approval by the attorney general, that could have come only from Kennedy or his successor, Nicholas deB. Katzenbach.

Katzenbach could not be reached immediately for comment on the matter.

Aides to Kennedy suggested last night, during 1964, the period after the assassination of his brother, President John F. Ken-

nedy, the attorney general's interest in some of his official affairs flagged.

At the time, Katzenbach, was Kennedy deputy at the Justice Department.

A later attorney general, Ramsey Clark, has told reporters that he personally had never given approval for wiretapping on King. Clark also has said he required the FBI to tell him every three months the names of people being monitored electronically and that King's name was never reported to him in that category.

NO DOCUMENT INCLUDED

If the wiretapping had continued until shortly before King's death, it would have been in operation during Clark's leadership of the department.

Tolson's letter to Rowan, while saying that the wiretap on King had been "specifically authorized" by Kennedy, did not say directly that King himself was the subject under investigation.

In addition, Tolson did not include with his letter a copy of the specific document upon which the claim of authorization apparently was based.

Testimony at the Houston hearing appeared to indicate that King himself was the subject of the investigation, and that this was the reason that his telephone had been tapped for long periods of time.

A Justice Department spokesman, asked whether there was any document to support the claim in Tolson's letter, declined a direct answer last night. However, the spokesman referred to a statement issued by the department earlier this month which had said that Hoover was "accurate in every respect" when he had repeatedly told Congress all wiretaps had been authorized in advance and in writing by the attorney general in office at the time the tapping was proposed.

The spokesman thus appeared to be implying that Tolson's letter also was an accurate description of authorization.

[From the Manchester (N.H.) Union Leader, June 17, 1969]

TWO KINGS MARTIN LUTHER

(By Paul Scott)

WASHINGTON, June 16.—Public airing of the FBI's recordings of private conversations Dr. Martin Luther King conducted with his protest advisers could go a long way toward changing the image of the slain civil rights leader.

Summaries of the recordings, as revealed to members of a House Appropriation Subcommittee, headed by Representative John J. Rooney (D-N.Y.), clearly indicate that King was in direct contact with one of the most influential communists in the U.S.

With leads obtained from their electronic eavesdropping, the FBI was able to confirm that this Kremlin agent, whose influence extended into the highest ranks of the Communist Party, USA, was one of King's ghost writers and chief advisers on protest strategy.

In addition to the evidence gained from the King recordings, the FBI succeeded in taking several photographs of the civil rights leader meeting with this covert communist operator at one of the major U.S. airports.

King, whose assassination in Memphis, Tenn., in April, 1968, is still carried as an "open investigation" by the FBI, was first put under government surveillance in 1961 when the late Robert Kennedy was Attorney General.

Although Kennedy after leaving the Justice Department denied any knowledge of King's surveillance, FBI and Justice Department records show he authorized the inquiry during a conference attended by FBI Director J. Edgar Hoover, then Deputy Attorney General Nicholas deB. Katzenbach, and another high-ranking FBI aide.

The surveillance of King, now under fire by several large East Coast newspapers, was the outgrowth of information that the FBI

agents obtained during its investigation of another national security case.

When King's name was mentioned several times by one of the persons under surveillance in the case, it was decided that the civil rights leader should be placed under close observation.

The FBI inquiry, which continued for several years, involved King's trips to Sweden and East Germany as well as his preparations to lead the so-called "Poor Army Campaign" to disrupt Washington.

FOR THE RECORD

These and other still secret details of King's activities were revealed by FBI Director J. Edgar Hoover to members of the Rooney subcommittee shortly before the civil rights leader was slain.

Deeply concerned about King's plans to disrupt Washington, the legislators had requested the briefing so they would be prepared to blunt his assault on Congress should that become necessary.

So alarming was the FBI's data on King that the lawmakers took the extraordinary step of briefing House Speaker John McCormack. This information along with other material furnished by the FBI caused McCormack to make extensive preparations, including the alerting of military units, to defend the Capital against King's plans to cause massive disruption.

The House Democratic leaders, all strong supporters of the late President Kennedy, were reputedly shocked at the gutter-type language King used in private conversations about the late President.

Other recordings in the FBI files dealt extensively with his private life, according to the legislators, and showed that there were two Kings—one the public knew and the other known only to his closest friends and the FBI.

King's leadership task was to give the over-all movement "motion" and an acceptable "image" that would attract millions of negroes, young people, the poor, clergy, and those disenchanted with the Vietnam war.

His tactics in changing his protest leadership from one of civil rights to anti-war, and poverty, and anti-government during the closing days of his life were part of this grand strategy.

MORE TO COME

Whether most of these FBI recordings, since many of them deal with national security cases still under investigation, will ever be revealed by the Nixon Administration is conjectural.

Should supporters of King, however, pump new life into the stalled drive in Congress to create a national holiday honoring him, demands could become forthcoming from anti-King legislators that Hoover be called to testify. If that occurs, the "Martin Luther King tapes" could become big news.

For now, the only public confirmation of the King recordings comes from Houston Federal Judge Joe Ingraham's hearing involving the case of former heavyweight boxing champion Cassius Clay.

Testimony by FBI agents in the Houston hearing revealed that conversations of King and Clay were recorded. In one instance, Judge Ingraham pronounced it a matter of national security and refused to let it be made public.

Clay, convicted of draft dodging in June, 1967, and sentenced to five years in prison, is appealing his conviction. The U.S. Supreme Court ordered Ingraham to hold a hearing to see whether illegal wiretaps testimony was used to convict Clay.

Both the movement to mark King's birthday as a national holiday and the Houston court hearing clearly indicate that the final chapter in the Martin King story is yet to be written.

FEDERAL EDUCATION PROGRAMS

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. BROOMFIELD. Mr. Speaker, I wish to join with parents and educators throughout the Nation in urging that appropriations for Federal education programs be increased over the amounts requested.

A recognition of the need for budgetary restraint in these times of high taxes and critical inflation must be complemented by a recognition of priorities. Education deserves top priority, in my opinion. No other domestic program has so much meaning and impact for so many people and for the future of America.

If we can educate more children to be "achievers," we can go a long way toward successfully coping with human problems like apathy and despair in the ghetto, underemployment, crime, inter-racial hatred, and the size of the welfare rolls. And we will have more and better trained people to apply their technical knowledge to the world population problem, to the need for revolutionary agricultural developments like miracle rice, to the housing problem, and so on.

Congress has enacted the laws providing for critical, innovative programs, and the school districts and States have gotten these programs underway. We must not renege on our commitment. We must not recognize the need and then insure that it will not be met. Dr. Ira Polley, superintendent of public instruction in Michigan, states his case well:

State legislatures are being called upon to vote new taxes and shoulder an even larger share of educational costs; and most are meeting their responsibilities. They should not be expected, in addition, to pick up worthwhile programs which the Congress has started and then discarded. . . . If the Governor's 1969-70 budget is passed the Michigan Legislature will have raised its contribution to K-12 education by fifty percent over 1965-6; if the President's budget is passed as presented, the Congress in the same period will have decreased its contribution over five percent.

Meanwhile, the cost of just keeping federally initiated programs going has increased. Michigan educators have repeatedly stressed to me that they need more Federal money each year to meet normal "cost-of-program" increases, even if they do not expand any programs. The costs of staffing and equipping programs steadily rise. The salaries of Michigan teachers have gone up an average of 10 percent over the past year. In the case of ESEA title I funding, which largely goes for paying professional staff, this means that Michigan needs approximately \$3 million more to maintain the program. In light of this, the proposed \$4 million increase is hardly impressive. And this is one of only a limited number of programs in which Michigan stands to gain at all.

So far in 1969, local taxpayers in Michigan have rejected 45 percent of all millage proposals and 68 percent of

all bond proposals. Hard-pressed local school districts are increasingly looking toward the State government for help. My colleagues know, I am sure, that this experience is typical and that the financial crisis in the public schools bears on what the Federal Government should be doing in this area.

While all levels of government are making these really tough decisions about education budgets, the affected children are growing up. Time waits for no man. I have no doubt that my colleagues are keenly aware that precious, irreplaceable time in the individual child's development can be lost and are giving full weight to what this means for the children and for the larger society they will enter.

Following is a summary of the educational programs of particular concern to the citizens of Michigan and, especially, of the 18th Congressional District.

ESEA TITLE I

Financial assistance to local educational agencies for the education of children of low-income families—authorization, \$2,359,554,470; requested appropriation, \$1,226,000,000; fiscal year 1969 appropriation, \$1,123,127,000.

Michigan educators are gratified that an increase over fiscal year 1969 is proposed for this title, particularly because they experienced a decrease last year. But they have serious questions about its ability to meet wage and product cost increases and its real impact when spread over the whole State. The Detroit schools, for example, serve the largest city in the State and face one of the gravest financial crises in the Nation. The deputy superintendent of schools in Detroit estimates that the increase for them will be "insignificant." Because of Detroit's fiscal crisis, Federal funding has provided the only moneys the public schools could use for program improvement.

Mr. John G. Fernane, director of projects in the Berkley School District, poignantly refers to the "annual game of fiscal roulette" in expressing his disappointment about the steadily decreasing funding for the title I program in Berkley. He points out that categorical Federal aid has permitted the school district to do what simply would not have been possible if only local and State funds could be relied upon.

Title I is designed to perform an immense task—to improve the educational level of educationally deprived children. We have voted to extend ESEA for only 2 years to give ourselves and the administration the chance to evaluate its success and develop a better law. The State of Michigan is conscientiously building on past successes and correcting past failures in title I programs. When we consider education programs for the 1970's, I hope we will be able to evaluate what ESEA did do and not what what it might have done if it had had more money.

ESEA TITLE II

School library resources, textbooks, and other instructional materials—authorization, \$206,000,000; requested ap-

proprietion, \$0; fiscal year 1969 appropriation, \$50,000,000.

Dr. E. Burrows Smith, chairman of the department of romance and germanic languages and literatures at Wayne State University and a member of the Royal Oak School Board emphatically states about Federal library-support programs:

Rarely has the expenditure of so little money had such a wide impact and brought so many benefits to school children, college and university students, researchers and the general public.

Similarly, State education administrators have stressed to me that this is one program which definitely provides clear and tangible benefits.

I think it is particularly significant that in Michigan not only have title II moneys been able to provide updated and creative materials for the teaching of all children, and particularly the disadvantaged and mentally retarded, but it also has enabled libraries to be established in schools which previously had none. Dr. Polley points out that 16 percent of the elementary schools in Michigan still do not have a centralized library and 45 percent do not yet have a professionally trained librarian.

ESEA TITLE III

Supplementary educational centers and services—authorizations, \$556,500,000; requested appropriation, \$116,393,000; fiscal year 1969 appropriations, \$164,876,000.

As in the case of title I, we are talking about dynamic, developing programs rather than static acquisitions of facilities, equipment, and materials. The loss of \$1,900,000 in funds for grants and \$147,000 in funds for administration will necessitate reducing the budgets of most Michigan title III programs by 40 percent. Over 1.7 million schoolchildren will be affected. Michigan's title III projects have been successful. If this significant cut is approved, these 53 projects will be terminated or crippled after only a few years of life.

Michigan's projects range from help for the mentally retarded to help for the potential school dropout, from help for the child in the city to help for the child in the rural community. The differential education project in my congressional district has received widespread recognition for its innovation and creativity. An elementary school principal from Madison Heights tells me:

Educators from many cities and states across the nation have visited to observe first hand the new and impressive programs initiated here.

The educators from this school district are confident that, if they can continue to be funded, what they are doing will have a national impact.

A key element in title III is the development of new educational techniques, the evaluation of their operational success, and the dissemination of the results of these evaluations. A reduction in funds at this critical time in the development of these projects will have, I believe, serious implications for millions of other children.

NDEA TITLE III

Financial assistance for strengthening instruction in science, mathematics,

modern foreign languages, and other critical subjects—authorization, \$290,000,000; requested appropriation, \$0; fiscal year 1969 appropriation, \$78,740,000.

This program has been found to be popular and valuable in Michigan for several reasons: First, it reaches into all types of school districts; second, the local matching fund requirement insures the concern of the local school people for what is being done with the money; third, the requirement that the money be used for equipment and materials is an incentive to local school districts to make acquisitions in this area. The facts supplied by Dr. Polley attest to the program's popularity: Local school districts have requested twice the available amount of Federal money; the number of projects submitted each year since the program was enacted a decade ago has ranged from 480 to 575; an average of 93.2 percent of the public schools have participated.

Michigan will lose \$3,400,000 in grants and \$86,000 in administrative funds if the proposed budget is approved. This is the only Federal money which the schools can use for the purchase of equipment.

A constituent says:

As a taxpayer I want my dollar's worth in education. I feel that my dollar has been well spent in the NDEA Title III program.

Urging full funding for this title, title II, ESEA, and title VI, HEA, another constituent writes:

All over this country, the salaries of our teachers are being increased and we expect that this will result in an improvement in the quality of facilities. However they must also be provided with materials that will provide the more efficient and effective utilization of their time and training.

NDEA TITLE V-A

Guidance, counseling, and testing; identification and encouragement of able students—part A: State programs—elementary and secondary schools and junior colleges—authorization, \$40,000,000; requested appropriation, \$0; fiscal year 1969 appropriation, \$17,000,000.

This year, Michigan suffered a decrease of \$300,000 in grant funds. If the requested appropriation is approved, the grant allocation to Michigan will drop from \$700,000 to zero. This will mean that some recently instituted guidance and counseling services will be seriously or fatally crippled, since they cannot continue to operate without some Federal assistance. And, already, because of reductions in the current budget, efforts to extend these services to the remaining school districts with none at all have been restricted.

As an urban State, Michigan has given particular attention to providing counseling for inner-city youth to encourage and guide them toward acquiring the necessary skills and education to participate fully in the society. Helping disadvantaged youth to develop constructive direction to their lives is completely in accord with the social goals of this administration. Furthermore, in our complex society, youth from all backgrounds can use competent assistance in making the decisions which will maxi-

mize their potential contribution to society.

In a comment typical of those I have received, the director of student services of the Rochester Community Schools writes:

Many pilot studies and newly inaugurated programs from elementary school through junior college levels are in critical stages of growth. It is very likely that with the complete withdrawal of support many of these programs will collapse and the investment made to this point will be lost as well as the anticipated future benefits.

I concur with his view about lost investment and question whether we will make a genuine saving by not capitalizing on our investment in these new programs.

A counselor who participated in a program which was discontinued because of inadequate funds writes:

"I regretfully left behind my children and parents in great need of the services provided by the program (the area has a great many one parent homes, children who have to cope with poverty difficulties, and high school dropout rate, etc.).

And, representing a somewhat different segment of the society, a psychologist in private practice writes:

In my practice I have experienced the problems that have been caused by the lack of competent counseling in the schools. Only in the last few years have I noticed some improvement. This I feel has been the result of NDEA.

LIBRARY SERVICES AND CONSTRUCTION ACT

Dr. Polley points out that, as a result of Federal aid and in anticipation of continued support, libraries in the State of Michigan have hired more staff, initiated services, and expanded facilities, including through rental. In addition, the State has responded to the Federal presence by increasing its own level of spending in this area. Audio-visual specialists and librarians throughout the State express concern for funding for all library-support programs in ESEA and HEA, as well as LSCA, pointing out shortages of librarians and materials at all levels.

If the drastic reductions of funds for library support and construction are approved, the evidence is that the result will be a sense of disappointment and suspicion of the Federal Government's real interest in and recognition of the educational function of libraries.

HIGHER EDUCATION

Student financial assistance: economic opportunity grants, national defense student loans, college work-study. Administrators of institutions of higher education in Michigan have expressed to me their almost desperate concern about student financial assistance programs. As Dr. D. B. Varner, Chancellor of Oakland University in my District, puts it, they are "in deep trouble."

Impending reductions in appropriations are only part of their problem. The \$16 million reduction in EOG funds to be used for the 1969-70 academic year is already a fait accompli. Available money for the various programs has to accommodate both renewals and initial loans or grants, and the ability to award first-year assistance has become gravely

limited. Disadvantaged students have greater difficulty in competing for assistance from other sources, such as private scholarship funds and private lending institutions.

The investment in the upward bound program and similar programs the schools have developed is endangered. It is now estimated that many students who have been successfully motivated by these programs to pursue their education after high school simply will not be able to get the money to go on.

In the consideration of appropriations for higher education at a time when budgetary restraint is necessary, I would give very high priority to student financial assistance. What the colleges have to offer the student and what the college graduate has to offer society will be lost, if young people with the potential for success cannot afford to go to college.

There are several other critical areas of interest. Students who are engaged in the long and expensive advanced training which is mandatory for the medical professions are apprehensive about reductions in the Federal health professions loan program.

College administrators in my area advise me that they have been able to use to great advantage moneys from title VI-A, HEA, financial assistance for the improvement of undergraduate instruction—equipment. The impact of the availability of funds to purchase modern, specialized equipment and materials has extended to curricula and basic instructional approaches. And these acquisitions have enabled instructors to maximize their teaching competence.

Title II-C, HEA, provides funds to the Librarian of Congress to strengthen college and research library resources. A constituent has pointed out to me that he feels an attempt to save money in this area will be "shortsighted," because it would "cost research libraries across the country many times this amount, since each library would be required to duplicate the work which is now performed as a centralized service."

Finally, I was also impressed by a letter from Dr. William C. Stewart, president of the Walsh College of Accountancy and Business Administration in Detroit, in regard to the elimination of funds for fiscal year 1970 for title I, section 104, HEFA. He has worked for 4 years to prepare for the construction of a facility in the 18th Congressional District which would permit graduates of community colleges to take their junior and senior years in business administration. He points out that no collegiate institution offering a BA in business administration exists in this suburban area of Detroit with over 2,000,000 residents. Without the HEFA grant on which Walsh College has counted, it will not be able to fill this need.

VOCATIONAL EDUCATION

Last year Congress reaffirmed its support for vocational education by amending the Vocational Education Act of 1963 to include innovative programs and new formulas for distributing funds to certain categories of need. Michigan educators deeply appreciate this expression of continued support, but are apprehensive

that Congress will not carry through with the financial support necessary to making the programs meaningful.

Because of the categorical aid formulas, some Michigan school systems anticipate receiving less Federal money for vocational education in fiscal year 1970 than in fiscal year 1969 unless the authorizations are fully appropriated. It is estimated that a minimum of \$75,000,000 above the budget request is needed for the States even to continue programs at their present levels.

I have also received correspondence about the damaging effects of not funding the work-study program. Although \$35,000,000 was authorized for both 1969 and 1970, the program has been effectively killed by lack of actual and requested appropriations. It was able to survive in 1967 only through a transfer of \$10,000,000 from OEO. The Office of Education has advised me that it believes elimination of the program will be partially offset by the Neighborhood Youth Corps in OEO and by the cooperative education program written into the 1968 amendments. Comparing the total of \$70,000,000 authorized for the work-study and cooperative education programs with the \$14,000,000 requested for cooperative education only, I doubt whether the recognized benefits of the work-study program can be retained without an appropriation for fiscal year 1970.

DAWDLING ON THE SURTAX

HON. MARTIN B. McKNEALLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. McKNEALLY. Mr. Speaker, under leave to extend my remarks, I am pleased to insert the following interesting editorial on the surtax which appeared in the Journal-News of Nyack, N.Y., on Tuesday, June 10, 1969:

DAWDLING ON THE SURTAX

Not many weeks ago Congress was complaining that it didn't have enough work to occupy its energies because President Nixon's budget and program weren't yet in hand.

What's the excuse now?

In particular, what excuse is there for dawdling on the President's request for an extension of the surtax?

The House Ways and Means Committee was expected to act on it during the past week, but it didn't. Meanwhile, the days flick off the calendar and the tax will expire June 30 unless extended.

President Nixon has asked that it be continued at its present rate of 10 per cent through Dec. 31, then cut to 5 per cent for the first half of 1970, after which it would be dropped.

We happen to agree with the President that the proposed extension is necessary both as a source of revenue and as a brake on inflation.

But, whether one agrees with that view or not, the Ways and Means Committee remains culpable for prolonging an uncertainty that is clouding a lot of planning, both in and out of government.

Appropriation bills cannot be intelligently considered—nor can many major components of the proposed federal budget—when prospective federal income remains unclear.

Corporate budgets and planning, declarations of estimated tax, payroll deduction systems, the stock market—all are left in a state of uncertainty and confusion as the surtax question drifts closer to the deadline.

If Congressional leaders are holding off on the surtax for bartering purposes with the White House on unrelated issues and programs, the ploy is unexcusable. But the procrastination is no less inexcusable for any other reason, including inertia.

HOSPITAL AND HEALTH SERVICES

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. PHILBIN. Mr. Speaker, recent Federal health programs, including medicare, medicaid, Hill-Burton Act, and related programs, are of greatest importance to the American people, and this Congress must be prepared without delay to take broad, sweeping action to round out a total, health-hospital program that will be truly adequate to do the tremendous job that has to be done in the interest of the people of the country, their health, and social well-being.

I will not discuss in detail what we have done to date, or what we have failed to do, or the many respects in which what we have done may have fallen far short of reaching the goals that we must reach to make proper provision for the health and hospital needs of the American people.

The passage by the House of H.R. 11102, the Medical Facilities Construction and Modernization Amendments of 1969, presents striking evidence of the growing concern in the Congress over the problem of adequate medical facilities. I am proud to be a cosponsor of this legislation.

These are tremendously important needs, as those of us in the Congress who have long worked on these problems well recognize.

I think it is becoming increasingly recognized also by the country that the great needs that have sprung up in these areas in recent times, and the fantastically unbelievable, rapid rise and incredible escalation of medical and hospital needs and costs must be dealt with directly, speedily, and most comprehensively on a crash basis, by this Congress, if we are to avoid the charge of failure and neglect on the part of the Congress to measure up to its responsibility in relieving the American people of the inadequacies of service and the astonishingly high, unbearable costs of these vital services which they face today.

I know that a great many earnest, well-meaning groups, public-spirited leaders and people have worked tirelessly for Federal health-hospital programs in the past, and I do not wish to criticize any of them, because they all acted from finest motives and in their time made great contributions which everyone appreciates.

However, there is no question but that in the first instance, most of these programs have not been adequately con-

ceived, and we have come into a period of crisis in relation to medical and hospital services in this country where accelerated crash programs are necessary to prevent truly chaotic conditions that are now rapidly developing.

Our medical services are the greatest in the world. We have some of the finest doctors and hospitals in the world, real leaders in these fields. Yet it must be faced by this Congress now that the way the costs of medical services and hospitalization are skyrocketing in this country day after day, month after month and year after year, that the time is now at hand where only the very wealthy can afford to be sick, and have the means to pay the huge, hospital bills that are entailed for treatment and hospital care these days.

Yes, the rich can pay these costs, and the poor, providing they are lucky enough to get into a hospital these days, can usually fall back on public welfare. But most of the hard-working, industrious, honest people of this country, who comprise an overwhelming number of the active workers, small businessmen, professional groups, and other members of our great middle class and skilled workers, are literally weighted down, totally unable to bear the high, current costs that are related to being ill in this great society that we hold up as being the richest and most powerful in the world.

For example, I have a friend and constituent who recently became an emergency patient in one of the greatest hospitals in the country, located in my own State. He was hospitalized in a medium-size room in this famous hospital with two other men. All three patients were quite sick, and required expert care around the clock. The cost of the room alone, not including medical or nursing service, medicines, biologicals, use of operating rooms, and so forth, was for each one of these men, \$80 per day, or a total charge per day for this one medium-sized room of \$240, or a total of \$1,680 per week for one hospital room.

Added to this, of course, was the cost of nurses around the clock which would be \$210 per week per nurse, or \$630, for round the clock nursing for 1 week.

I realize that the rates in all hospitals may not be so high as the one just quoted. However, they are going up very rapidly and are reaching a point where it is almost impossible, even for people with the most generous health coverage to meet the payments without paying substantial amounts out of their own pockets.

In any case, these amounts are far more than their incomes permit, and far more than their insufficient resources allow.

This is happening in every sizable community throughout the Nation, and is a very serious situation that is not only putting intolerable burdens on the gainfully employed, but even greater ones upon the retired classes, and the municipalities and States that have to pay these high costs for the indigent, the helpless, and those with no means to provide for themselves.

I know that there are some who believe that medicare should have been set up

on a different basis, and that a national health insurance program, privately based and federally subsidized, might have been a better way across the board of handling these medical and hospital programs.

But we are facing conditions now, not a theory, and we do not have time to waste. We must move just as fast as we can, first, to provide adequate hospital accommodations which must be set up very rapidly if we are to meet the needs; second, to set up new techniques and systems for handling these costs on the basis of sound insurance principles covering every contingency.

Congress has already spent a great deal of time studying these questions so that there is considerable know-how, both currently available and procurable upon request, to round out the information required to set up new programs, supplement and modernize the old, and fill the gaps that have been created by the unanticipated demands that have grown up by reason of the population explosion and the improvement in the state of the arts of science and medicine that have evolved so many new treatments and methods that are very costly, to be sure, but that have to be utilized, if the American people are to secure the benefits to which they are entitled of new scientific advances and medical techniques.

I have not referred to so-called rest homes and other places providing domiciliary care for the elderly that are a necessary part of any worthwhile medical system in this country.

The facts show that there are the greatest limitations and changes in this field, as well as great variations in standards, and unfortunately in all too many cases, in a large percentage of these domiciliary institutions there are glaring deficiencies in providing proper, expert service and good care in highest standard, well-constructed, modern-type buildings, where service and care of this kind should and must be dispensed.

We cannot have our elderly, or our incapacitated people living in fire traps, and ill-kept, unkempt, dirty surroundings in buildings that cannot pass elementary public inspection as proper homes for human beings.

I do not want to belabor this point, but it is a very important one because it involves our elderly people who, after a long lifetime of hard work, and devoting themselves to the upbringing, support and education of their families, find themselves in their later years becoming sick and disabled without adequate living environments and without adequate care and treatment, and without money or resources or insurance to pay for the total treatment they do get.

I do not like to use the word "massive," because perhaps it is overdone in describing social and other national needs these days, but I can conceive of no other way to express the idea of needs in this combined medical-hospital area than to say that they can be achieved only by a "massive," urgent, highly accelerated attack upon the entire problem and all its ramifications which spread over a wide area of medicine, hospitalization, and

domiciliary care in this Nation. Such an attack will take huge funds?

This Congress can no longer ignore these insistent critical demands and I hope that our appropriate committees which may well be directly concerned with the development of new approaches and measures for improving handling medicare will give these questions the green light, and not consider them in the ordinary way, or even in the routine way that may entail some delay, and rather put consideration and action on these questions on a mandatory, crash basis, because time is of the essence here, and we do not have a moment to spare, since the time is coming before long when we will be engulfed by new, developing needs, pressing in upon us from the inadequacy of the tools, and systems we have set up in these areas, and by new gigantic costs far more than those which beset us today, which could even stagger the imagination and cause much hardship.

To be sure, these needs cannot be approached in any routine, casual fashion. Above all, they must not be allowed to take on dilatory characteristics. They must be pressed with real resolve to come up with some answers as quickly as possible, which will reject piecemeal solutions, and feeble efforts, and strike out with boldness, with a sense of emergency, and with the willingness to provide the money, whatever it is, to do this great humane job that must be tackled with full realization that it has to be done as soon as this Congress can do it, and as soon as this Government can put these new laws into effect, because adequate care at reasonable costs for human beings is something that cannot wait for routine legislative machinery to slowly grind out results while we are faced with a combination of inadequate existing facilities and excessive costs.

Let us get going fast to provide adequate, decent medical and hospital care for the American people, and let it not be said that we have not done our job, and have not measured up to the needs of the American people in this advanced 20th century for adequate and modern medical and hospital care under efficient, well-financed, suitable plans and costs to do this greatest social job of the century.

CORRECTING THE BALANCE

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. ROSENTHAL. Mr. Speaker, the New York Times, in an editorial "Correcting the Balance," recently addressed the problems of legislative-executive relations, particularly in foreign and defense affairs.

The editorial expressed agreement with the conclusions of the recent Congressional Conference on the Military Budget and National Priorities which proposed a better congressional review of the entire military budget process but also of the

basic decisions on where our national priorities lie.

The editorial follows:

CORRECTING THE BALANCE

Although President Nixon naturally refrained from identifying those critics of the military whom he challenged in his Colorado speech, members of Congress have been quick to pick up the gauntlet. Rejecting the President's vaguely addressed strictures on isolationism, unilateral disarmament, and an "open season on the armed forces," they show every intention of mounting a sharper and more profound opposition than any Mr. Nixon has yet confronted as President. This is a new installment in a perennial classic of American history—the power struggle between the legislative and executive branches, especially in foreign policy.

Strong support for this interpretation is to be found in the June issue of *The Progressive*, the entire content of which is devoted to the proceedings of the Congressional Conference on the Military Budget and National Priorities. While all but one of the 36 Representatives and nine Senators who took part in those proceedings in March were Democrats, their approach is philosophical and institutional rather than partisan. Fearing "the transformation of the United States into a different sort of civilization—into a national security state," they call for watchdog committees to analyze all military spending and investigate the whole military-industrial establishment, as well as a Joint Committee on National Priorities to establish a revised order of the country's interests.

Since the Vietnam war and the whole doctrine of the "containment" of Communism are basic in the arrangement of such priorities, it is obvious that the conferees and their supporters want a much greater foreign policy role for Congress than it has lately enjoyed. To their number must be added many others who question the Pentagon's judgment on the antiballistic missile system; others who are appalled that the C-5A transport is to cost the taxpayers \$2 billion more than Congress had been told it would, and still others who resent the Defense Department's bland denials that it had been testing nerve gases in Utah when it certainly had.

There is no immutable position to be taken on the question of legislative-executive balance, because no perfect balance is possible. But when either branch gets too far out in front, an adjustment is clearly in order. We agree with the Congressional conferees that, at least as far as the Pentagon is concerned, the time has come for such a correction.

OIL INDUSTRY LEADER POINTS TO THE RECORD

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. EDMONDSON. Mr. Speaker, one of the leading executives and spokesmen of the petroleum industry in the United States is a distinguished constituent, W. W. Keeler, who is chairman of the board of the Phillips Petroleum Co.

Mr. Keeler recently addressed a letter to the stockholders of Phillips which sets the record straight on a number of questions which have been raised in attacks currently being launched against the American petroleum industry.

The record cited in the Keeler letter provides a strong defense for the historic depletion rate allocated to oil and gas

in this country. It also proves conclusively that prices on oil and gas have remained relatively stable during the recent 10-year inflationary period which has seen the average price for all items included in the Consumers Price Index go up by 21 percent.

The Keeler letter should be read carefully by all serious students of the depletion rate question, and by all objective observers of the American petroleum industry and its record.

The text follows:

PHILLIPS PETROLEUM CO.,
Bartlesville, Okla.

W. W. KEELER,
Chairman of the Board.

DEAR STOCKHOLDER: Issues vitally affecting the petroleum industry are now the focus of more public attention—in the press and in Congress—than for many years.

For example, wholesale tax reform plans have made tax provisions related to the petroleum industry, such as 27½ percentage depletion, the subject of widespread discussion and comment. A petition to allow a special import quota for a proposed refinery in Maine has brought about a Presidential Commission to review the entire oil import control program. Prices of crude oil, natural gas, and petroleum products are in the spotlight. The recent, unfortunate offshore oil spill accident at Santa Barbara, California, not only has focused unreasonable attention on offshore drilling practices but also has stirred up other controversies regarding oil industry matters.

The serious problems of the petroleum industry concern you as a stockholder of Phillips. Also, because they affect our nation's energy supply and its security, they concern you as a citizen. Although the industry has seemed on the defensive in relation to these problems, the facts show that from the key standpoint of best serving the vital interests of our nation and petroleum consumers, the industry has a strong and justified position on every one of them. The comments which follow are intended not only to brief you on important aspects of some vital petroleum industry issues, but also to encourage you to look more deeply into them.

Critics attack percentage depletion as one of several tax provisions alleged to be "loopholes." Percentage depletion is not a "loophole." Congress, after searching inquiry, incorporated percentage depletion into our Federal tax laws 43 years ago for specific purposes. Today, despite constant Congressional review, the provision remains virtually unchanged.

Minerals, such as petroleum, by nature have a dual character. In the earth, they are part of their owner's capital assets. When produced and sold, part of the value received represents capital, and part income, making it difficult to establish an equitable taxation basis. In keeping with the basic principle that income but not capital should be taxed, Congress adopted the principle of percentage depletion which today applies to over 100 minerals, including oil and gas, as a means of fairly taxing the income derived by extractive industries.

A compelling reason for adoption of percentage depletion was to supply an incentive for owners of capital to accept the great risks involved in the search for and development of mineral resources which are so essential to our economy and security. History shows the incentive has worked well in achieving its purpose. It would be risky to discard or weaken a system which has worked well over a long period of years in supplying petroleum and other essential minerals.

Critics maintain that the oil industry does not pay its fair share of taxes. This simply isn't true. In addition to income taxes, the

petroleum industry pays a number of other direct taxes. One of these, the severance tax, is paid only by industries which extract natural resources. The fact is that in 1966 (the latest year for which figures are available) the oil industry paid \$2.5 billion in direct taxes, which amounted to 5.1 cents for every dollar of gross revenue. The direct tax burden for all U.S. business corporations was only about 4.5 cents per dollar of gross revenue, or about 10% less than petroleum's.

Percentage depletion has benefited the consumer by helping keep petroleum prices low. That the consumer is the beneficiary is clearly shown by the oil industry's profit record. Over the 20-year period through 1966, the earnings of U.S. petroleum companies averaged 12.5% of invested capital, versus 12.7% for all manufacturing companies. Of the 25 leading U.S. industrial corporations on the basis of sales, seven are petroleum companies. But not one of these petroleum companies is in the first 75 on the basis of return on invested capital.

Critics charge that because of the percentage depletion provision, petroleum producers recover their costs many times over. The fact is that although the oil industry realizes about \$1 billion a year through the operation of this provision, it invests about \$5 billion a year in the U.S. in searching for and developing new petroleum reserves.

The principal objective of the oil import control program is to help insure our national security. Unlimited importation of oil would discourage exploration and drilling efforts of the domestic petroleum industry and critically impair its ability to supply our national demands when foreign sources were cut off. In the event of another international war, which, considering the nuclear standoff of the major powers, could well be non-nuclear and of long duration, the position of the United States would be critical. To realize the danger in relying on foreign oil, we have only to recall that oil movements through the Suez Canal have been cut off twice in the past 15 years.

Another result of inadequate import controls would be a weakening of our national economy due to the decline of the domestic petroleum industry. The economic impact would be felt by numerous levels of government deprived of tax revenue, and by several industries and thousands of small businessmen who rely on a healthy petroleum business for their existence. The outflow of capital to other nations, resulting from increased emphasis on exploration outside the United States and payments for increased imports of foreign oil, could seriously damage our nation's balance of payments position and thus further weaken our economy.

Weakening both our national security and economy is a high price to pay for what would amount at best to only a small savings for consumers in prices of petroleum products. Moreover, the savings to customers would disappear within a short period of time. Already 21% of our nation's oil supply is from foreign sources. If we become dependent on oil from foreign nations we know from experience that the foreign countries would then increase the price of their oil.

Facts show that existing petroleum industry provisions and programs have been working exceedingly well in providing consumers reasonable prices for petroleum products. For 1968, the average price of all items included in the Consumers Price Index had risen 21% over the 1957-1959 base period. Yet, the average nation-wide retail price of gasoline in 1968, exclusive of taxes, was only 6% higher than the 1957-59 average. The price of crude oil in 1968 was 2% lower.

A person cannot properly evaluate the critical significance to our national interests of the factors which I have discussed in this letter by examining them only one at a time. They must be considered as a combination in relation to the effect on our nation's en-

ergy policy. For what is of overriding importance to the national interest is the net effect of all of these factors in fulfilling huge coming demands for petroleum.

Petroleum—oil and gas—supplies 75% of our nation's energy needs. The U.S. government predicts that demand for petroleum will rise by 50% of current levels by 1980 and will more than double between now and the end of the century. Yet, despite the coming requirements, proved domestic reserves of crude oil declined during 1968 for the second year in a row and now stand at the lowest level in 10 years.

As for natural gas, exploratory drilling for this vital energy source in the U.S. has declined by over one-half in the past 10 years, mainly because Federal regulation of natural gas producers has kept natural gas prices unrealistically low. Since 1954, the year Federal regulation of producers began, the ratio of natural gas reserves to annual production has declined from 23 to 1 to less than 15 to 1. In 1968, for the first time in history, U.S. natural gas production exceeded new reserves added, and total proved reserves of this resource declined. In a statement to a Congressional subcommittee this past April, John F. O'Leary, director of the U.S. Bureau of Mines, said: "We are beginning to discern already the outlines of a major shortage of natural gas." In response to questioning in the hearing, he estimated that by next winter natural gas distributors will be unable to provide service to new customers because of supply shortage.

It is no surprise that U.S. petroleum reserves are decreasing when it is realized that total exploratory drilling in the U.S. has declined more than 30% in the last 10 years. The petroleum industry needs greater incentives rather than reduction of incentives if our nation is to have sufficient, reasonably priced, reliable supplies of petroleum essential to its future security and economic strength.

I hope my comments will encourage you to learn more about these issues. If you desire supplemental information on them, please write to me at the Company's headquarters in Bartlesville. I hope also that you will communicate these facts to your friends, associates, and community and governmental leaders, and put special emphasis upon their vital influence on our nation's future energy supply.

Sincerely yours,

W. N. KEELER.

JUNE 2, 1969.

PRESIDENT'S MESSAGE ON AIRPORTS AND AIRWAYS

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 16, 1969

Mr. BROWN of Ohio. Mr. Speaker, any traveler who has spent limbo-like hours amid the echoing commotion of an airport lobby or seated aboard one of those graceful giants whose takeoff has been nowadays predictably delayed knows something of the problem to which the President has addressed himself. That traveler, initially bemused over the fact that men capable of landing on the moon are having increasing difficulty flying to the next city, has had his bemusement changed to consternation as his unproductive vigil wears on. And the airlines, as helpless as the passengers they serve, are equally victims of an increased air traffic that has too long gone

unprepared for, too long been denied the facilities necessary to assure fulfillment of air transportation's promise of saved time.

With another hundred million persons yet to join our population before this century closes, and with the increasing dependence upon the air mode of travel and transport, the current frustrations of air travel threaten to go beyond mere discomfort to disruptions of economy-shattering proportions. This threat cannot be allowed to become reality, and that is why the President's message is so welcome.

The President's proposals look to both an alleviation of the present congestion and a prevention of future problems by an infusion of funds into airport construction and improvement and into a continued study and planning of new and better airport systems. His outline of the means of financing this program with a tax on users presents what I have long believed to be the most effective and equitable apportionment of this added burden. Surely the slight increase in costs to those who use and those who supply air travel will be paid with small complaint if the results are an end to the frustrations and expense of these counter-productive delays.

The picture of a long line of revving jets is today an unfortunate reality. No one is laughing anymore at the paradoxical juxtaposition of man's technological prowess with his helplessness—what first looked like slapstick has become absurd, and portends a tragedy unless halted. The President's suggestions aim at making this picture but an unpleasant memory to the air travelers of the future.

KOSCIUSZKO'S GARDEN

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. DERWINSKI. Mr. Speaker, on this Sunday, June 22, 1969, the Kosciuszko's Garden dedication will be held at the U.S. Military Academy at West Point, N.Y.

In conjunction with this historic program I insert into the RECORD a brief history of Kosciuszko's Garden at West Point by Maj. Gen. Charles G. Stevenson, retired:

[From the Polish Weekly Straz, February 1969]

THE "BITTERSWEET" STORY OF KOSCIUSZKO'S GARDEN

In the year 1778, elements of the Continental Army established a garrison and erected fortifications at West Point to deny the linking up of British forces moving north and south along the Hudson River. This key fortress, which served for a time as the headquarters of Gen. Washington, was designed and constructed under the supervision of Col. Thaddeus Kosciuszko, renowned Polish patriot and military engineer. Many of its original components have been preserved through the years and others are in the process of being archeologically surveyed with a view to accurate restoration prior to the Bicentennial celebration of the American Revolution. The military post at West

Point, New York, home of the United States Military Academy, has been continuously garrisoned since its establishment and is the oldest active installation of the United States Army.

Early during his two-year tour of duty at West Point, Colonel Kosciuszko fashioned with his own hands a small fountain in the midst of a garden he planted on a terrace in the west shore cliffs overlooking the Hudson River. The garden was said to have been Kosciuszko's favorite retreat and a place where, as one writer stated, he "dreamed of his beloved and distant land." The fountain was described as a "curious water fountain with spouting jets and cascades." Jets, in the form of iron tulips are still installed and functioning. They are not the original jets.

From 1780 until the Academy was established at West Point in 1802, the garden apparently was forgotten. Then in the summer of 1802, Cadet Joseph Swift, first cadet to graduate from West Point, and Lt. Alexander Macomb repaired the garden and fountain, according to Swift's memoirs. The name "Kosciuszko" was cut into the lip of the basin at the pool and is still legible.

PRESIDENT MONROE VISITS GARDEN

Swift also wrote that President James Monroe "met officials of the Academy in the Garden of Kosciuszko."

Cadets, mostly seniors, contributed out of their own pockets toward upkeep of the Garden. Some classes in those years up to 1842 contributed 25 cents each month; later others gave 48 cents, and in some years the contribution was 67 cents each month. With the small classes it is obvious not much was given to upkeep.

In 1858, the historian, Benson J. Lossing, paid a visit to the garden and later described it as "a beautiful and romantic spot, shaded by a weeping willow and other trees, and having seats for those who wished to linger." With the passage of time, the willow and the wooden seats have disappeared. Still remaining, however, are identifying marks of a more permanent nature. In the mid 1850's, the words "KOSCIUSZKO'S GARDEN 1779" were etched in the rock face above the north end of the garden and a hundred years later, a plaque was installed above that inscription which reads:

KOSCIUSZKO'S GARDEN BUILT 1778

This Garden was constructed as a retreat by Colonel Thaddeus Kosciuszko, Polish Patriot, fortifications engineer for the Continental Army 1776-1783, during his tour of duty for the purpose of constructing fortifications at West Point.

Through the years the garden has periodically been renovated, replanted and tidied by interested cadets and post personnel, but the absence of any continuing maintenance has resulted in a loss of the original beauty for which the site was noted. This neglect was compounded during the early 1960's when two construction projects in the vicinity of the garden impeded access to it. One of these projects, a major addition to the West Point Army Mess on the cliff above the garden, further resulted in cluttering the site with debris from the area above the garden. The other effort, construction of a ramp from the level of the Plain past the garden on the river, or east, side to the cadet athletic facilities on the river level below, did however serve to open the garden spot to view daily by the many cadets enroute to and from their physical training classes.

In 1964, the Superintendent took steps to have the garden, its approaches and surroundings restored to their original condition within the limits of the use of government funds and personnel for such purposes imposed by regulations. Under the Post Engineer's supervision, a general cleanup of the area was accomplished to include the repair of paths and old stone steps leading into the site, the cutting away of brush.

vines and sapplings, and the planting of new trees in places designed to enhance the appearance of the area. However, the planting of flowers and shrubs and the installation of a rock garden and other decorative items necessary to recover the real beauty of the original garden and preclude water erosion of the terrace lie without the realm of restoration and maintenance effort that can be undertaken with appropriated funds.

It is estimated that a sum of \$2,000 would be required to purchase and install initial plantings, rock formations, fountain fittings and benches and to landscape the site and its entrances considered necessary for full restoration. The garden could then be maintained in perpetuity with an annual outlay of approximately \$500. The total amount required then to provide for the garden's initial restoration and its perpetual maintenance would be \$12,000 of which \$10,000 would form a maintenance endowment fund.

DETAILS OF PROPOSAL

The Superintendent, United States Military Academy, has approved a proposal submitted by the Polish American Veterans of Massachusetts, Inc. pursuant to a resolution adopted at its annual convention in June, 1967.

Under the proposal, the Veterans will sponsor a drive to raise the sum of \$12,000 of which about \$2,000 will be spent for initial plantings, including rock gardens: placing of benches and other renovation and restoration work. The balance of \$10,000 will be invested by the Superintendent's Fund and the income therefrom amounting to about \$500 annually will be used for maintenance work, all work will be done under the supervision of the Engineer, United States Military Academy.

It is appropriate, Mr. Speaker, that we keep in mind the unique historic points such as this since the greatness of our country depends upon the accomplishments of the past and the contribution of great heroes such as Gen. Thaddeus Kosciuszko to the founding of our Nation and to its progress and preservation.

QUAKERS

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. JACOBS. Mr. Speaker, "Sticks and stones can break my bones, but words will never hurt me."

Churchill said:

You see these dictators on their pedestals surrounded by the bayonets of their soldiers and the truncheons of their police. Yet in their hearts there is unspoken, unspeakable fear.

They're afraid of words and thoughts; words spoken abroad, thoughts stirring at home, all the more powerful because forbidden. These terrify them. A little mouse, a little, tiny mouse of thought appears in a room and even the mightiest potentates are thrown into panic.

Does that sound like America?

Then why, in the land of the free must one be brave simply to stand on the steps of his Capitol and quietly remind us to remember that once there were 35,000 living, breathing, laughing kids who are no more because of a war to protect freedom in Vietnam where there is no freedom to protect?

What kind of logic tells us a transparent gallery shield against the sneak

attack of a maniac inside this Chamber is unnecessary separation between people and Government, while a rule against the free speech of an unobstructing few outside this building is indispensable to security?

Mr. Speaker, it is the function of security to protect lives, not egos.

Yet, from the steps of their Capitol, without blocking anyone's way, Quakers go to jail for making public the identity of our war dead, after the John Birch Society receives a prize from the American Legion for doing the same thing in Indianapolis.

Mr. Speaker, the document reads:

No law . . . abridging the freedom of speech . . . peaceably to assemble and to petition the Government.

It does not read, "Unless the Speaker and Vice President think otherwise."

Mr. Speaker, a quarter of a century ago Pastor Niemoller said of Nazi Germany:

They came after the Jews. And I was not a Jew. So I did not object.

Then they came after the Catholics. And I was not a Catholic. So I did not object.

Then they came after the trade unionist. And I was not a trade unionist. So I did not object.

Then they came after me. And there was no one left to object.

Now it is the United States of America, 1969, and against the wishes of our Founding Fathers and nearly every other American, first they come after the Quakers. And I am not a Quaker. But I do object.

THE KOCHUBIYEVSKY CASE

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. EILBERG. Mr. Speaker, statistics frequently fail to tell us all. Thousands die. Thousands suffer. Thousands are enslaved. Millions die. Millions suffer. Millions are enslaved. The statistical litany drones on but frequently fails to touch us.

It is only in the story of one man's fight for liberty, one man's fight for freedom that we come to know in any visceral way and therefore, any real way, the truth behind the statistic.

Sadly Russian anti-Semitism is nearly as ancient as Russian history itself. That this anti-Semitism is now reflected in the Union of Soviet Socialist Republics' international animosity toward Israel is an unfortunate, but logical extension, of this deep-rooted prejudice.

Russia has not concealed her enmity toward Israel, but of late the Soviets continue to insist that anti-Semitism has been eradicated from their national life.

Just as the Marxist promise that the State would wither away has proven false, this claim too cannot stand the white light of careful examination.

There recently has come to my attention the case of Boris I. Kochubiyevsky, a young Ukrainian Jew, who survived the slaughter of Babi Yar, immortalized by Evgeny Evtushenko's moving poetry.

The tragic plight of Mr. Kochubiyevsky is not unique among the Jews of the Soviet Union. As visitors to Russia have indicated, many Jews desire to emigrate to Israel. Of course, the authorities deny them this right. However, Mr. Kochubiyevsky's case is distinctive in that he has made a courageous appeal to the public.

This is but another sad example pointing up the contradictions between Soviet assertions and practices. Despite Premier Alexei Kosygin's statement in December 1966, that families who want to be reunited with relatives abroad would "find the door open," as well as constitutional guarantees and international treaties to which Russia is a party, the Soviets continue to maintain barriers against Jewish emigration.

But I would prefer to permit Mr. Kochubiyevsky to speak for himself. For the RECORD then I submit first a brief history of his case, and then Mr. Kochubiyevsky's moving letter to Secretary General Leonid Brezhnev and First Secretary of the Ukrainian Communist Party Piotr Shelest:

THE CASE OF BORIS L. KOCHUBIYEVSKY

Boris Lvovich Kochubiyevsky was born in Kiev, the Ukraine, in 1936. His parents were killed by the Nazis at Babi Yar, the charnel house on the outskirts of Kiev where tens of thousands of Jews were slaughtered in September 1941.

The boy was brought up in an orphanage and attended a trade school. Later, he received an engineering degree from the Kiev Polytechnical Institute. He had no Jewish education or culture and his wife, Larisa Aleksandrovna Kochubiyevsky, is non-Jewish. Still, his experiences as a Jew in the Soviet Union made him always aware of his Jewish origins.

In June 1967, at a meeting organized at his factory to protest "Israeli aggression," Kochubiyevsky heatedly rejected the official line and upheld Israel's right of defense. At a subsequent meeting of his factory trade union, his action was discussed and he was asked to resign, which he refused to do.

At a memorial meeting at Babi Yar in February 1968, Kochubiyevsky once more overtly contradicted an official Soviet line. This time he protested the Soviet policy of minimizing or even keeping silent about the Jewish massacre at Babi Yar.

In May 1968, he finally succumbed to pressure and resigned his job. That summer, he and his wife applied for exit permits to Israel; they were refused. But in November, they were given permission to leave and were told to appear at the passport office on November 28 to pick up their documents. That morning, however, their apartment was searched and many of his letters were seized, among them protest letters written to Soviet authorities.

The following week, Kochubiyevsky was arrested. His wife, after refusing pressures to leave him and divorce him, was expelled from the Teachers College where she was a student, and from the Komsomol. His arrest was based on Article 187, Chapter 1, of the Ukrainian criminal code, and it cited his statements at the above-mentioned occasions.

On January 20, 1969, his pretrial examination was concluded by the local prosecutor's office and submitted to the court—where, however, it was sent back for further investigation. The court stated that the evidence was insufficient to support the charge that he intended to disseminate anti-Soviet slanders.

The petition to the United Nations signed on May 20, 1969 by fifty-five Soviet intellectuals, calling for an investigation of "the

repression of basic civil rights in the Soviet Union," protests the trial and sentence of Kochubiyevsky the week before to three years in prison.

[Text of Kochubiyevsky letter]

NOVEMBER 28, 1968.

To: The Secretary General of the CPSU Central Committee—Brezhnev The First Secretary of the (Ukraine CP) Central Committee—Shelest.

Copy: To the Investigator of the Prosecutor's Office of the Shevchenko Region of the city of Kiev—V. V. Doroshenko.

From: The accused of slander against Soviet reality—B. L. Kochubiyevsky, Jew.

I am a Jew. I want to live in the Jewish State. This is my right, just as it is the right of a Ukrainian to live in the Ukraine, the right of a Russian to live in Russia, the right of a Georgian to live in Georgia.

I want to live in Israel.

This is my dream, this is the purpose not only of my life, but also of the lives of hundreds of generations which preceded me, of my ancestors expelled from their land.

I want my children to study in a school in the Hebrew language. I want to read Jewish papers, I want to go to a Jewish theatre. What is bad in this? What is my crime? Most of my relatives were shot by the fascists. My father was killed and his parents were killed. Were they alive now, they would stand at my side: Let me go!

I have appealed with this request many times to various authorities and I have achieved only this: Dismissal from my job; the expulsion of my wife from the Institute; and, to crown it all, a criminal charge of slandering Soviet reality. Of what does this slander consist? Is it slander that in the multi-national Soviet State only the Jewish people cannot teach its children in Jewish schools? Is it slander that in the USSR there is no Jewish theatre? Is it slander that in the USSR there are no Jewish papers? Incidentally, no one even denies this. Perhaps it is slander that for over a year I have not succeeded in obtaining an exit permit for Israel? Or is it slander that people don't want to talk to me, that there is no one to complain to? Nobody reacts. But even this isn't the heart of the matter. I don't want to be involved in the national affairs of a State in which I consider myself an alien. I want to go away from here. I want to live in Israel. My wish does not contradict Soviet laws.

I have an affidavit from relatives; all the formalities have been observed. Is it for this that you are starting a criminal case against me?

Is it for this that a search has been made at my house?

I don't ask you for recommendations for mercy. Listen yourselves to the voice of reason:

Let me go!

As long as I am alive, as long as I am capable of feeling, I shall devote all my strength to obtain an exit permit for Israel. And even if you should find it possible to sentence me for this—I shall anyway, if I live long enough to be freed, be ready even then to make my way even on foot to the fatherland of my ancestors.

KOCHUBIYEVSKY.

GI KILLED ON SECOND TOUR; FIRST CHILD DUE NEXT MONTH

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. LONG of Maryland. Mr. Speaker, S.Sgt. Benjamin L. Lewis, Jr., a fine

young man from Maryland, was recently killed in Vietnam. I would like to commend his courage and honor his memory by including the following article in the RECORD:

GI KILLED ON SECOND TOUR; FIRST CHILD DUE NEXT MONTH

Mrs. Beatrice Lewis, 22, is expecting her first child next month.

But last Thursday, the father-to-be, Army Staff Sgt. Benjamin L. Lewis, Jr., was blown up by a Viet Cong bobby trap while he was on patrol, the Defense Department announced yesterday.

Sergeant Lewis, a 26-year-old Baltimorean who was a native of Washington, was killed two months after arriving in Vietnam on his second tour of duty.

WORSE THAN BEFORE

He was part of a four-man advisory team stationed near the Cambodian border to help train South Vietnamese soldiers. Sergeant Lewis wrote his wife that "living conditions are worse" than during his first 12-month stint in Vietnam in 1965.

A graduate of Eastern High School, in Washington, where he was captain of the varsity basketball team and a member of the baseball team, Sergeant Lewis enlisted in the Army soon after graduation nine years ago.

His wife, who will celebrate a lonely 23d birthday next week, said he was made a staff sergeant last year and had intended to make the Army his career.

Sergeant Lewis had been stationed at Fort Dix, N.J., and Fort Benning, Ga., and had been stationed in France and Germany.

Mrs. Lewis, the former Beatrice Artis, lives at 1710 North Montford avenue.

In addition to his wife, Sergeant Lewis is survived by his parents, Benjamin F. Lewis, Sr., of Washington, and Mrs. Mabel McNeal of Baltimore; six sisters, Miss Lela Lewis and Mrs. Patricia Lockett, both of Washington, Mrs. Betty Moore, Miss Mary Alice Lewis, Miss Sarah McNeal, and Miss Mona Lisa McNeal, all of Baltimore; a brother, Jerome Lewis, of Washington and a grandmother Mrs. Leah Hart, of Baltimore.

SAMUEL MOSS, JR.

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. BIAGGI. Mr. Speaker, I was honored today by a visit in my office with Samuel Moss, Jr., president of the Bronx chapter of the National Association of Retired Civil Employees. Last December, an article appeared in the Bronx Press-Review concerning this energetic gentleman. As a tribute to Mr. Moss, I should like to include this biographic article in the RECORD at this point.

The article is as follows:

PARKCHESTERITE, 80, GIVEN DEGREE OF JURIS DOCTOR

The Jr., behind the name of Samuel Moss can be a little misleading. The Parkchesterite, recently awarded the degree of Juris Doctor by George Washington University, Washington, D.C., is 80 years old.

When Mr. Moss was graduated with a Bachelor of Law degree from the George Washington University School of Law he wasn't a beardless youth. He was 53. It's because he was an outstanding student 27

years ago that he is given the Juris Doctor degree retroactively now.

Mr. Moss, who last April was admitted to practice before the Supreme Court of the United States, is a member of the District of Columbia Bar and of the Court of Military Appeals.

Retired from government service since 1957, Mr. Moss Jr. was employed as an attorney examiner with the Interstate Commerce Commission and as a Navy Department official for a period of 20 years.

The Parkchester man is president of the Bronx chapter of the National Association of Retired Civil Employees and is a member of the Federal Bar Association, the Bronx Old Timers, Grand Street Boys Association, Golden Legion of Cooper Union, Eternal Lodge, F. & A.M.; PS 109, Manhattan, Alumni Association; and the Bronx Brush and Palette Society.

Mr. Moss finally has retired, but the decision came hard. After he left government service he worked for a time as general traffic manager and commerce counsel for several motor carriers in the Metropolitan area.

Nowadays his time is taken up to a large extent by his art hobby. He attends courses in Brooklyn College.

The octogenarian, who lives at 1596 Unionport Rd., has a subhobby of making pencil sketches of U.S. Presidents and of their wives. He presented such portraits to President and Mrs. Kennedy and President and Mrs. Johnson and treasures their letters of thanks. He plans to sketch President Richard Milhous Nixon and Mrs. Nixon after the Inauguration.

Some of his pieces were placed on exhibit in the Bronx Council on the Arts display in the lobby of the Bronx County Building.

Pop art? That's not for him. Maybe great grandpop art.

DORRY WOLLSTEIN, OF HAWAII, BRIDGES GENERATION GAP WITH TOP ACADEMIC RECORD

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. MATSUNAGA. Mr. Speaker, much has been said about the so-called generation gap represented by college students today. College students have understandably been characterized as members of the youth generation. We ought to remember, however, that also included in the ranks of college students are a significant number of "older people", who, in many cases, have made determined efforts to complete their formal education beyond the high school level.

On June 8, Mrs. Dorry Wollstein, a constituent from my State, graduated from the University of Hawaii with the highest academic average from the College of Arts and Sciences. She achieved a 3.9-grade point average out of a possible 4.0. Mrs. Wollstein's story, I believe, is noteworthy in several respects. For one, she represents a significant number of middle-aged persons now matriculating in our various colleges and universities to "keep up" or "get in" with the exponential knowledge explosion which has come to characterize the post-World War II period. Moreover, she has shown, by her example, that "older people" can adjust

well to college life. And, finally, in her own way, she represents the rising social consciousness for helping needy people in our country today.

I am sure that my colleagues will want to join me in congratulating Mrs. Wollstein on her notable achievements. With the hope that my colleagues will gain some meaning in reading more about Mrs. Wollstein's college career, I am pleased to submit for inclusion in the RECORD an article which appeared in the Honolulu Star-Bulletin of May 9, 1969.

MIDDLE-AGED COED HAS HIGHEST GRADES

(By Judy Chase)

Whoever said that mature students have difficulty adjusting to college life didn't know Dorry Wollstein.

Twenty-five-plus years after her high school graduation, Mrs. Wollstein made up her mind to get what she always wanted but couldn't afford—a formal education.

This June 8, at the age of 45, Mrs. Wollstein will be graduated from the University of Hawaii with a 3.9-grade point average, the highest in the College of Arts and Sciences.

"When I first enrolled at the University," she said, "I naturally spotted all the mature students first."

(Approximately 10 per cent of the students enrolled on the Manoa campus full-time this spring are over age 30, according to a University spokesman.)

But Mrs. Wollstein said she soon found that "the young people relate just as naturally to mature persons on campus as to other young people."

About having the highest standing in the College of Arts and Sciences, she said: "Of course, I was thrilled.

"And my husband (John, a high school teacher) was very, very proud. I saw the expression in his eyes, and I knew he meant it."

Mrs. Wollstein also has the distinction of being the first classical Greek major in the University's history.

Mrs. Wollstein originally took Greek to meet the language requirement, because she thought it would be "exciting" to be able to read the New Testament in Greek.

"My intention was to be a psychology major," she said, "but, as it turns out, I got caught up in Greek and philosophy courses and only ended up taking two psych courses.

"I suppose it is the universality and timelessness of Greek thought that intrigues me.

"There is nothing that we think, feel, say or do today that doesn't relate back to the ancient Greeks.

"For instance, I've just finished an undergraduate thesis in which I endeavored to show that the new morality has its roots in Aristotle's ethics."

Mrs. Wollstein said she would like to teach classical Greek at the University level some day, so she is hopeful that she will be able to begin graduate study in her field this fall.

But this depends on whether the Classics Department can begin offering a master's degree by that time.

If not, Mrs. Wollstein said she will probably continue working at the Salvation Army Facilities for Children, where she has been assisting in the religious education program and doing private tutoring on a part-time basis while in college.

All this in addition to fulfilling her role as a wife.

How did she do it all?

"Well, it's terribly important that your husband be in full accord with what you're doing, as mine is.

"And you have to learn little tricks—like carrying a textbook with you everywhere you go."

UTAH HIGH SCHOOL STUDENTS TAKE OVER SCHOOL GROUNDS

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. BURTON of Utah. Mr. Speaker, at a time when the Nation's newspapers have been full of reports of campus disorders and of students taking the law into their own hands, it is refreshing to read about a high school where students have been motivated to do something specific for the benefit of their community. Such a news headline came across my desk recently from the Ogden Standard-Examiner, Ogden, Utah. It concerns the 1,700 students at Ogden's Ben Lomond High School who gave an effective lesson in civic pride and responsibility. I commend the article regarding their "takeover" of the high school campus, and other nearby public property, to the attention of my colleagues: FIRST "ALL SCOTS DAY" GAINS PRAISE FROM CITY OFFICIALS

Ben Lomond High School's 1,700 students gave some of their college colleagues across the nation an effective lesson in community responsibility this week.

For about three and one-half hours Tuesday morning, the students took over their high school campus and assorted other pieces of public property throughout the northern part of the city.

But their motives—and accomplishments—differed dramatically from some of the takeovers occurring on college campuses throughout the country.

The Ben Lomond students acted for a positive purpose: to clean up the winter's accumulation of debris on school grounds, parks and other areas—some of it deposited by their careless and thoughtless elders.

HIGHLY SUCCESSFUL

And their "takeover"—termed highly successful—brought words of praise from public officials, educators and a few home owners who benefited from their show of civic pride and responsibility.

"I hope other student bodies will follow this lead," said Mayor Bart Wolthuis in commenting on the outcome of what students and faculty hope will be the first "All Scots Day" at Ben Lomond.

The activity was the idea of Ben Lomond students and faculty who intended it—in the words of one paintbrush-wielding youngster—to "show people there's at least one entire student body in this country with some sense of responsibility."

The students moved out on their cleanup campaign following a breakfast at the high school. Most were on the job by 8:45 a.m.

About half of them augmented city crews cleaning parks streets and other public property north of the Ogden River which generally is the area served by Ben Lomond High School.

"And they did a tremendous job," reports city parks Supt. Clair Bennett. "They cleaned up every park north of the river and most of the streets.

"They were well organized and did an excellent job," Mr. Bennett said. "Those students have a lot on the ball."

He said their help saved the city taxpayers several hundred dollars.

CLEANED YARDS

The remainder of the student body cleaned up the yards of several widows and elderly people in the northern part of the city.

One group found one woman whose home needed painting. While most of the group went to work scraping off the old paint, others went to stores in town and collected six gallons of exterior house paint.

By noon the home had a new coat of paint. The students capped the day's activities with a carnival and swimming at their school.

"It was heartwarming to see this exhibition of community responsibility by our young people," Mayor Wolthuis said. "I hope others will show a similar pride in other communities."

DON JOHNSON

HON. FRED SCHWENDEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. SCHWENDEL. Mr. Speaker, today I submitted a statement to the Senate Finance Committee supporting the nomination of Don Johnson as Veterans' Administrator. Don is from Iowa's First Congressional District and we certainly are proud of him. I include in the RECORD at this point my statement made this morning:

STATEMENT OF CONGRESSMAN FRED SCHWENDEL

Mr. Chairman, members of the committee, it is a distinct honor and a pleasure to be able to join in recommending Don Johnson to this important committee for the position of Administrator of the Veterans Administration.

President Nixon could not have made a better selection. Don is extremely well qualified for the position of Veterans Administrator. As you know, he has been active in veterans affairs since he completed his service in the Armed Forces after World War II. Since joining the American Legion, he has held the office of district commander, state commander, and in 1964-1965 he served as national American Legion Commander. In this office he not only served the interests of all veterans but served his country as well.

But Don Johnson's qualifications are not limited to his participation in the activities of a veterans organization.

First of all, Don Johnson is a hard working and capable individual who is a successful businessman. He will bring sound administrative experience to the Veterans Administration. In addition, he will bring his imaginative, but thoughtful leadership, needed now more than ever as we try to meet the problems of many of our boys returning from Vietnam to civilian life.

Don Johnson also brings to the Veterans Administration the perspective of a man who has been involved in community activities and civic affairs.

An article which appeared in the several newspapers after President Nixon nominated him summarized the qualities of Don Johnson this way.

"He is a strong believer in the virtues of hard work, unswerving patriotism, loyalty, devotion to family, to duty and to constitutional freedoms and rights. But he recognizes his is not the only interpretation of the true worth of these values and he has as deep a respect for the rights of others as for his own. He has a sympathetic understanding of the other fellow's position and uses the gentle but firm persuasion method to win people to his point of view when differences concern him."

Iowans are proud of Don Johnson. They recognize his outstanding qualifications. They know of his contributions toward making

Iowa and his home town of West Branch a better place to live. They recognize and appreciate that the nation now has the opportunity to benefit from his talents.

We from the First District of Iowa are especially proud that one of our residents has been honored as Don Johnson has. It is appropriate, too, to note that he comes from West Branch, Iowa, the home town of one of our great Presidents, Herbert Hoover.

I have not dealt in detail with Don's biography. It reveals a distinguished career of public service and dedication to home and country and is well known. So what I have tried to do instead is point to the qualities of Don Johnson which make him such an outstanding appointee.

To indicate the high regard held for Don Johnson, I would like permission to insert at this point in the record a sampling of the editorial comment on his nomination.

Mr. Chairman, in conclusion I want to express my whole-hearted and enthusiastic support for this nomination. I am confident that this committee, after the hearing record is complete, will appreciate the background of this outstanding man and will recommend approval of his nomination to the Senate.

HE'LL GET THE JOB DONE

Donald Edward Johnson's appointment by President Nixon as director of the Veterans Administration is indeed, as Johnson remarked, a challenging one.

And the public service record of this 45-year-old citizen of West Branch, Iowa (1960 population, 1,053)—which also gave to the nation's service the late President Herbert Hoover—would indicate he can fulfill the assignment.

In itself, the VA is a mammoth operation, with a budget exceeding \$7 billion. And the President has enlarged the challenge to the Iowan at the outset with a directive that he find out why Vietnam War veterans are not taking advantage of benefits.

As a first assignment, Johnson, former national commander (1964-65) of the American Legion, is to head a new President's Committee on the Vietnam Veteran. It is designed to tailor existing veterans benefit programs to needs of fighting men returning from service in Southeast Asia.

Johnson is energetic, and a sort of signal of his determination might be seen in his comment that Mr. Nixon has stressed there must be planning for returning veterans, and "if it takes a new program . . . that's what we must come up with."

Johnson has held several governmental advisory posts and filled numerous other leadership roles in this state and in his own community.

He was president of the West Branch Chamber of Commerce when only 24. He is an orphan whose father died in World War I. The Johnsons have nine children. The oldest, now 20, is serving with the armed forces in Vietnam.

One might say Johnson has been in training for this job since he served as a combat infantry sergeant with U.S. forces in the European theater in World War II. He was decorated for bravery.

The choice is an excellent one for several reasons. Donald Johnson is, as Iowa Sen. Jack Miller has observed, a man of high ideals and personal integrity who well understands the problems of veterans and has a unique capacity for getting people to work together. He can be relied upon to do an outstanding job.

[From the Tipton Conservative, June 12, 1969]

THE RIGHT MAN

Don Johnson, by any test that you might use, will make an outstanding director of the

Veterans Administration. He has shown administrative ability, both from his own business and as former National Commander of the American Legion and he has the kind of forceful, outgoing personality that the position requires. But beyond this he believes in the men who have served their nation in time of conflict and he believes in the country which they served.

He will be a useful member of the Nixon administration. Johnson speaks well and is a forceful personality. He is now a seasoned politician and he has survived the rigors of an unsuccessful campaign for governor quite well. Some of the lessons he has learned have not been without pain, and they have tempered his political judgment. He is ready for the job.

The waiting for official confirmation that he was to be nominated as a director of the VA was long and must have been a little annoying for, until the President makes his announcement, all the other assurances, no matter how gratifying, are not final.

Johnson had been considered for the post from the beginning. There was a time, nearly a month ago, when it was felt that he had the inside track. Then, when no announcement came, other names were more prominently mentioned—names of men of considerable ability and stature. Johnson, with many good friends in Washington, could only wait. Now that the waiting is over there will be hearings and not all of those who check his credentials will be favorable to Johnson.

Johnson, by his record and through his personality, will be his own best advocate. We are certain that he will continue to serve his nation with ability.

[From the Iowa City Press-Citizen,
June 9, 1969]

NEW VA HEAD

The first major appointment of an Iowan in the Nixon administration has gone to Donald E. Johnson of West Branch. Named head of the Veterans Administration Thursday, Johnson has had solid backing for the position from Iowa Republicans and others in the group.

The appointment is of great interest in this area and not only because Johnson is a longtime resident and known well to hundreds, if not thousands, of his neighbors. It is of particular interest, also, because one of the Iowa City area's major institutions is Veterans Hospital, one of the 166 hospitals and 200 clinics in the VA system, the nation's largest medical program.

In a long career of public service, Johnson has concentrated on matters concerning veterans, a fact which gives him particular insights into his new position. He has worked principally through the American Legion, largest of the country's veterans organizations, and he has served that organization's members at every level from the local post to national commander. His ability and interest was recognized early in the Legion, for he became Iowa state commander in 1952, only six years after being discharged from World War II army service which included combat in Europe.

As VA head, Johnson will direct the largest independent agency of the federal government with more than 170,000 employees and annual expenditures of more than \$7 billion. It serves the country's nearly 27 million veterans and their families, making up almost half the national population. Besides its hospital system, the VA administers a massive life insurance, loan, education and training, and pension and disability compensation programs.

It is a challenging position. In accepting the post, Johnson maintains his participa-

tion in public service, this time in an appointive federal position. The prominence of the positions he's held, his strong run for the Republican gubernatorial nomination in 1968, his age of 45, assure that he'll receive prominent attention for other state and national positions, elective or appointive in the future.

JOHNSON THE RIGHT MAN

President Nixon would have had to look far, wide, long and hard to find anyone better suited to head the Veterans Administration of the United States than the man he selected, Donald Johnson of Iowa.

Johnson symbolizes the U.S. war veteran and the things he stands for and Iowans know him not alone for his hard work in the American Legion, where he has served well in every capacity from rank and file member to national commander, but also for his willingness to pitch in and help with civic and governmental affairs.

As a candidate for the Republican nomination for governor last year he conducted a vigorous and high-level campaign, coming in second in a three-man race. He accepted defeat gracefully and pitched in to help the Republican ticket win in November.

His travels throughout the nation and the world as national commander of the American Legion in 1964-65 have provided him with the broad outlook that will be helpful in the vitally important new position he will assume upon confirmation by the senate.

Even though he has devoted a good share of his waking hours since returning from the European theater in World War II to Legion affairs, Don Johnson has found time, with his wife, Jean, to rear a family of nine children and to make a success in business. His selection by President Nixon, we predict, will prove to be a wise one.

WITHDRAWAL FROM VIETNAM

HON. MARTIN B. MCKNEALLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. MCKNEALLY. Mr. Speaker, I am pleased to include in the RECORD the following fine editorial which appeared in the Journal-News of Nyack, N.Y., on June 10, 1969, with reference to the President's recent decision to withdraw 25,000 American troops from Vietnam:

WITHDRAWAL FROM VIETNAM

As might have been expected, doves in the United States Senate are critical of the announced decision of President Nixon to withdraw 25,000 American troops from Vietnam. They would pull out many more of our men this year—some of them, indeed, would call home all our forces.

The criticism is more than unrealistic—it borders on the hypocritical, and even that is stating the case mildly.

What the President has proposed is a prudent good-faith withdrawal, with minimum resultant danger for either the Vietnamese people or the American soldiers who must remain in Vietnam until a peace agreement can be negotiated and mutually accepted.

Upon the President rests both the military and political responsibility for the aftermath of any withdrawal from Vietnam. He should not, in the discharge of that responsibility, be the target of carping criticism by peace-vote seekers in either the Senate or the House.

KOCH NEWSLETTER

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. KOCH. Mr. Speaker, today I am sending to my constituents my second newsletter. The report is being sent to approximately 200,000 postal patrons; it discusses my efforts in the Congress during the last 90 days—since I issued my first newsletter on March 15. It also gives the results of the questionnaire contained in my first newsletter.

For the benefit of my colleagues, I should like to submit my June 18, 1969, report for printing in the CONGRESSIONAL RECORD. I might note that the newsletter contains two pictures, one of me in front of my storefront office in New York City and another depicting my participation in the Quaker reading on the steps of the Capitol.

The text of the newsletter reads as follows:

So much has happened in the last three months since my first newsletter to you.

We are moving ahead very quickly on the mass transit trust fund bill which was my first major bill and remains my prime domestic legislative concern. At this time, 75 Congressmen have co-sponsored the bill and Secretary of Transportation John A. Volpe, with whom I recently met, has given his support for the concept and need of a trust fund.

As a member of the Science and Astronautics Committee, I recently opposed my Committee's action in giving NASA \$204.9 million more than President Nixon had requested for 1970 manned space flight operations. I support our space activities, but because of our pressing domestic needs, I oppose the increase, both in Committee and in the House.

I was asked to attend the Paris Air Show with my Committee at the end of May. I had thought of this trip as a serious one. And, in addition to attending the Air Show, I had planned to meet with Members of the French Ministries of Transportation, Postal Service, and Housing. However, after discussing my plans with a number of friends, I decided not to go since a serious trip to the Paris Air Show just is not believable.

The one trip I have taken as a Congressman at my own expense was to Charleston, South Carolina last month at the invitation of Ralph Abernathy, Coretta King and the Southern Christian Leadership Conference. I was asked to lend my support to local hospital workers who are on strike seeking to obtain union recognition from the State for the purpose of collective bargaining and decent wages. I support their right to bargain collectively just as I walked a picket line with the New York City hospital workers in 1961 who were then being denied the same right of collective bargaining.

Believing that every Congressman should file a net worth statement annually, I did so with the Committee on Standards of Official Conduct. I was one of two Congressmen who made this public disclosure; of the 87 attorneys in the Congress, 5, including myself, withdrew from the private practice of law.

Taxes, tax reform and inflation are surely leading concerns of the 17th C.D. residents. And in view of the enormous tax burden, local, state and federal borne by the taxpayers of New York City, it is understandable why we hear so often that we are "on the edge of a taxpayers' revolt."

A number of Congressmen, myself included, met with Secretary of the Treasury David M. Kennedy to discuss tax reforms and to hear from him the reasons for extend-

ing the surtax. At that meeting we made it clear that we would consider not voting for the surtax extension unless there were the assurance of substantial tax reform.

I am a co-sponsor of major tax reform legislation which closes a dozen major loopholes such as the oil depletion allowance, tax free interest on municipal bonds, hobby farms and unlimited charitable deductions which the wealthy use to evade their fair share of the tax burden.

Almost every Congressman has introduced a number of bills to provide tax relief for the low and middle income taxpayer and I would like to acquaint you with the terms of some of the tax and social security bills which I have introduced:

(1) a bill to increase each personal exemption from \$600 to \$1200. (The personal exemption has not been increased since 1948, yet the cost of living has increased almost 50%.)

(2) a bill to increase the standard deduction from 10 to 14 percent and to increase the maximum allowable deduction from \$1,000 to \$1,800.

(3) a bill to give single individuals who maintain their own homes the same tax rates as those now entitled to head of household status.

(4) a bill to remove the family income limitation (\$6,000) for working mothers who seek to deduct childcare expenses.

(5) a bill to remove the income limitation for those who are eligible for social security benefits and who continue to work.

Candor requires that I acknowledge that tax reform and tax relief always face strong opposition from powerful lobbies which resist the closing of special interest loopholes and the Treasury Department which never likes to see its revenues reduced. Therefore, if you support any of the tax proposals listed above, send a letter to Chairman Willbur Mills of the Ways and Means Committee and Congressman Jacob Gilbert one of New York's Representatives on that Committee, urging their support. It is important if your letter is to have any effect that it be sent immediately while the Committee is still reviewing the various tax reform proposals.

MILITARY SPENDING AND NATIONAL PRIORITIES

The proposed budget for national defense for fiscal year 1970 is \$77.5 billion. I have been told by some veteran Congressmen that for the first time since the days of President Truman, the Congress is questioning the policy assumptions that account for a military budget that represents almost 50% of our total spending at the federal level. I count myself among those who think it is high time we make a fresh examination of our military expenditures if we are ever to substantially reallocate our resources to pressing domestic needs. This Congressman, along with others, does not intend to leave such matters solely to the "experts." We have learned from our tragic Vietnam involvement that the "experts" do not always know best.

President Nixon has recently branded those critical of our military spending as "neo-isolationists." He has missed the point. What has happened is that many people are beginning to painfully realize that the elimination of poverty and the renewal of our cities may be more important to the interests of our national security than our preoccupation with war and armaments. This is not neo-isolationism—it is a matter of democratic self-preservation and we must get on with it before it is too late.

As you may have read, I co-sponsored a Congressional conference and report on the military budget and national priorities which has concluded "that the most urgent challenge confronting Congress is to reassert control of the military bureaucracy and the policy decisions it has preempted."

To avoid an unnecessary escalation of the arms race before holding arms control talks with the USSR, I have opposed the proposed

deployment of the Safeguard ABM system and the installation of multiple independently targetable re-entry vehicles (MIRV) on our offensive missiles. I believe that we should suspend MIRV tests with an announcement that they would not be resumed so long as the Soviet Union refrained from testing its multiple warheads.

In another area of weaponry, Representative Richard D. McCarthy of Buffalo has joined me in introducing a resolution calling for the establishment of a commission to study the ecological effects of our chemical warfare employed in Vietnam with a view to curtailing the use of chemical and biological weapons.

And on the Floor of the House, I have continued to oppose supplementary appropriations for the further prosecution of the Vietnam war which has already cost the lives of almost 40,000 Americans and \$100 billion. On May 15, I introduced a resolution with seven other Congressmen calling on the President to immediately withdraw 100,000 U.S. soldiers from Vietnam and to seek an immediate ceasefire. The recent announcement of President Nixon ordering the withdrawal of 25,000 U.S. troops was a first step—a halting first step but one in the right direction. We all should urge the President by letter to propose an immediate ceasefire to stop the killing on both sides and undertake a further withdrawal of troops now.

The estimates on how much can be saved by judiciously cutting the military budget without endangering our defenses range from six to ten billion dollars, exclusive of the 20 billion dollars that would be saved if the Vietnamese war were terminated. It is my intention to work to reduce the military budget. How grand it would be for the cities of this country if 30 billion dollars were spent on their reconstruction rather than continuing to spend that same amount for destructive purposes.

MARCH 15 QUESTIONNAIRE RESULTS

All responses received were tabulated; the results are as follows:

[In percent]

1. Cease-fire: Favor an immediate cease-fire in Vietnam:	
Yes	74
No	26
2. Selective conscientious objector:	
Agree with the Koch proposal to grant selective C.O. status to those opposed to a particular war and who have refused to serve to date.....	62
Oppose giving the selective C.O. status to those who have refused service to date but favor granting such status to those objectors who face military service in the future.....	4
Oppose any form of selective conscientious objector status.....	34
3. Mass transit:	
Favor Koch proposal for a Mass Transit Trust Fund to be financed by the 7% auto excise tax.....	86
Favor the establishment of a Mass Transit Trust Fund, but oppose financing it with the auto excise tax...	8
Oppose the establishment of a Mass Transit Trust Fund.....	6
4. Smoking: Favor the FCC's proposed ban on cigarette advertising on radio and TV:	
Yes	76
No	24

(64% of the respondents agreed with the Brigadier General and 36% with the Candy Man.)

SUMMARY OF MY ACTIVITIES IN NEW YORK

In Murray Hill, working with concerned citizens, we were able to stop the intended demolition of houses by the federal government which wants to build a post office at 31st Street and Lexington Avenue. We saved the homes of more than 300 people for at

least another year and maybe longer. In the meantime, I have high hopes that a relocation assistance bill which I am co-sponsoring will be passed in time to help the Murray Hill residents if they are eventually required to move.

In the United Nations-Tudor City area, again working with concerned citizens, we were helpful in inducing the City Planning Commission to preserve the residential nature of Tudor City.

I have registered my protest with Con Edison opposing their plan to construct a huge fossil fuel burning plant and two new immense nuclear power plants. I have urged that they apply to the federal government for an increase in their allotted supply of comparatively pollutant free natural gas and I have offered to introduce the necessary federal legislation to accomplish that. I am awaiting their reply.

Two town meetings were held, one at Julia Richmond High School on "housing" and the other at P.S. 104 on "crime." Two more town meetings will be held in other parts of the District during 1969.

Members of my staff have presented my views before the Board of Estimate and the City Planning Commission on substantial matters affecting our District. In addition, they regularly attend meetings of the local planning boards and other community organizations.

I try to be at a different subway entrance every Friday morning handing out my most recent statement on what I hope is a matter of importance to you. I would appreciate your introducing yourself to me when you next see me there some morning.

SUMMARY OF MY ACTIVITIES IN WASHINGTON

Introduction of an Urban Revenue Sharing Act which would establish the right of urban areas to share directly in Federal income tax collections set aside in a trust fund and divided on a per capita basis.

Introduction of a bill to establish a Commission on Marijuana to examine the medical, social and legal questions pertaining to the use of marijuana and to provide conclusions and recommendations for intelligent public discussion and legislative action on all levels—local, state and federal.

Introduction of the Police Compensation Act of 1969 to improve the quality of law enforcement by providing temporary federal aid for police salaries during the current period of local fiscal crisis.

Appearance before a subcommittee of the House Education and Labor Committee, testifying that the federal government should not play schoolmaster with its funds and opposing legislation which would assert federal control over the campuses by withholding federal funds in cases of campus disorder.

Co-sponsorship of legislation requiring the federal government to assume 90% of the cost of welfare and Medicaid so as to remove a major burden from the taxpayers of the City of New York.

JOHN FITZGERALD KENNEDY

HON. JAMES A. BYRNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. BYRNE of Pennsylvania. Mr. Speaker, the Honorable Paul D'Ortona, president of the city council of Philadelphia, has brought to my attention Resolution 142, which was adopted by the council at a meeting on May 29, 1969, memorializing the Congress of the United States to designate the birthday of the late President, John Fitzgerald

Kennedy, a national legal holiday. I am honored to commend this resolution for the consideration of my colleagues:

RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO DESIGNATE THE BIRTHDAY OF THE LATE PRESIDENT, JOHN FITZGERALD KENNEDY, A NATIONAL LEGAL HOLIDAY

Whereas, The death of John Fitzgerald Kennedy, the 35th President of the United States, numbed the hearts of the people of the World; and

Whereas, From his inauguration to his death at the age of 45, President Kennedy never relaxed his efforts to move the country toward new plateaus of security, justice and opportunity; and

Whereas, His devotion to high purposes will never be abandoned by those who wish for a World in which every man can better his lot and live in dignity; therefore

Resolved, By the Council of the City of Philadelphia, That we hereby memorialize the Congress of the United States to designate May 29th, the birthday of the late President, John Fitzgerald Kennedy, a National Legal Holiday.

Resolved, That certified copies of this Resolution be forwarded to the President of the United States, the Vice-President, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and to all the members of the Congress from Pennsylvania, as evidence of the concern of this legislative body.

Certification: This is a true and correct copy of the original Resolution adopted by the Council of the City of Philadelphia on the twenty-ninth day of May, 1969.

PAUL D'ORTONA,

President of City Council.

Attest:

CHARLES H. SAWYER JR.,
Chief Clerk of the Council.

INTERNATIONAL LABOR ORGANIZATION CONFERENCE

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. AYRES. Mr. Speaker, as a congressional adviser to the International Labor Organization Conference in Geneva, Switzerland, I have had the opportunity to observe the acceptance with which the delegates from 114 nations received our viewpoints on affairs affecting labor and industry.

I am pleased to report that the international climate for our opinions has improved over preceding years.

I was also most pleased to see the excellent reception that the remarks that our new Secretary of Labor received during the present conference in Geneva. George P. Shultz's fame as an international economist had preceded him and his words were well heeded particularly by the 70 members of Cabinet rank who attended the conference.

Included in his speech to the 1,300 delegates was a message from the President of the United States. President Nixon's interest and concern in this field dates back to the time that he was a member of the Education and Labor Committee of this body. I am most happy to report that it was attentively listened to and made a strong impact on the delegates.

Mr. Shultz has authored several books about displaced workers, collective bargaining and the labor market and they were well known to the assembled delegates. He also had made several economic surveys abroad.

The expertise that he brought to this conference earned us the respect of all. I know that my colleagues would be interested in learning of these viewpoints. For this reason, I include them with these remarks. They follow:

Mr. Shultz (*Secretary of Labor, United States*)—It is a privilege for me to be present and join in celebrating the fiftieth anniversary of the ILO.

Mr. Möri, may I extend to you my warmest congratulations and best wishes on becoming the first Workers' delegate to be elected President of a session of the International Labour Conference.

Just ten years ago a distinguished predecessor of mine, James P. Mitchell, carried a letter from President Eisenhower to this body reaffirming my country's support of the ILO.

Today, I have the honour and pleasure of conveying from President Nixon to your Director-General, Mr. David A. Morse, the renewed testimony of the President's appreciation of the work and goals of this Organization. I should like to read now from that letter:

"On behalf of all my fellow Americans, I am happy to applaud the International Labour Organisation on its half-century of dedicated service to humanity.

"Since the founding conference in Washington in 1919, the basic guiding principle of ILO's membership has been to advance the dignity of man. And history attests that there is no finer way of achieving this goal than through meaningful and rewarding labour.

"The United States is proud of the role our citizens have played in the creation and life of this Organisation. And we are grateful for the distinguished service of its Director-General, David A. Morse, who has given over two decades of effective leadership to its worthwhile programmes. We consider ourselves privileged to have been able to aid in the preservation of ILO in its difficult and critical years from 1939 to 1945.

"And we take great satisfaction from having been the nation selected as the site of the Conference which adopted the Declaration of Philadelphia in 1944. Today, we reaffirm the basic tenets upheld by this document and recommit our nation to the course it charted.

"We pledge our fullest support to the ILO as it works to meet the challenges of new member States, striving to translate the social vision of its founding fathers into material benefits for their peoples.

"We offer support for the World Employment Programme which continues to offer practical solutions to the problems of employment to enable all men to share more fully in the fruits of a rapidly expanding world economy.

"Heartened by the past and encouraged by the promise it offers, we rededicate ourselves to the ILO as an instrument toward the realisation of lasting human peace through the attainment of economic and social justice for peoples everywhere.

(Signed) RICHARD NIXON."

Today marks my own second appearance this year in support of the International Labour Organisation. At Temple University's celebration of the twenty-fifth anniversary of the Declaration of Philadelphia and of the fiftieth anniversary of the founding of the ILO, it was my pleasure to speak on the same programme with two other Americans who have for years been active and steadfast supporters of the Organisation. I refer to George Meany, President of the AFL-CIO, and Edward Neillan, who has for long been

the Employers' delegate from the United States.

The Declaration of Philadelphia affirmed that "all human beings, irrespective of race, creed, or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity". Today we go a step beyond the "right to pursue" and we affirm, in the words of the Director-General in his commendable proposals for a World Employment Programme: "We can make no headway in raising incomes and standards of living for the majority of the world's working population unless we can create the conditions in which incomes can be earned and improved—through more productive work."

Jobs, we agree, are the key to a decent standard of living, and their creation is a central feature in the process of economic development.

The United States is not ordinarily categorised as underdeveloped, yet we share with most nations of the ILO the special problems of developing countries. In the United States our most difficult development problem is how to help disadvantaged individuals become contributing members of society.

We at one time believed that this goal could be achieved through simple reliance on the process of economic growth. It is true, of course, that the capacity of a nation to provide its citizens with adequate employment and income depends ultimately upon the development of industry and the harnessing of the forces of technology. However, we now recognise that economic growth of itself does not mean that the problem of jobs and income will be adequately solved. We know that we must give special attention to enlarging the productive capacities of the labour force and to assuring that each individual has the opportunity to use his abilities to the maximum extent. To attain this objective requires not only new approaches to training and education but also an awareness that management skills are a key factor in the effective use of human and physical resources.

This task is equally demanding for both highly industrialised and developing nations, although the nature of the problem will vary from case to case. In the United States, we have made a firm commitment to identify those workers who have been denied the full range of job opportunities and to develop new channels to employment and income.

Help for the disadvantaged worker is, therefore, given high priority by President Nixon's Administration. Although average unemployment is now at a relatively low level for the United States, we are not content with the success of the average. Unemployment among young Negro Americans in large cities is far above the average and our concern for this group typifies our concern for all the specific groups in our nation whose situation is worse than the national average.

Some of these youngsters drop out of school and seek jobs before they are equipped for the world of work. One of our programmes provides after-school work so that the influence of family poverty as a cause of early termination of schooling will be reduced. Where the youngsters drop out of school and refuses to return, we try to provide him with a mix of basic education, job skills and social skills. In some cases we use residential facilities to overcome the destructive effects of home environments.

These efforts are aimed at what we call the hardcore unemployed—usually persons whose environment and experience have made them think of themselves as rejects. They are the most difficult to persuade that they can get and hold a job. For the training of this group the Government offers to reimburse employers for extraordinary ex-

penses. Many employers participate in this programme without reimbursement.

We are making a start on child-care centres so that mothers may work with the knowledge that their children are adequately cared for.

The eradication of old, time-hardened practices that continue to erect special barriers against the Negro and other minority groups is one of our prime objectives.

Racial unrest in the United States has become more apparent today in part because of the massive efforts, at long last, to remedy the underlying causes. But whatever the difficulties, we are completely determined to make equal opportunity for all a living reality. The whole world has a stake in solving the problem of racial discrimination, and we are proud to be involved in this process. Racial tensions, of course, are not peculiar to the United States, though our open society and modern, uncensored communications may make them more painfully visible.

Those are a few of our programmes. In all, the Government budget will provide training opportunities in the coming year for more than a million persons, over and above what is provided normally by employers and regular school systems.

But there are other aspects of a manpower programme to improve and use effectively the skills of the work force. A comprehensive system of job vacancy information is helping us to focus more sharply on the targets for which training is needed. We are also improving the placement process. Computers as an aid in processing information about job openings and manpower resources are increasingly important in achieving swifter matching of man and job.

We have begun to decentralise the operation of our manpower programme. We believe that, although central direction is important, the complexity of our economy makes it essential to energise and enlist the services of smaller geographic and political entities—in our case, the states and the cities in those states. That will help ensure that the cities and the states have the kinds of training and related services that will best fit their needs as well as those of the nation. It will also help attain local participation in the planning and achievement of national economic goals.

Developing these disadvantaged as well as other human resources is part of our total economic and social policy. To quote from a report by the Organisation for Economic Co-operation and Development, "an active manpower policy has the special advantage of being expansionist with regard to employment and production, but anti-inflationary with regard to cost and prices".

Manpower programmes can increase the effective supply of labour, increase output and thereby advance the ability of the economy to match output and demand. In so doing, they provide another tool in the fight against inflation.

The new emphasis on manpower policy as an instrument of social equity and economic balance is consistent with knowledge about key factors in economic development. Growth is related not only to direct monetary investment in capital goods but even more deeply to investment in human resources. A striking demonstration of that point was made a few years ago by Edward F. Denison, a scholar in this field. He estimated, for the period 1950-1962, that in the United States education had contributed 25 per cent of the growth rate in product per person employed.

We all know that the temptation to defer investment in human resources is great, especially if a large labour supply, including child labour, is readily available. The influence of education and training on output is a long-range one, dispersed over a long period, and appreciation of the economic and social benefits requires a long view. The temptation to defer this investment is a temptation to be

avoided, both in terms of the society at large and of the interests of individual human beings.

Special mention should be made of the role of management skills in the process of economic development. The ILO has made a significant start in this field, but much remains to be done, even in addition to what is now being done by the Turin Centre and the International Institute for Labour Studies.

For many years, the general assumption was that management and labour relationships were dominated by a sharp functional distinction. Increasingly, however, we recognise the common interdependence of all components of human resources. It is appropriate, therefore, that the ILO should have taken steps to recognise the importance of the competence and commitment of management to the achievement of economic and social goals.

The need to make progress as regards the quality of management, keenly felt and widely recognised throughout the world, leads naturally to thought about a strategy for management education. The need exists in a wide range of organisations, including business, publicly-owned enterprises, government and universities. I should like to call attention to current discussions about the creation of an international school of administration to be located in Europe, suggesting what could be a central element in that strategy.

The label "international" was chosen deliberately, since the objective is to set up an institution of the first rank, attractive to the best scholars and students throughout the world. The proposal deals with an institution devoted to advanced research, Ph. D. education, continuing education of university staff and the development as well as diffusion of better means for teaching or research. The institution would have a broad outlook: economics, behavioural sciences and applied mathematics would provide an intellectual basis; a consortium of universities would provide institutional sponsorship; and international faculty, members at large as well as permanent and semi-permanent members would guarantee a continuous flow of ideas and permit world-wide mobility of students. The objective would be to influence the aspirations of scholars, students and universities, including their organisation and patterns of work and, through them, to achieve a magnificent impact on management.

Any effort to establish such an institution should draw on the full range of international competence and experience. The United States, through its private as well as public institutions, would be an enthusiastic partner in such an endeavour. If the necessary efforts are forthcoming we may all capitalise on the growing realisation that a rise in the intellectual quality of leadership is an important means for raising standards of living.

In the fifty years since this Organisation was founded, the world has been transformed. New nations have been established, new technology has changed our expectations of what is attainable for the working people of the world. Over this period, the ILO, based on the tripartite principle, has proved its ability to contribute to the achievement of the grand and common objectives that link the fates of all nations.

Today we look not to the past fifty years, but to the tasks and opportunities ahead. The ILO has played and will continue to play a vital role in giving increased dignity to work and the working people. The government of the United States joins in rededication to this universal objective.

May I wish God-speed to the ILO as it embarks on its second half-century.

A REALISTIC STRENGTHENED STUDENT LOAN PROGRAM IS IMPERATIVELY NEEDED

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. DONOHUE. Mr. Speaker, I am certain that the President and every Member of Congress is deeply concerned with providing, at the earliest possible moment, a more realistic and effective Federal-State guaranteed student loan program.

The reenergized operation of such a program is vitally needed by the parents and eligible children of our middle-income families who have been too long and too greatly overlooked in this and other areas of appropriate Federal Government assistance.

I urge and I hope that the President will very shortly submit his recommendations for a strengthened, workable loan program and that the Congress will overwhelmingly approve such a program in the near future.

An excellent article emphasizing the imperative need and urgency for such a program, by the noted columnist, Sylvia Porter, appeared in the June 16, 1969, issue of the Worcester, Mass., Telegram newspaper, and I am most pleased to include it at this point. The article follows:

CREDIT SQUEEZE HITS STUDENT LOAN PLAN

(By Sylvia Porter)

One absolutely dreadful result of the latest explosive upsurge in interest rates and brutal squeeze on credit is the near-death of the much-touted federal-state guaranteed student loan program, designed primarily to help middle-income families.

And this threat of extinction comes at precisely the moment when applications for these loans are headed for their yearly peak—July and August.

In bluntest summary, the question facing the banks and hitting the student borrowers is: how can a bank possibly afford to lend money to students at today's federally-prescribed maximum of 7 per cent?

How can they indeed? . . . When the interest rate to the nation's prime borrowers has been kicked up to a staggering 8½ per cent—meaning the effective rate to these most-favored borrowers is at least 10-1 per cent? . . . When regular commercial bank loans to students stretch up to 15 per cent in annual interest? . . . When repayments on practically all types of loans begin almost immediately while repayments on loans under the guaranteed student loan program may not begin for five years or more? . . .

Putting it even more bluntly: unless the loan terms are substantially sweetened and very soon, the program is dead.

LAUNCHED 4 YEARS AGO

When the guaranteed loan program was launched four years ago, its terms seemed rich enough. Specifically, students attending any accredited college, business or vocational school may borrow up to \$1,500 (the maximum is \$1,000 in some states) each year they are in school. If the "adjusted" family income of the student is less than \$15,000 a year, the federal government will pay the full 7 per cent interest while the student is in school and until repayment begins 9 to 12 months after graduation or completion of study.

With these terms the architects of the program were confident \$1 billion or more a year would be loaned. In contrast, during the

past school year the actual figure was \$641 million and all estimates for this coming year are now utterly unrealistic. Similarly, nowhere near the estimated 923,000 students who are projected to get loans this coming school year will actually receive financial help—unless spectacular changes occur in the loan terms or the money markets.

PROPOSALS DEBATED

An insider report is that the administration is debating a package of legislative proposals to save the program. The package could include a hike in the rate ceiling on the loans from the current 7 per cent to, say, 9 to 9½ percent or slightly more—a level at which the banks could break even; or the complete elimination of any rate ceiling on this type of loan; or proviso for payment of a federal "incentive" fee to banks for each loan; or the addition of "points" which many banks are already charging in order to get around state usury laws.

I am not one bit ignorant about the factors behind the historic climb in interest rates. I know it is a reflection of today's enormous inflationary demand for credit and the federal reserve system's efforts to curb the price-wage spiral by limiting the supply of credit. I recognize that our banks have been forced into an awful bind and that what they are paying for funds to lend is just as startling as what they are charging for the funds they in turn lend.

But I submit that it would be a disgrace in this era if literally hundreds of thousands of students are prevented from going to college or vocational school because of our anti-inflation program—and a great danger to our entire society. We must keep the student loan program working through this money crisis.

ELIMINATION OF POLLUTION MUST HAVE HIGHEST PRIORITY

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks in the RECORD, I include a pertinent statement by Mrs. Hugh F. Stoddard of the Nashua River cleanup committee of Groton, Mass., before the Senate and House Committees on Public Works.

I heartily commend and compliment Mrs. Stoddard for her leadership and splendid contributions to the solution of the massive, compelling problems of eliminating pollution in the Nashua River Basin, and in the contiguous river drainage basins, that must be speedily purged of filth, slime, sewage, industrial wastes, and other pollutants, if the beautiful area embraced by these rivers, bodies of water, and adjoining communities are to be cleansed, purified, redeemed, and rehabilitated to their former, natural, scenic beauty, and their enjoyable utility as sources of wholesome recreation and conservational features so indispensable to our unrivaled beautiful New England countryside.

The banishment of all pollution, physical, moral, cultural, and ideological, is one of the highest priorities of this confused, restless age, and we must not cease our determined efforts until this big job is done—and done thoroughly and right. The Federal Government, the State gov-

ernments, and the local governments—all—must work together effectively, if the great job is to be properly and expeditiously accomplished.

The material follows:

STATEMENT BY THE NASHUA RIVER CLEAN UP COMMITTEE TO THE SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, SENATE COMMITTEE ON PUBLIC WORKS; PRESENTED BY MRS. HUGH F. STODDARD, COORDINATOR OF THE NASHUA RIVER CLEAN UP COMMITTEE, GROTON, MASS.

I am Mrs. Hugh F. Stoddard, Coordinator of the Nashua River Clean Up Committee representing the 250,000 people in the 31 cities and towns in the interstate Massachusetts and New Hampshire Nashua River watershed. The Nashua River Clean Up Committee has been working for clean water in the Nashua River since July 1, 1966, the day the River became septic, turned grayish black and released a putrid stench. The Committee is made up of the citizens of this region and has received the enthusiastic support of service, social and sports organizations, local, state and federal officials and the news media.

The Nashua River Clean Up Committee is particularly interested in recommendation number six of S. 1090: *Demonstration of a river basin approach to implement established water quality standards*. We are also interested in number five, assistance to States for the establishment and implementation of comprehensive environmental control policies, and in number eleven, establishment of a New England trust.

We have been advised by the New England Regional Commission and the New England River Basins Commission that the Nashua River has been chosen to be the Demonstration River for this program, and we wholeheartedly support their choice and recommendation. The clean up of the Nashua River would not only successfully demonstrate the effectiveness of a river basin approach to implement the water quality standards, but would dramatically demonstrate the tremendous impact on the region's economy that the complete restoration of a stream would have. The fact that no stream in the United States has been cleaned as a result of widespread but thinly dispersed funds under the Federal Water Quality Act only points out the increased need for a Model River Demonstration Program where the federal government would focus its attention on one river basin. This is a tremendously exciting and promising approach to water quality improvement and economic development.

The Nashua River Clean Up Committee understands that the primary reason for the legislative package proposal known as S. 1090 is to increase and enhance the economic development of New England by providing supplementary funds to the states to be used to solve problems specific to the region. It also understands that the six governors of New England who, with the Federal Co-Chairman, comprise the New England Regional Commission, have carefully studied regional problems of mutual interest and concern, and have agreed on the priority of the problems' importance and need for solution. The Nashua River Clean Up Committee is very pleased that the six governors and the Federal Co-Chairman are stressing the importance of water and related land resources to the viable economic development of this region; particularly, the Nashua River.

An unhappy and unproductive characteristic of New England is heavily polluted streams with waste land bordering them. Nowhere else but in New England will one find land along the rivers worth less than land inland. According to the 1965 U.S. Army Corps of Engineers Report, *Water Resource Plan for the North Nashua River Basin*,

"Present sources of water are inadequate to meet current demands. If the economies of Fitchburg and Leominster with their heavy industrial bases are to continue to prosper, additional sources of water supply must be developed." A clean river, particularly in such a small watershed, would help meet these demands and encourage prosperity. The River has become an open sewer, a menace to health and a debaser of land values. For example: an owner of land along the Nashua River in Pepperell, Massachusetts was given an FHA appraisal of \$12,000 for his property in the winter of 1966, followed by a no-value reappraisal in the summer due to the nuisance condition of the River. The River is presently as useless as the land that adjoins it. The water is used for two purposes only: a carrier of industrial waste and municipal sewage. People cannot boat, fish, or swim in it; nor can it be used for water supply or irrigation; nor can the land along it be claimed for useful purposes.

We believe that the Nashua River possesses all of the necessary ingredients for a successful demonstration program. It is an interstate river and reputedly the most grossly polluted river in New England. It is a complex river combining problems of low flow, slow movement, varied industrial wastes, sludge deposits, algae, combined sanitary and storm drains, thermal pollution and dams. It is a relatively small stream flowing 47 miles from its origin in central Massachusetts to its confluence with the Merrimack River in southern New Hampshire, and drains an area of 530 square miles. Most of the land along the River is rural, wooded, undeveloped, with only a few concentrated municipal areas. Its very size and character lends itself well to a successful and efficient comprehensive program. 11 million dollars of federal monies combined with the 9-14 million dollar state and local share would change this River from an open sewer into a major asset. Essentially, the 11 million dollars would guarantee the federal government's share for the construction of the waste water treatment facilities needed to raise the quality of water to its proposed future highest use and initiate innovative technical and technical training approaches necessary for water quality improvement. The Commonwealth has matching funds available and promised on a priority basis for the Nashua River. The polluting cities, towns and industries are all proceeding on or ahead of schedule to meet their various compliance requirements, and in each instance are appropriating their local financial share.

Perhaps the most important ingredient for a successful Model River Demonstration Program are people. The people in the Nashua River watershed form the right combination of powerful forces to guarantee the success of this Program. These forces are: positive local political leadership; willing industries; inter-agency cooperation; a sympathetic news media; and an enthusiastic and organized citizenry who have dedicated themselves to the restoration of the Nashua River.

Proof of the interest and effectiveness of the citizens and their leaders who organized to work for clean water in the Nashua River (The Nashua River Clean Up Committee) may be found in the records of the governors of New Hampshire and Massachusetts. Governors King and Volpe were presented with pollution protest petitions in 1966 by the top elected officials of the cities and towns along the Nashua River in the company of all of the region's state senators and representatives. Shortly after the presentation of this petition, the Massachusetts Clean Waters Act was passed establishing the Division of Water Pollution Control and authorizing the bond issue of 150 million dollars over a period of 10 years for the construction of waste water facilities. The Committee believes that

it played an important role in the successful passage of this bill and of a later amendment which made it possible for the state to pre-finance the federal government's share of municipal and regional construction costs.

More proof of citizen interest may be found in the highly publicized 1966 news stories of former Secretary of the Interior Udall's and Senator Kennedy's visit in Fitchburg with 500 Nashua River watershed citizens following their inspection tour of the polluted Nashua River.

Additional proof of citizen interest and effectiveness may be found in the records of the Department of the Interior and the Massachusetts Division of Water Pollution Control. The 1966 Merrimack River Project of the Department of the Interior describes some of the activity of the Nashua River Clean Up Committee to improve water quality standards for the Nashua River. The 1967 Division of Water Pollution Control's summary of the public hearing on the Nashua River contains detailed information about the Nashua River Clean Up Committee's efforts and successes to achieve clean water. A record breaking turnout of citizens at the Nashua River Water Quality Standards Hearing presented testimony persuasive enough to cause the State to raise the proposed requirements for water quality on the main stem of the Nashua River.

A record of the Committee's effectiveness for clean water may also be found in the office of the U.S. Army Corps of Engineers. Primarily through the Committee's efforts, the Corps has been persuaded to include low flow augmentation in their planned reservoir system for the North Nashua River.

When it became known last month that the New England Regional Commission had chosen the Nashua River for demonstration of river basin approach to implement established water quality standards, the Nashua River Clean Up Committee met with a representative from the New England River Basins Commission (the agency designated by the Commission to coordinate this program) to determine what it could do to best assist in the implementation of this Demonstration Program. The advice received was to form a watershed association with land trust capabilities. The Committee began organizing such a group with the assistance of a broad spectrum of people and organizations in the watershed. Such an organization will come into being this year and will be ready to assist the New England River Basins Commission in the implementation of a Model River Demonstration Program.

The organization will also establish a greenbelt along both sides of the River. This greenbelt will help protect the River from further pollution, increase the value of the adjoining property, provide a buffer zone for developing communities, help protect our watershed, provide wildlife habitat, aid in flood prevention and protection, and provide water oriented recreation for the second most densely populated region in Massachusetts. Because the River is still so badly polluted that almost no building exists along it and because land values are so low, we now have this fleeting moment in time to save this land from misuse. The proposed New England trust could assist the organization in achieving that goal which would be an additional boon to the economy of the area.

We can no longer afford to have our River be used for just manufacturing waste and as a municipal sewer. We can no longer afford to have the land along the River be a wasteland. For the communities in our watershed to grow and to prosper and to provide a suitable environment for this growth and prosperity, this open sewer must be restored to an important multi-use river benefiting all the citizens in the watershed.

TESTIMONY OF J. SINCLAIR ARMSTRONG

HON. ALLARD K. LOWENSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. LOWENSTEIN. Mr. Speaker, earlier this month, when Mr. J. Sinclair Armstrong, a former Assistant Secretary of the Navy, appeared before the House Appropriations Subcommittee on Defense, a series of most unusual events took place. Mr. Armstrong tried to testify as a representative of a broadly based group of unusually public-spirited businessmen called Business Executives Move for Vietnam Peace. He did not get to read very much of his testimony.

Mr. Armstrong is a man of talent and distinction. He was President Eisenhower's Assistant Secretary of the Navy. He is the executive vice president of the U.S. Trust Co., one of the largest trust companies in this country. No one has ever suggested that he has not served his country loyally and well. It seems most unfortunate that a man of such achievements, with so fine a record of public service, was not permitted to finish testifying before the subcommittee. Much might have been learned from such an exchange, by all concerned.

We are all, of course, grateful to Mr. Armstrong for his public service, and for his concern about the public good. I want, further, to express to him the gratitude of many of his fellow countrymen for his courageous contributions to the national debate about American policy in Vietnam.

Many Members have asked about the events surrounding Mr. Armstrong's appearance before the subcommittee and have indicated they would like to read his testimony. The relevant documents follow:

BUSINESS EXECUTIVES MOVE FOR VIETNAM PEACE

(Statement of J. Sinclair Armstrong, on behalf of Business Executives Move for Vietnam Peace, on the Appropriation Request for the Vietnam War, June 9, 1969)

Business Executives Move for Vietnam Peace is an organization of 2,500 owners and executives of American business corporations in forty-nine states who seek by open and lawful means to bring about an end to U.S. participation in the War in Vietnam.

My own credentials to address you are not impressive compared to those of any of the Military Sponsors of Business Executives Move for Vietnam Peace. However, I do come here with a background of service in the Naval Reserve in World War II and as Assistant Secretary of the Navy during two years of the Eisenhower Administration. I am a life member of the Navy League of the United States and a member of the Advisory Council of its New York Chapter.

My business experience has been in law and finance, and includes four years as a member of the Securities and Exchange Commission (two as its Chairman), also under President Eisenhower, and ten years in my present position as an Executive Vice President of the United States Trust Company of New York (whose official views I do not purport to speak for on this occasion).

OUR POSITION AGAINST THE VIETNAM WAR

We conceive that War to be a material and moral disaster for the U.S., and our participation in it to be contrary to our country's economic and strategic interests.

From the moral point of view, the killing and wounding of hundreds of thousands of human beings in a tiny country on the other side of the globe that could not possibly endanger the security of the U.S. weighs on our national conscience. The losses of our own precious fighting men, about 42,000 killed and 230,000 wounded so far, is a senseless and cruel drain of our nation's most valuable human resource.

In our third National Meeting, held in Washington, D.C., on Tuesday, May 6, our members voted unanimously to seek immediate withdrawal of all U.S. armed forces from Vietnam.

We have attempted to present that opinion, and an outline of a specific plan for bringing about such withdrawal, developed by our Executive Committee and National Council, with advice of our Military Sponsors, to the President, the Secretary of State, and the Presidential Assistant for National Security Affairs. We invited each of them to address our National Meeting, or to send a representative to hear our views and state the Administration's position. We have been rebuffed by them, up to now.

Accordingly, we deem it an especially valuable privilege to present this brief statement to this Committee of the Congress.

OUR MILITARY CREDENTIALS

Business Executives Move for Vietnam Peace is privileged to have as expert advisors a distinguished group of retired officers of field and flag rank. Among these is one who has served with the Joint Chiefs of Staff, the distinguished former Marine Corps Commandant, General David L. Shoup.

In his article, "The New American Militarism", The Atlantic Monthly, April, 1969, General Shoup said: "For years up to 1964 the chiefs of the armed services, of whom the author was one, deemed it unnecessary and unwise for U.S. forces to become involved in any ground war in Southeast Asia." That was the expressed view of the late General of the Army Douglas MacArthur. "In 1964 there were changes in the composition of the Joint Chiefs of Staff, and in a matter of a few months the Johnson Administration, encouraged by the aggressive military, hastened into what became the quagmire of Vietnam."

President Nixon said to the graduating class at the Air Force Academy, on June 4, "On the home front you are under attack from those who question the need for a strong national defense and indeed see a danger in the power of the defenders. . . . It is open season on the armed forces."

Business Executives Move for Vietnam Peace does not attack the armed forces. We favor immediate withdrawal from Vietnam in aid of U.S. strategic defense and vital national interests. We rely on traditional views of U.S. military leaders, which we deem much sounder than the present leaders' views.

THE APPROPRIATION REQUEST FOR SOUTHEAST ASIA OPERATIONS

The Budget of the U.S., FY 1970, pages 73 and 74, states \$23,025 million as recommended budget authority ("NOA") for "special Southeast Asia" and \$25,733 million (including \$336 million "economic assistance") outlays for special Southeast Asia in fy 1970, and military personnel in Southeast Asia, 639,000 in fy 1970.

Secretary of Defense Clifford's Defense Budget and Posture Statement, delivered in January to this Committee, which has not been changed by Secretary Laird so far as we know, calls for the level of operations and personnel requested in the FY 1970 Budget document, for Southeast Asia.

Business Executives Move for Vietnam Peace urges this Committee to reject this re-

quest for NOA of \$23 billion and rescind obligatory authority heretofore granted to spend \$25¼ billion on the Vietnam War in fy 1970.

We urge this Committee to hand this request back to the Administration, and to require a new estimate based on a planned, phased, complete withdrawal from Vietnam of all U.S. forces beginning at once.

We do not have sufficient detailed data nor any staff to estimate precisely what this reduced amount should be. In view of the diverse considerations involved in such a withdrawal and the difficulty of making a precise estimate of its cost (recalling my own experience as Assistant Secretary of the Navy for Financial Management and Comptroller of the Navy), I believe that \$12.5 billion is a prudent estimate of the cost savings that could be made.

Economic Factors Urging Immediate Termination of the Vietnam War

The national economy is endangered by the excessive defense and space spending. Such a large proportion of our economic effort—10% of GNP—is going into non-productive activity. The effect of this is destabilizing to a free economy.

This has led, building up fast since 1964, to U.S. financial troubles. There were serious deficits brought on by the War—(unified) budget deficits of \$5,916 million in fy 1964, \$1,618 million in 1965, \$3,790 million in 1966, \$8,790 million in 1967, and the whopping deficit of \$25,187 million in fy 1968, for a cumulative five-year deficit of \$45,301 million.

In parallel with this fiscal instability, consumer prices began running up rapidly in 1964 and are still advancing at the fastest pace in American economic history (at March, 1969, 125.6 of 1957-1959 base index of 100, and an increase from 119.5 during the previous twelve months—a 5% annual rate).

With enormous U.S. military expenditures overseas and trade balances declining, accompanied by heavy loss of monetary gold, the integrity of the dollar in international finance came under a cloud for the first time.

The growing non-competitiveness of American industry led to its failure to hold even the American market. This condition must be regarded as of the gravest importance. In the 1968 Annual Report of the United States Steel Corporation is a discussion—pages 32-38—on International Competition. On page 35 a bar chart shows Steel Import Penetration of Domestic Market increasing from 7% in 1964 to 17% in 1968. The Corporation says: "Moreover, although U.S. technology and productivity are improving, in an increasing number of industries they no longer seem sufficiently superior to offset our hourly employment cost disadvantage. Further, technological gains here can soon be matched or sometimes surpassed overseas, when capital is available. In addition, plant and equipment costs are much lower abroad. Thus the U.S. has a fundamental international competitive cost disadvantage—a disadvantage likely to worsen before it wanes."

This adverse condition of American industry cannot be repaired as long as the present level of non-productive activity is sustained. The Vietnam War is an important part of that non-productive activity.

The Congress enacted a 10% surtax to reduce the deficit, and the monetary authority has brought about tight money. Interest rates have risen to historic highs. The prime corporate lending rate was 7½% but many banks were quoting 8½% brokers' loan rates in New York on June 6.

The unavailability of credit has curtailed vital national programs for housing, education, and the like. Wage increases to offset price increases have continued to spiral. Military spending for non-productive purposes has pumped money into the economy without accompanying consumer and capital goods.

As this has gone along, an economic instability has developed that threatens to require more controls. The Congress has already been asked by President Nixon to continue the surtax and to abandon the investment credit that serves as an inducement to industry to modernize outdated capital facilities and equipment. (Neither of these restrictive tax measures would be needed if \$12.5 billion could be taken from the Defense Budget by ending the Vietnam War.)

With the country running out of bank credit and with interest rates very high, surely the next steps will have to be direct wage and price controls and allocations of materials. There is beginning to be felt a considerable body of responsible business opinion that *unless the Vietnam War is promptly ended and unnecessary defense spending curtailed*, wages and prices will have to be frozen and vital materials allocated. This would lead to re-establishment of all the old "OPA" apparatus with which business and labor struggled, of necessity, during World War II. It would lead to a statist society. And in that statist society, where would be the economic liberties that we Americans hold dear? The freedom of competitive enterprise for business, the freedom of collective bargaining for labor, would be lost to Government controls in Washington. The economics of the situation tell us that the Vietnam War should be ended now in the vital interests of our free American society.

CONSTITUTIONAL POSITION

President Nixon also said at the Air Force Academy on June 4:

"And there can be no question that we should not spend unnecessarily for defense. How much is necessary? The President of the United States is the man charged with making that judgment."

President Nixon is right that we should not spend unnecessarily.

Unfortunately, with many of the same military and diplomatic advisors on Vietnam as President Johnson had, such as Generals Westmoreland and Wheeler, and Ambassadors Bunker and Lodge, President Nixon seems to be making very little progress, either at Paris or on the bloody battlefields.

But the President is not the only man "charged with making that judgment."

The Congress has the power "to lay and collect taxes", "to provide for the common defense", "to raise and support armies", and "to declare war" (none has been declared against Vietnam). U.S. Constitution, Article I, Section 8, "Powers of the Congress".

The President is "Commander-in-Chief of the Army and Navy" and "shall from time to time give to the Congress information on the state of the union and recommend to their consideration such measures as he shall judge necessary and expedient". Article II, Sections 2 and 3.

Constitutional responsibility for these decisions clearly falls on the Congress. They must not be taken by the President nor abandoned by the Congress.

The decision of the Congress on whether to continue the Vietnam War—and to permit other mistaken adventures of intervention like Vietnam to be commenced by the President—will have vital implications for the future. If the Congress says "no" to these military adventures, free enterprise in a free economy will survive and prosper in America. If the Congress is acquiescent, condoning them and appropriating money for them, that free society is doomed.

So, we, Business Executives Move for Vietnam Peace, urge the Congress to review the Defense Posture and Budget for FY 1970 and revise the Budget so as to deny the President the appropriations with which to continue the Vietnam War. We urge this in the vital interests of the United States.

Mr. ROBERT A. MASLOW,
Business Executives Move for Vietnam Peace,
Baltimore, Md.

DEAR MR. MASLOW: In accordance with your request, your appearance has been scheduled before the Subcommittee on Defense Appropriations at 11:45 o'clock on June 9, 1969, in Room H-140 of the Capitol.

Due to the limited time available and the number of individuals who wish to testify, it is possible to allot only 15 minutes for your oral testimony, including the testimony of those who may accompany you.

It is requested, in the interest of time, that oral testimony be confined to one representative for the group. Other witnesses may have their statements submitted for inclusion in the printed hearings. The Subcommittee also urges that the size of groups be held to a minimum.

Prepared statements, ten copies of which should be furnished the Committee at the time of the hearings, should be limited to about six letter-size pages, typed only on one side of each page.

A witness list, showing the name and title of the witnesses to be printed in the hearings, should also be submitted in triplicate at the time of the hearing.

Although maps, pictures, graphs, groups of telegrams, petitions, etc., may be submitted for the information of the Committee, it is not feasible to include them in the printed record. A summary listing, however, may be submitted for the record.

Sincerely yours,

R. L. MICHAELS,
Staff Assistant, Defense Subcommittee.

PARTIAL TRANSCRIPT OF THE HEARINGS OF THE
HOUSE APPROPRIATIONS SUBCOMMITTEE ON
DEFENSE, JUNE 9, 1969

MAHON. As a former Assistant Secretary of the Navy, of course, you recognize that all of this discussion we are having in this country about the desirability of our being in the war is weakening the country at the Peace Conference and is weakening our posture in Vietnam. I think you agree to that.

ARMSTRONG. Sir, I don't believe the effort that we are making to extricate the United States from a commitment that is very damaging to our economic and strategic position if in any way weakening America. I believe, Sir, we are strengthening America.

MAHON. I am not talking about America in the long run or in a certain context. You know that our opponents, if they feel that we are just about ready to pull out, will not make major concessions toward a peace or acceptable compromise. If we had had large organizations during the World War II and World War I of American citizens tending to undermine the war effort, we would not have done as well in those wars, I assume. Would you agree?

ARMSTRONG. Sir, the situation here is entirely different. We were fighting a war in which we had been attacked by Japan in W.W. II. But there is not any question that a tiny country ten thousand miles from here, 17 million Asiatics are threatening the security of the United States and in the meantime we are drawing the vital resources of America . . .

MAHON. You feel that we should just place our forces on ships and get out of Vietnam, generally speaking?

ARMSTRONG. Yes, sir . . .

MAHON. You are a former Assistant Secretary of the Navy and yet the present Secretary of the Navy and the Secretary of Defense and the Joint Chiefs of Staff tell us that what you are saying is wrong.

ARMSTRONG. Yes, sir.

MAHON. That we should bring this war to an honorable conclusion is much to be desired . . . We cannot flee in confusion from our commitments.

ARMSTRONG. Sir, I believe when you made a mistake it is very honorable to admit it . . .

MAHON. Mr. Armstrong, we are not sitting here for purposes of arguments with the witnesses who appear before us. We are seeking information and the views of witnesses.

ARMSTRONG. No, sir, and I thank you very much for hearing me.

MAHON. I would like to say further for the record that you state that you speak for 2300 businessmen. I assume that these 2300 businessmen didn't have the opportunity to read your statement. This doesn't represent precisely the views probably of all these 2300 businessmen. I doubt that they have ever all met together and discussed these issues.

ARMSTRONG. No, sir. Excuse me, that is not correct.

MAHON. I say not all of them. May be a small group or maybe several hundred.

ARMSTRONG. We have had three conventions here, sir, including one on the sixth of May. The position I speak for . . .

MAHON. How many were here on the sixth of May?

ARMSTRONG. 350. Our resolution was circulated and we presented a memorandum signed by 750 members to the White House on this position. . . . Excuse me for correcting you on the record.

MAHON. I don't think you are correcting me. I said I was satisfied that 2300 members had never met at one time and agreed on these statements and you say that 300 plus did meet.

ARMSTRONG. On the sixth of May. We were visited and addressed by many very distinguished members of the House and Senate on that occasion. . . . We were addressed by Representative Findley, by Senator Yarborough and Senator Fulbright and Senator Cooper, all of whom are supporting our point of view on this subject. We believe we are a very responsible group of people.

MAHON. I wouldn't think even the Senators you named support precisely what you have said.

ARMSTRONG. No, sir.

MAHON. I hesitate to agree that what you have said is completely in keeping with the views of the Senators you named.

ARMSTRONG. That is right, sir, but on the question of the immediate commencement of a phased and complete withdrawal from Vietnam, this has been submitted to our membership and has the broad approval of our 2300 members.

MAHON. I wish you would submit for our attention the precise wording of the submission. Everybody is in favor I would hope of the honorable end of the war at the earliest possible moment.

ARMSTRONG. It was published in an advertisement in Section 4 of the *New York Times* on a recent Sunday and I will submit that for the record.

JUNE 9, 1969.

HON. GEORGE H. MAHON,
Chairman, House Appropriations Committee,
The Capitol, Washington, D.C.

DEAR MR. MAHON: Mr. J. Sinclair Armstrong has told me of certain questions which you raised about his testimony and this organization. I respond, with sadness that in a Congressional hearing the loyalty and integrity of a witness such as Mr. Armstrong should be questioned in ways which sound reminiscent of the Joseph McCarthy era.

I understand that you questioned how long "BEM," as we call this organization for short, has been in existence. We started in August 1967 and held our first national meeting in Washington, D.C., on September 27, 1967. At that meeting Senator Thurston B. Morton, Republican, Kentucky, and permanent chairman of the Republican National Convention, said "The last three years have witnessed a disastrous decline in the effectiveness of American foreign policy. The root cause of the trouble is the bankruptcy of our position in Vietnam." He stated that he was wrong in supporting increased American in-

volvement in Vietnam. The newspapers that day and the next gave much space to his speech. The attached booklet of proceedings of the meeting and the montage of newspaper headlines is submitted as proof of my statement.

Prior to the formation of BEM I was active in getting business executives and owners to sign an Open Letter to President Johnson which was advertised in *The Washington Post* in February 1967 and in *The New York Times* on May 28, 1967 (Copy attached). These led to the formation of BEM. In the Open Letter and in BEM's literature it has been stressed that the signers or members stood for ending American participation in the Vietnam War and that we support the principles of the Geneva Agreements of 1954.

Mr. Armstrong showed me two days ago the statement which he presented to your committee this morning and I found it completely in accord with the position of BEM.

I enclose the resolution which was unanimously adopted by the Emergency Meeting of BEM held in Washington at the Hotel Mayflower on May 6, 1969. I enclose a program of that meeting which was attended by between 300 and 400 persons. On May 7th, our Executive Committee and National Council agreed on six specific steps to recommend to the Administration and Congress to carry out now. The heart of the May 6th resolution and the May 7th steps were embodied in an advertisement which was run in *The Washington Post* on May 12th and in *The New York Times* on May 18th. I enclose a copy. Copies of this ad were sent to everyone of our over 2500 members. Not one of them has questioned me, or, so far as I know, any member of the Executive Committee or National Council about the appropriateness of it. It is in accord with the position that we held all along.

Instead of trying to throw doubt upon whether Mr. Armstrong properly represented the position of BEM and its members, it seems to me that it would have been in accord with the democratic process if you had addressed yourself to some of the problems which he raised and which confront this country and the world. In particular, we business executives know that when a policy is not bringing the desired results it should be changed. Some of us do not understand why we claim to be fighting for the right of the people of South Vietnam to determine their own destiny when they are being governed by a group of generals in Saigon who fought on the side of the French against those of their countrymen who were fighting to throw off foreign domination, and who restricted the candidates in their last presidential election and who refused to allow peace candidates to run.

I understand that you accused Mr. Armstrong of endangering the Paris peace talks and endangering our men in Vietnam. If you feel that way towards him you should feel it towards all of us in BEM. We feel it is you who are making our men risk their lives for no good reason. I cannot speak for all of us in BEM as some joined because they felt it wrong to use American men and dollars in a land war in Asia, others joined because they were against the U.S. trying to be the world's policeman; others, because they were morally incensed by powerful America supporting the reactionary side in what they considered to be a civil war and supporting it in ways which are turning much of the population of the country against us.

We in BEM have not taken our position lightly. We have considered informed military views and have among our military sponsors General David M. Shoup, retired (in 1962) commandant of the Marine Corps; General Samuel Griffith, USMC (retired); Admiral Arnold E. True, USN (ret.). These officers and others fully support our position. They have friends in the conflict. And they are critical not only of such operations as

"Hamburger Hill" but also of our intervention in the Vietnam situation. They and we are calling for the United States to end its military participation in the Vietnam War.

We have attempted to influence President Nixon to change the Johnson policy but apparently with no success. Many of us here contributed to political campaigns, some of us very substantially. Many have made public statements such as the 36 on the enclosed sheets. If we cannot persuade the President to change U.S. policy, then we will do all we can to persuade the Congress to create conditions which will force him to change. If this Congress will not act, then we shall try to change the make-up of the next Congress. We will do this to save American lives and the free economy of our beloved country.

Sincerely,

HENRY E. NILES,
Chairman, Business Executives Move
For Vietnam Peace.

TITLE IX—A NEW DIMENSION IN FOREIGN AID—II

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. FRASER. Mr. Speaker, the Agency for International Development has difficulty interpreting the will of Congress just as any Government agency does.

John Schott describes the problem of interpreting the law dealing with political development in the less developed countries. This section of the law is known as title IX of the Foreign Assistance Act.

As Congress proceeds with hearings on foreign aid for fiscal year 1970, Professor Schott's paper will help our understanding of the interaction between AID and the Congress. I enclose it herewith:

INTERPRETATION OF TITLE IX

To whom and to what does AID respond—to the specific wording of the legislation, to the explanatory reports of the House Foreign Affairs Committee on that provision, to the intent of the authors and sponsors of the legislation who will question the Agency on its response? Indeed, given a raft of policy priorities and increasingly limited resources, to whom on the Hill does the Agency choose to respond—a Bradford Morse or a Wayne Morse, a Fraser or a Fulbright?

The legislation itself—were it to be taken seriously—is enough to cause consternation among officials responsible for its implementation. To play upon the vagueness of the mandate and to analyze its language would be the height of pedantry. But key words such as "maximum participation" which is to be assured, and "democratic . . . institutions" which are to be encouraged, bewilder rather than elucidate the thoughtful operator astonished as he is by the complexity of the developmental process and the diverse and often incompatible objectives he is instructed to pursue. How does one determine when "maximum participation" has been achieved? What are the characteristics of a "democratic private . . . institution"?

To modify this basic mandate, initially thought to be too ethnocentric and overly generalized, by stating that programs designed to carry out the purposes of this title should "recognize the differing needs, desires, and capacities of the people of the respective developing countries and areas"

is not to clarify the edict. Which people? Whose needs? How many desires? What capacities? To further suggest that it is "indigenous institutions" which should be developed prompts a wonderful semantic game of defining such an institution—let alone the more practical problem of identifying one which satisfies the demand that it meet a country's "particular requirements for sustained economic and social progress."

In general policy pronouncements emanating from A.I.D., the words "as appropriate" or "where appropriate" are usually employed in recognition of the diversity of the situations applying in the underdeveloped parts of the world. No such modification appears in the language of Title IX. Yet responsible implementation of the provision requires an assessment in depth of individual country situations to determine the applicability of this title. When, under what circumstances, in which sectors and geographical areas is an increase in popular participation actually desirable? In many country situations, should not primary attention be focused upon improving the quality of participation rather than upon means to increase the quantity of it? Increasing participation and consequent demands on a political system without a corresponding increase in the capacity of the system to acknowledge and meet at least a portion of them could prove dysfunctional, destabilizing, blatantly irresponsible, and in no one's interest—"the people," the host-government or the United States.

To turn to the HFAC reports on this title and its subsequent amendment is far from helpful.¹ Indeed, further confusion can result by what some consider an implied expansion of the mandate. The text of Title IX refers only to "democratic private and local governmental institutions." Yet the first report implicitly recognized that such institutions are functionally inseparable from institutions at other levels of the society and suggests that the goals of Title IX can best be achieved "through the building of democratic private and public institutions on all levels—local, state, and national." Both Title IX itself and an early section of the report suggest that popular participation is a desirable goal insofar as it contributes to "economic development." Whether it is to be considered a "good unto itself"—as may be argued—is not clear. Yet at the very end of the report, the Committee advises A.I.D. that the objectives of Title IX may involve a "change in the approach of the Agency," that it should develop new criteria in the area of institutional development to judge the success of its efforts, and that it should evaluate its assistance efforts "not only in economic terms, but in terms of the extent to which our aid encourages democratic processes." Here it might appear that the Committee intends economic and political development to be seen as distinguishable, albeit reinforcing, goals, both of which are to be pursued concomitantly and with equal vigor within a redesigned foreign aid program.

Owing to the generality which characterizes statutory law, Executive Branch determination of Congressional intent often entails resort to private consultation with the legislation's sponsors or to a more subtle examination of their public utterances. To follow this procedure with respect to Title IX results in a further expansion of the mandate. The two principal proponents of Title IX—Congressmen F. Bradford Morse (R., Mass.) and Donald M. Fraser (D., Minn.)—appear to view Title IX as not just a new priority item

¹ See Foreign Assistance Act of 1966, Report of the Committee on Foreign Affairs, House Report No. 1651, 89th Congress, 2d Session, and Foreign Assistance Act of 1967, Report of the Committee on Foreign Affairs, House Report No. 551, 90th Congress, 2d Session.

in the foreign aid program, but as heralding a new U.S. foreign policy stance towards the Third World. Undercutting the two myths cited previously, Fraser has suggested that "A basic reorientation in our thinking is required to put social and political evolution as the first concern [of our foreign assistance program] with economic aid playing the supporting role rather than the other way around."²

Morse has been equally emphatic. "The deficit in our thinking about development has been that we have concerned ourselves principally with but one aspect: economics. Increasingly we are discovering that this is inadequate. It is not enough merely to provide more economic resources . . . We must give equal attention to the development of human resources, in short with political development."³

To follow a mandate described in these terms, political development would become either of co-equal importance with economic development, or the primary objective of the foreign aid program. The implications of this are far-reaching. They may be seen to suggest that the U.S. Government conscientiously seek to support overtly the processes of social and political change in the Third World. In so doing, it must also attempt to build or strengthen those institutions—whether economic, social or political—which will regularize and constructively contain this process within a responsible or "democratic" framework.

PITTSBURGH'S 339TH MEDICAL HOSPITAL RESERVE UNIT TOPS FOR 1969

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. MOORHEAD. Mr. Speaker, I am very pleased that the 339th Medical Hospital General in Pittsburgh has been selected to receive this year's award as the outstanding large unit by the Reserve Officer's Association.

The honor comes to Col. George R. Gallagher and his men who have exhibited in this training year a sincere concern, interest, and devotion to the health care of their patients which will eminently qualify them to take care of the sick and wounded should their unit be called to duty.

This is no less a testament to the various Pittsburgh hospitals who have assisted the men of the 339th in their preparation for duty, and I would like to take this opportunity to also compliment them in this endeavor.

Sincere congratulations are in order for all concerned.

² Donald M. Fraser, "New Directions in Foreign Aid," *World Affairs*, Vol. 129, No. 4 (March, 1967), p. 250. Earlier in the same article Fraser states: "There is increasing evidence that the major shortcoming in the developing nations lies in their political and social structure. Until we address ourselves to this reality, little progress will be made. The formulation should be inverted. The problem of the developing nation requires attention to the social and political structures. These must be changed to release the energies of individual men and women who want to improve their lot. This will lead to economic progress." *Ibid.*, pp. 245-246.

³ *The Congressional Record*, February 27, 1967.

SURTAX "COMPROMISE"

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. DULSKI. Mr. Speaker, there is considerable debate about the proposed surtax extension and the so-called compromise which has been suggested.

The basic need, as I have said before, is a major reform of our tax system and elimination of the many loopholes and inequities.

An editorial in the June 16 edition of the Buffalo, N.Y., Courier-Express takes an interesting view of the situation as follows:

SURTAX "COMPROMISE" BAD GIMMICK

The so-called compromise designed to win extension of the 10 per cent federal surtax—as worked out by the Republican White House and a clique of holdover Southern Democratic czars in the House of Representatives—is an impudent affront to every American citizen who is caught in the relentless wage-price squeeze.

In the words of Rep. Henry Reuss (D-Wis.), it won't satisfy anyone. While there is no question but that several million low-income, poverty line families should and must be granted some form of tax relief or income incentives, the log-rolling deal on surtax extension is not the way to do it. Tax relief for low-income families—along with taxation of notorious tax avoiders in high-income brackets—belongs in an over-all package of tax-reform legislation aimed at the basic Internal Revenue tax-rate law.

Some of the most optimistic apologists for the surtax have long since stopped claiming it has checked inflation up to this point. They say that it may do so in the future but they now put the emphasis on the need for revenue to create a large budget surplus.

If there are any "tentative" signs that the devastating inflationary fever may have slackened, these signs are not the work of the surtax; they are the result of outrageously high interest rates depressing such key industries as construction. But the Commerce Department index of 12 closely-watched series of economic indexes shot to new highs in April—84 per cent of these key indicators expanded compared with 38 per cent in March. And consumer prices are running at an annual rate of 6.5 per cent compared with 4.5 per cent in the last quarter of 1968.

The surtax adds to inflation rather than cooling it because it forces labor unions and business managements to inflate the prices of goods and services in order to keep up with the tax drain. Because the surtax is never likely to work unless a whole series of factors are applied in balance—including wage and price controls or strict guidelines—it should be dropped.

If the question is replacement revenue—and it seems to be—then Rep. Wilbur Mills, chairman of the taxwriting House Ways and Means Committee, should face up to the "gut" issue and present an honest tax-reform bill. Plugging current leaks could easily provide a substitute for the the estimated \$10-billion yield from the war surtax, in conjunction with the excess war-profits tax which, at an 85 per cent rate, would bring in about \$10-billion alone.

At the bitter end, it is the Vietnam war which is the root cause of wage-price inflation. Unlimited defense-production profits have been permitted twice as long—more than six years—as they were during the Korean conflict. Certainly a balanced anti-inflation program is vital, but a year of "gradualism" has achieved little.

LEGAL AND MORAL REASONS FOR THE ACTIONS OF JUDGE GEORGE CROCKETT IN THE NEW BETHEL INCIDENT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. CONYERS. Mr. Speaker, we as a society have reached the point where we must decide whether or not we are finally ready to make the necessary commitments to protect the life and well-being of the citizens of this Nation who have for too long a period of time been denied many of the rights to which they are entitled under the Constitution. One of the most fundamental areas of our concern must be the observance of the civil liberties of individuals who are detained by police officers and, by virtue of their lack of affluence, find that proper legal counsel is unavailable to them. We must impress upon our police officers and legal officials the fact that they must obtain evidence only through constitutional and legally acceptable means. It is in this context that I wish to redirect my colleagues' attention to the incident at the New Bethel Baptist Church. It is my belief that the actions of Recorder's Court Judge George Crockett with regard to this incident were indicative of the type of regard for the rights of accused persons which is necessary if the judicial process in this Nation is ever to become just and fair, and if the safeguards of the rights of the accused which are built into the Constitution are ever to become relevant to the cases of all Americans who find themselves detained by police officers; especially during the crucial period before and during arrest.

I have asked that a statement by Judge Crockett be included in the RECORD along with a report by the Law Committee, New Detroit, Inc., so that my colleagues might be made more aware of the need for constant vigilance in the protection of the constitutional rights of all Americans, without regard to race or economic status. They follow:

STATEMENT BY JUDGE GEORGE W. CROCKETT, APRIL 3, 1969

The distortions of fact and the confusion over this Court's actions in the recent events at New Bethel Church compel me to make certain facts clear. I am personally deeply affronted by reports and stories which have clearly and deliberately twisted the truth and the law in this matter.

More serious than any harm to me personally is the profound damage being done to this Court and to our entire community by those who would use this tragic affair to intensify community hostilities which are already so deep and divisive.

The actions taken by me in my capacity as presiding judge, following the New Bethel Church shootings and the mass arrests, were legal, proper and moral. Indeed, it is precisely because I followed the law, equally and without partiality, that questions and accusations are being raised. If I were to have reacted otherwise, if I were to have ignored my judicial and constitutional responsibilities and followed the often accepted practices of condoning long police detentions, of ignoring prisoners' rights to counsel and of delaying the hearing on writs of habeas corpus, possibly the adverse pub-

licity about Judge Crockett may have been averted. But in doing so, justice would have been denied.

I deplore the senseless shooting of the policemen. I also deplore the armed assault on a church, particularly a church occupied by men, women and children, whom we must presume to be innocent until and unless evidence to the contrary is presented. I deplore, too, that so many innocent people were rounded up by the police, incarcerated for many hours in violation of their rights as citizens, and that some officials who are sworn to enforce equal justice have complained because I have done so.

Michigan law requires—does not suggest, but requires—that "any judge who willfully or corruptly refuses to consider an application action, or motion for habeas corpus, is guilty of malfeasance in office."

Moreover, "any justice of the Supreme Court and any judge of a Circuit Court may issue a writ of habeas corpus . . . upon his own motion whenever he learns that any person within his jurisdiction is illegally restrained of his liberty." By statute, Circuit Court, as used in this rule, includes Recorder's Court.

Justice last Sunday demanded a prompt judicial examination and processing of the persons arrested. If there was any sound legal basis for their detention, they were detained; otherwise they were entitled to be released and they were released upon reasonable bond.

Let us review the sequence of events following the shooting of the officers and the storming of the church by police, which occurred some time before midnight Saturday.

At 5:00 a.m. I was called—not by the police but by Representative Del Rio and Reverend C. L. Franklin, the church's pastor, who came to my home and awakened me. As presiding judge of this Court for the day, I went immediately to the police station. I requested a list of the prisoners and was told—about six hours after they were taken into custody—that police didn't know whom they were holding.

I then talked with Commissioner Spreen who agreed to furnish a list. He also agreed to set up a courtroom on the first floor of the police station. I requested that the Prosecutor be called, and Assistant Prosecutor Jay Nolan arrived. The press was present. Mr. Nolan, the police and I agreed on the processing of the prisoners. They were to be brought immediately outside the temporary courtroom in groups of 10, beginning with the women. But they appeared before me individually and each was interviewed separately by me in open court.

The cases of 39 arrestees were then heard and determined as follows:

Fifteen Detroit residents were released on \$100 personal bond to reappear at noon.

One man (the church janitor) was discharged with consent of the Prosecutor.

One man from Ohio was released on \$100 personal bond and ordered to reappear at noon.

Twenty-two persons from out-of-town were remanded to custody until noon.

All persons released on personal bond appeared at noon as directed.

Further hearings were terminated by the entrance of the Wayne County Prosecutor who, in the presence of the Court, issued verbal orders to the police countermanning a court order. The Prosecutor, in the presence of the Court, prevented the police from producing any further arrestees for the hearing.

I have condemned the Prosecutor's action as not only contemptuous, but also as having racial overtones.

Subsequently, in a letter to presiding Judge Robert E. DeMascio dated April 1, I declined to press the formal contempt charge. To pursue the contempt proceeding, I felt, would aggravate the already tense community confrontation.

Moreover, the Prosecutor himself, after the contempt incident, and before the Court reconvened at noon and after the Court reconvened, himself released or requested the release of some 130 arrestees.

It is essential to emphasize that the vast majority of those released, approximately 130 persons, were released with the Prosecutor's concurrence. Despite this fact, the press has several times referred to my actions in terms of "unwarranted leniency". There was no unwarranted leniency.

By noon, the number of prisoners whose disposition was under question had been reduced sharply. Out of approximately 142 persons arrested, only 12 remained to be processed. Two of these prisoners I ordered held without bond because there was evidence to do so. Another I released on \$1,000 bond after his attorney said he would vouch for him.

The other 9 prisoners were those who, police said, had positive nitrate tests. On this question, I hold that such tests are unconstitutional when taken without the presence of counsel or at least upon advice to the prisoner that he is entitled to counsel at this critical step in his interrogation. For me to have held those 9 men, without objective evidence and under those circumstances, would have been improper. The police had many hours to identify those nine men. They should know who they are. If those men committed a crime, the police must gather evidence to make a case that will hold up in court. They still can do so if their investigation warrants it.

I am most anxious that criminals be apprehended, tried and brought to justice. But I will not lend my office to practices which subvert legal processes and deny justice to some because they are poor or black.

I understand, of course, why the hue and cry arose. An angry Prosecutor, lacking police evidence or testimony which might produce a probable suspect, and resentful that ordinary and undemocratic police practices were challenged, chose to divert public attention to Judge Crockett. And some of the media, particularly the Detroit News, picked up that lead and began their campaign to help the police and the Prosecutor's office continue their efforts to dominate and control the courts and legal processes. The judiciary cannot allow its independence to be threatened in this fashion.

Finally, and regretfully, let me repeat that this whole case does have racial overtones.

Can any of you imagine the Detroit Police invading an all-white church and rounding up everyone in sight to be bussed to a wholesale lockup in a police garage? Can any of you imagine a church group from, let us say, Rosedale Park, being held incommunicado for seven hours, without being allowed to telephone relatives and without their constitutional rights to counsel? Can any of you justify the jailing of 32 women all night long when there was admittedly not the slightest evidence of their involvement in any crime? Can anyone explain in other than racist terms the shooting by police into a closed and surrounded church?

If the killing had occurred in a white neighborhood, I believe the sequence of events would have been far different. Because a terrible crime was committed, it does not follow that other wrongs be permitted or condoned. Indeed, constitutional safeguards are needed even more urgently in times of tension than in ordinary times.

The best guarantee to avert the kind of social disaster that occurred in Detroit in 1967 is prompt judicial action with strict observance of constitutional rights.

I intend to continue to maintain law and order in my court by dispensing justice equally and fairly, by protecting each individual's rights, and most importantly, by upholding the independence of the judiciary and the dignity of this court.

If the real dangers to our community are

to be uprooted, let the news media and all other forces of truth and justice concentrate on the underlying causes of crime and social disorder as described by the Kerner Commission and as identified by virtually every responsible commentator in America. The causes are steeped in racism . . . racism in courts, in our jails, in our streets and in our hearts.

THE NEW BETHEL REPORT: "THE LAW ON TRIAL"

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INTRODUCTION

The tragic events of March 29, 1969 at the New Bethel Church have considerably increased racial tensions in our community.

To a significant extent the reporting of events subsequent to this incident as they involve the Recorder's Court have contributed to the divisiveness.

In making the statement public, New Detroit seeks to act as a reconciler in the Detroit community through the education of the public to a greater understanding of the laws involved in the case. The integrity of our Constitutional order rests on public support and such support cannot exist without public understanding. Our city desperately needs mutual trust and confidence. Self-government cannot exist without self-discipline. All authority must be accountable. Such mutual trust, self discipline and accountability can be encouraged by greater understanding of our laws and of the role of the judiciary in interpreting and applying them.

At the outset we emphasize that the question is not whether the Judge's rulings were legally flawless. In the interpretation and application of Constitutional standards regarding detention, probable cause and the right of counsel, there is no "perfect ruling."

In evaluating the Judge's rulings, the only legitimate inquiry is whether such rulings had reasonable basis in the law. A judge need not be perfect, for the appellate process assures a remedy for those who dispute a ruling.

In our opinion there is more than merely a justifiable basis for his conduct and exercise of judicial discretion. There is little question that Michigan law placed upon this Judge, as a presiding judge of the Recorder's Court, the responsibility of being available for and making a judicial inquiry into challenges of illegal detention.

Accordingly we adopt the position paper hereto annexed in the hope that, with the understanding that a knowledge of the facts and of the law brings about, our community will be reconciled and reunited. In the name of the rule of law, we urge all in our community to respect and defend the independence and the integrity of the judiciary. Only in this way can we preserve, protect and defend the liberty and security of every person in our City.

STATEMENT OF FACTS

The relevant facts as presented to Judge George W. Crockett appear to be:

1. The Detroit Police Department was called to the New Bethel Church shortly before Midnight on March 29, 1969 as the result of a shooting in which tragically one police officer was killed and another wounded. The police subsequently took into custody some one hundred and forty-two persons who were found inside the Church.

2. Approximately six hours later, the Presiding Judge of the Recorder's Court for the City of Detroit was contacted by two private citizens, and told that the Detroit Police had taken upwards of a hundred people into custody including at least thirty women, some of whom were accompanied by children; that all of the persons were being detained at the First Precinct Station and had been refused permission to make phone calls or otherwise contact attorneys, relatives or friends.

3. The Judge then proceeded to the First Precinct Station where he met with the Detroit Police Commissioner and requested a list of all of those held in custody so that their names could be inserted on a Writ of Habeas Corpus which he had prepared. The Judge also requested and was granted a room for the hearings on the Writ, and he asked that the Wayne County Prosecutor be notified of such hearings.

4. The Habeas Corpus proceedings commenced at 6:40 A.M. Sunday morning and were open to the public. The cases of thirty-nine suspects were then heard and determined as follows: fifteen Detroit residents were released on One Hundred Dollar personal bond to reappear at noon; one man (the Church janitor) was discharged with

the consent of the Prosecutor; one man from Ohio was released without bond and ordered to reappear at noon; twenty-two persons from out-of-town were remanded to custody until noon.

5. The Judge then ordered the release of another Detroit resident on One Hundred Dollar personal bond. At this point the Prosecuting Attorney entered the room and countermanded the Court's order releasing this suspect. Notwithstanding the Court's warning of contempt proceedings, the Prosecutor in the presence of the Court directed the police to retain the suspect in custody and further ordered that no additional suspects be brought before the Court. The Court had no alternative but to recess.

6. At noon of the same day, the Court reconvened and approximately one hundred and thirty prisoners were released either at the request of the Assistant Prosecuting Attorney or with his consent. The sixteen suspects who were ordered to reappear did so.

7. The Assistant Prosecuting Attorney requested an adjournment of the hearing for twenty-four hours on seven of the remaining suspects—four of whom had tested positive on a nitrate test; one who, though not tested, was believed to have had nitrate traces on his hands; and two others who showed no signs of nitrate but were wanted by the Assistant Prosecutor for further investigation.

8. The Court denied the motion and granted the Writ releasing the seven suspects on the grounds that the People did not show probable cause to hold them and that the Police violated the Constitutional rights of some of the suspects by denying the right to counsel during the administration of the nitrate tests.

Based upon the foregoing facts, certain legal issues are raised. These issues relate to (1) the Court's prompt inquiry at the police station of the allegations relating to the incommunicado detention of the suspects; (2) the issuance of the Writ of Habeas Corpus; and (3) the release of seven suspects over the Assistant Prosecutor's objections.

At the outset of this discussion we must emphasize that the question is *not* whether Judge Crockett's rulings were legally flawless. In the interpretation and application of Constitutional standards regarding detention, probable cause, and the right to counsel there is no "correct" ruling. The very complexity of these problems demand that a judge be given wide latitude in his judgments, for only he has full access and exposure to all the relevant facts. Thus, in evaluating Judge Crockett's rulings based upon the evidence presented to him, the only legitimate inquiry is whether such rulings were plausibly based in the law.

I. THE PRESIDING JUDGE OF THE RECORDER'S COURT HAD THE AUTHORITY OF LAW TO GO TO THE POLICE STATION TO INQUIRE AS TO THE ALLEGATIONS THAT PEOPLE WERE THERE BEING ILLEGALLY DETAINED

At approximately 5:00 A.M. on Sunday morning, March 30, 1969, Judge George W. Crockett, Jr. was awakened at his home by a State Representative, James Del Rio, and the pastor of New Bethel Church, Reverend C. L. Franklin, and told "that a homicide had occurred at or near New Bethel Church . . . sometime around midnight of last evening; that the Detroit Police had taken upwards of a hundred people into custody including at least thirty (30) women, some of whom were accompanied by children; that all of the arrested persons were being detained at the First Precinct Station and had been refused permission to make phone calls or otherwise contact attorneys, relatives or friends; that these prisoners were not being held pursuant to any warrant or other court order."¹ As

Presiding Judge of the Recorder's Court, Judge Crockett was "charged with the general supervision and superintendence of the work of the Court."² Subsection (c) of that rule also requires that applications for Writs of Habeas Corpus be presented to the Presiding Judge.

We believe that Judge Crockett's response to the complaints of Representative Del Rio and Reverend Franklin must be viewed in the context of his duties as Presiding Judge. The purpose of a Habeas Corpus proceeding "is to cause the release of persons illegally confined, to inquire into the authority of law by which a person is deprived of his liberty . . ." The importance of these proceedings in preventing any prolongation of an illegal detention has been explicitly recognized in Michigan. Writs of Habeas Corpus are returnable "forthwith, or at the nearest available time or place" (Emphasis added).³ Moreover, the Michigan Supreme Court recently held that in the protection of a criminal suspect's rights, "Magistrates of Michigan . . . (are) on legal duty at all times; Sunday, holidays or no."⁴ It appears that these specific mandates, which show no reference for either the hour or the day, create a duty in a Presiding Judge notified of an illegal confinement to determine whether immediate judicial intervention is required to preserve the rights of citizens within his jurisdiction.

The facts which confronted Judge Crockett in the early morning hours of Sunday, March 30, 1969, illustrate precisely the kind of exigent circumstances which makes the twenty-four hour on-call availability of judges necessary. The law does not require that the one hundred and forty-two (142) persons being held at the police station be without remedy until Tuesday morning (Monday was a court holiday), since this would subordinate the rights of the individual to mere formalities.

II. THE JUDGE HAD THE AUTHORITY OF LAW IN ISSUING THE WRIT OF HABEAS CORPUS WHETHER IT BE DEEMED TO HAVE BEEN UPON THE ORAL APPLICATION OF TWO CITIZENS OR UPON HIS OWN MOTION

Substantial controversy has surrounded Judge Crockett's issuance of the Writ of Habeas Corpus for the one hundred and forty-two (142) persons held at the First Precinct Police Station. From this controversy the serious charge that the Judge abused his judicial responsibilities has emerged. The import of this charge warrants a thorough examination of the pertinent law.

Under Section 600.4316 of Michigan Compiled Laws, a judge empowered to grant the Writ of Habeas Corpus may do so upon "proper application." The application "may be brought by or on behalf of any person restrained of his liberty."⁵

Thus, either Representative Del Rio or Reverend Franklin could have brought a formal complaint requesting the Writ. Nevertheless, Judge Crockett chose to bring the Writ in his own name. Whether this decision was made in order to save time or for some other reason is immaterial. Since it was Del Rio and Franklin who brought the facts to the Judge's attention and requested that the Judge act, in a real sense they were the complaining parties. Although Section 712.3 of the Michigan Court Rules envisions a formal written application for a Writ of Habeas Corpus, it is reasonable to conclude that under the circumstances the oral application was sufficient and that Del Rio and Franklin did "properly apply" for the Writ. This view is consistent with that of the commentators Honigman and Hawkins stating, "the form and sufficiency of all pleadings must be determined by construction of the rules which will secure substantial justice on the merits . . ." Consequently, if the Recorder's Court Judge is deemed *not* to have the power to issue a Writ on his own motion a liberal interpretation of the oral application is appro-

priate. "(T)echnical defects in the pleadings should not forestall relief if an illegal detention is . . . brought to the judge's attention."⁶

Still another basis for the propriety of the Writ issued in this case is found in the language of M.C.L.A. § 600.4307 giving "any person" (including the Judge) the right to bring an action for Habeas Corpus. The breadth of this provision elevates the scrupulous protection of the Constitutional rights of those detained over technical standing requirements.

Finally, we must go to the provisions of Michigan Court Rule § 712.7 which grant at least some Michigan judges the power to issue Writs on their own motion:

"Any Justice of the Supreme Court, any judge of the Court of Common Pleas, and any judge of the Circuit Court may issue a writ of habeas corpus, or an order to show cause, upon his own motion whenever he learns that any person within his jurisdiction is illegally restrained of his liberty."

The question remains whether a judge of the Recorder's Court of the City of Detroit has the powers enumerated in Court Rule § 712.7. Some guidance is provided in M.C.L.A. § 726.17 which sets forth the powers of a judge of the Recorder's Court with respect to Habeas Corpus. It read as follows:

"The judge of said Recorder's Court shall possess the same power to grant writs of habeas corpus, returnable before himself, to adjudicate thereon, and do all acts in vacation touching any suit or proceeding in said court, as is now, or may be possessed by the Judges of the Circuit Courts of the State, in matters before said Circuit Court." (Emphasis added.)

While we have found no case which challenges the power of a Recorder's Court judge to issue a Writ of Habeas Corpus on his own motion it is arguable that the use of the word "grant" in § 726.17 as opposed to the word "issue" suggests that a Recorder's Court Judge is denied the power clearly conferred upon judges of both the Circuit Courts and the Court of Common Pleas. This interpretation is not supported by the purport of the legislation establishing the Recorder's Court which has sought to equate that Court's powers with those of the Circuit Courts. The general jurisdictional section of the statute creating the Recorder's Court is M.C.L.A. § 726.11. Among other things, it empowers the Court to: "do all lawful acts which may be necessary and proper to carry into complete effect the powers and jurisdiction given by this act, and especially to issue all writs and process, and to do all acts which the circuit courts of this state, within their respective jurisdictions, may, in like cases, issue and do by the laws of this state . . ." (Emphasis added.)

On the basis of the foregoing analysis, we conclude that the Writ of Habeas Corpus issued by Judge Crockett, whether it is deemed to be upon the oral application of Del Rio and Franklin or his own motion is supported by the laws of Michigan.

III. THE JUDGE'S RELEASE OF SEVEN SUSPECTS, NOTWITHSTANDING THE OBJECTION OF THE ASSISTANT PROSECUTOR, IS AUTHORIZED BY LAW

It is important to note that on Sunday, March 30, 1969, there were actually two sessions at which persons held in custody were brought before the Court. The first session (hereinafter, Morning Session) convened at approximately 6:40 A.M.⁷ and was recessed at about 8:00 A.M. The second session (hereinafter, Afternoon Session) reconvened at noon and continued through the afternoon.

During the morning Session thirty-nine cases were heard. Fifteen Detroit residents were released from custody on One Hundred dollar personal bond and one Ohio resident was released on his personal bond. All sixteen were ordered to reappear at noon. Twenty-

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two persons from out-of-town were remanded to custody.¹⁰ Only one person, the Church janitor, was discharged and this was with the consent of the Assistant Prosecutor. By virtue of these actions and the Prosecutor's actions, final disposition of the Writ of Habeas Corpus was postponed for several hours until noon.

At the commencement of the Afternoon Session the Assistant Prosecutor, Jay Nolan, informed the Court that the police had released "upwards of a hundred people" in accordance with the understanding he had with the Court because their investigation determined that "we had no basis to hold them."¹¹ Of those arrested at the time of the hearing neither the Assistant Prosecutor nor the Court knew exactly how many people had been taken from the New Bethel Church.¹²

Contrary to the reporting at the time, it is now clear that virtually all (142) of these persons were released by or at the request of the Assistant Prosecutor. Thus, if there is any dispute it must involve the release of the seven persons whom the Assistant Prosecutor sought to retain in custody. As to these seven the question is: did the prosecution offer sufficient legally obtained evidence against these persons to establish probable cause that each had committed a crime? If such evidence was not offered to the Court, the detention of such persons was improper and the Judge was obliged to order their release.

Recognizing that the Court must rule upon the legality of a detention based only upon the evidence offered at the Habeas Corpus Hearing an examination of such evidence is required. Against two men the Assistant Prosecutor offered no evidence other than the fact that each was inside the Church when taken into custody. A third man had been taken from the Church; although he refused to take a nitrate test there was evidence that a police detective saw a "speck" of nitrate on his hands. As to the remaining four suspects who had been taken from the Church, the paraffin nitrate tests showed positive signs of nitrate on their hands.

If the seven suspects in question were lawfully under arrest by Constitutional standards at the time of the hearing, their continued custody was legal and the Writ should have been denied. On the other hand, if they were not under arrest or if the arrests were not made upon probable cause, further restraint would be in violation of their Constitutional rights. The question could be easily disposed of if we can conclude that there was sufficient legal cause to justify the arrest of all one hundred and forty-two persons found in the New Bethel Church. In such instance each of the seven men were lawfully arrested and their continued detention on the same basis as the arrest would be proper. This position is not without appeal and it merits substantial discussion.

A. Were the seven suspects under lawful arrest at the time they were taken into custody at the New Bethel Church?

This aspect of the discussion is devoted to the concept of "arrest" as it relates to various preconditions set forth by the courts and the United States Constitution. We are aware of the terms, "arrest for investigation" and "limited detention" which imply a lesser standard of cause and a narrower invasion of liberty. Such concepts, if valid, provide a reasonable incubation period during which the detention may mature into a full blown arrest. Insofar as these terms are applicable to the situation at hand they are discussed in another portion of this paper.

The principle that it is better to allow some guilty men to go free than to subject

citizens to easy arrest is deeply embedded in the Fourth Amendment.¹³ As a consequence, the notion of "probable cause" is an essential safeguard to the individual liberties of every American citizen. Yet while the Bill of Rights protects a person from arbitrary invasions of his person or property, it authorizes arrests where the officer has probable cause to believe that a person has committed a felony. Thus, if the police had probable cause to believe that each of the seven suspects in question had committed a felony at the time they were first taken into custody, it follows that they had probable cause to hold these men and the Writ should have been denied.

In this case the police responded to a call for help by a wounded officer. When they arrived at the scene they found two seriously injured policemen—one officer later died in the hospital.¹⁴ According to Commissioner Spreen's statement, which was given to the Judge during the early morning conference at the police station, responding police units "entered the New Bethel Church, Philadelphia and Linwood, and the responding officers were met with a hail of gunfire. When additional officers arrived at the scene, they were successful in entering the church under fire and effected the arrest of many of the participants . . . three rifles, three hand guns and a quantity of ammunition have been confiscated. A group of persons are in custody for questioning in the matter."¹⁵

If we assume these facts to be true, the officers had probable cause to believe that a felony had been committed. Moreover, they had probable cause to believe that the felony had been committed by some person or persons in the New Bethel Church. The question remains, however, whether this nature of probable cause was sufficient to justify the arrest of all one hundred and forty-two (142) persons.

In examining this question we are not insensitive to the difficult circumstances which confronted the police. The situation was most volatile—it was late at night in an area of substantial social unrest. An attempt to properly isolate and interrogate the one hundred and forty-two (142) possible assailants and witnesses may have been dangerous as well as impractical. In addition, the crime involved was a most serious one which warranted vigorous pursuit of the criminals.

As Mr. Justice Jackson pointed out in his dissent in *Brinegar v. United States*,¹⁶ when the public interest is great and the offense grave, the courts will strive hard to sustain actions by the police which are fairly executed and in good faith. However, exigent circumstances can do no more than justify a liberal construction of probable cause; they cannot dissolve the requirement. "(I)f subjective good faith alone were the test, the protections of the Fourth Amendment would evaporate, and the people would be 'secure in their persons, houses, papers, and effects' only in the discretion of the police."¹⁷

One basic principle which must remain inviolate is that guilt is personal. In the absence of evidence of conspiracy each person is entitled to be judged only upon the evidence against him as an individual. Group guilt or guilt by association has no place in our law. Speaking for the majority in the *Brinegar* case, Justice Rutledge stated:

"The history of the use, and not infrequent abuse of the power to arrest cautions that a relaxation of the fundamental requirements of probable cause would leave law abiding citizens at the mercy of the law officers' whim or caprice."

Thus, "the constitutional validity of an arrest depends upon whether, at the moment the arrest was made, the officer had probable cause to make it—whether at that moment the facts and circumstances within his knowledge and of which he had reasonably trustworthy information, is sufficient to

warrant a prudent man to believe that the suspect had committed or was committing an offense." (Emphasis added.)¹⁸

It has been repeatedly emphasized by the Supreme Court, that where there are numerous actual or potential suspects, without further evidence of individual guilt, all of them may not be arrested, nor may any one be arrested at random. In *Wong Sun v. United States*,¹⁹ an informant had said that "Blackie Toy," the proprietor of a laundry on Leavenworth Street, had sold an ounce of heroin. There were several Chinese laundries on this street, and apparently more than one Toy. It was held that the arrest of one of them was unlawful because there was no showing that the officers "had some information of some kind which had narrowed the scope of their search to this particular Toy." (Emphasis added.)

Similarly in *Mallory v. United States*,²⁰ involving a rape by a masked individual, the only three persons who fit the general description of the rapist and who had access to the basement where the rape occurred were arrested. The court said: "Presumably, whomever the police arrest they must arrest on 'probable cause.' It is not the function of the police to arrest, as it were, at large and to use an interrogating process at police headquarters in order to determine whom they should charge before a committing magistrate on 'probable cause.'" (Emphasis added.)

While the police had at the New Bethel Church one hundred and forty-two (142) suspects, it was never shown to Judge Crockett by the Prosecutor that they had information at the time of the detention as to any person or persons which could narrow the focus of guilt to meet probable cause standards. The very fact that all one hundred and forty-two (142) persons including the women and children were taken into custody and that all but ten were ultimately released by the police or the Prosecutor because they "had no basis to hold them"²¹ fails to support any contention that the police had probable cause at the time of the arrest. Since the Assistant Prosecutor presented no evidence to the Court which would distinguish the seven suspects he sought to retain from the rest of the persons taken from the Church en masse, it must be assumed that the Assistant Prosecutor's concession of no probable cause was equally applicable to them at the time they were taken into custody.

This conclusion does not suggest that the police are helpless in such situations. Had the prosecution introduced any evidence that the shooting had occurred from inside the Church in the presence and view of all the persons inside, it is possible that sufficient inferences of a conspiracy among such persons could be elevated to probable cause. Similarly, had the prosecution offered any evidence which would connect the guns or ammunition with any person or persons, probable cause may have existed. Unfortunately, there was no such evidence presented. Instead, the Assistant Prosecutor's sole reliance on the mere presence of each suspect in the Church was made clear throughout the Transcript.²²

As a result of the foregoing analysis we conclude that in the absence of evidence and coherent argument to establish a conspiracy among the one hundred and forty-two (142) persons taken from the New Bethel Church, a ruling that there was no showing of probable cause to justify the arrest of any of these persons is amply supported in the law. Consequently, as to those suspects whose continued detention was sought with no further cause than their presence in the Church (only five of the seven showed signs of nitrate), a finding of no probable cause and a granting of the Writ of Habeas Corpus was justified. A more detailed discussion of

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the release of the two non-nitrate suspects further supports the propriety of the Court's actions.

One of these suspects was a resident of New York. The Assistant Prosecutor asked the Court to retain custody over this man for a short period of time so that the police could check for a criminal record. At this point the Court stated:

The COURT. It is not solely whether this man has a record. What is there you think justifies this Court in detaining this man? What relationship does this man have to the alleged criminal acts or act?

Mr. NOLAN. Your Honor, he was arrested in the premises where the—after the shooting on the street and the officers undertook to enter and there was firing inside there. Other than that, that is the extent of what I have.

The COURT. All you have against this man is that he was among the hundred who were attending whatever the affair was and he is from New York?

Mr. NOLAN. Yes, sir.

The COURT. Is that all?

Mr. NOLAN. Yes, sir.²²

At this point the Judge ordered the suspect released and Mr. Nolan requested that the Court maintain jurisdiction over the person by placing him on bond. The Court asked defense counsel whether he would agree to such a procedure; counsel opposed the suggestion. The Court pointed out that it had no authority to confine the suspect to Detroit by way of personal bond and released him because the prosecution had "not shown anything to establish some probable cause to indicate that this man is guilty."²⁴

The other non-nitrate suspect was Alfred Hibbitt. The Assistant Prosecutor requested a 24-hour adjournment. Defense counsel asked the purpose for which the prosecution sought to hold the suspect and the Assistant Prosecutor stated:

Mr. NOLAN. In the alternative, his physical presence will not necessarily contribute to our investigation. I want to be frank with the Court. Our concern is that after we—with the possibility of a showup, there could quite likely be a showup. But other than that, we don't intend to question him or give him a nitrate test or anything like that. He had his.²⁵

Ultimately, with the assurance of the defense counsel that the suspect could be produced if called, the Court released Mr. Hibbitt on \$1,000 personal bond. Over a week later, the Prosecutor's office issued a warrant on Mr. Hibbitt and in accordance with the Court order he voluntarily gave himself up to the police without incident. Based upon the foregoing facts we conclude that the Court's release of these men was totally consonant with the law.

B. Was there legal cause to hold the five suspects who revealed evidence of nitrate while they were in custody?

At a Habeas Corpus hearing the prosecution must show probable cause to hold the suspect at the time of the hearing. This fact indicates that there may have been a legal basis to find such cause against the suspects who revealed particles of nitrate from the paraffin test. Three issues are raised by Judge Crockett's ruling as to these men: 1) does the existence of nitrate on the hands of a suspect combined with the presence at the Church provide probable cause that he was involved in the shooting?; 2) may the results of the nitrate tests be used to show probable cause if they were taken after an arrest made with less than probable cause?; 3) may the results of the nitrate tests be used if such tests were taken while the suspect was being held incommunicado and not advised of his right to counsel?

After an extensive colloquy with the Assistant Prosecutor and defense counsel,²⁶ the Court discharged one of the suspects who had tested positive for nitrate on the paraffin test administered by the police. The Court stated:

"You still have the right to get a warrant if you have sufficient evidence to show probable cause and you have the right to come back to this Court and I am sure that any judge of this Court will give you a warrant under those conditions. For the present you fail to show probable cause and the police have violated a Constitutional right of this defendant."²⁷ (Emphasis added.)

It is not absolutely clear whether the Court released this suspect (and the other four) because even with the nitrate test there was no probable cause or on the grounds that the nitrate tests were unconstitutionally administered and without them there was no probable cause. Since he referred to the tests as "impermissible"²⁸ the latter interpretation is probably the correct one. However, we will evaluate the first alternative as well because it is material to the development of the whole question of probable cause.

1. Was there probable cause to believe that the suspects evidencing nitrate traces committed a crime?

Although the Supreme Court has indicated in *Mallory v. United States* and *Wong Sun v. United States* that there can be no probable cause where the evidence points equally to several suspects all of whom could not be guilty, the discovery of nitrate traces on five persons found inside the Church adds materially to the likelihood that each was involved in the shooting. Whether it adds enough depends, of course, on the reliability of the nitrate test. If it is reasonably reliable and it may be legally considered, a finding of probable cause is appropriate.

The theory of the test is that nitrates contained in gun powder often become embedded on the surface of the skin after a gun is fired. To perform the test, layers of warm liquid paraffin, interleaved with layers of gauze for reinforcement, are brushed or poured on the suspect's skin. The warm sticky paraffin opens the skin's pores and picks up any dirt and foreign material present at the surface. When the paraffin cools and hardens, it forms a cast which is taken off and processed with certain chemicals. If blue dots appear, it provides evidence that the suspect has recently fired a weapon.

In practice, however, the authorities are virtually unanimous that the test is entirely unreliable. *The President's Commission on the Assassination of President Kennedy* (Warren Report) pointed out that in experiments run by the F.B.I. it was shown that, "A positive reaction is . . . valueless in determining whether a suspect has recently fired a weapon."²⁹ One reason for this is that "contact with tobacco, Clorox, urine, cosmetics, kitchen matches, pharmaceuticals, fertilizers, or soils, among other things, may result in a positive reaction to the paraffin test."³⁰

Henry W. Turkel, M.D., the coroner for the City of San Francisco, ran independent and controlled tests and he concluded: "It is doubtful that anyone would have sufficient trust in the dermal nitrate test to bring a criminal charge or institute a criminal proceeding on the strength of the findings of this test alone . . . In sum total . . . the test (is) less than worthless."³¹ Finally, he points out that:

"The inspectors of the Homicide Detail of the San Francisco Police Department were questioned as to their recollection of cases in which paraffin glove tests served in any degree to incriminate or clear a suspect or defendant. Not one instance was recalled where it served a positive role, despite their cumulative forty-nine years on the detail."

On the basis of the foregoing facts, we conclude that the nitrate test is sufficiently unreliable to warrant a finding that a positive result on such test without other substantial evidence does not establish probable cause to believe a suspect has been involved in a shooting.

2. May the results of the nitrate tests be used to show probable cause if they were taken after an arrest made on less than probable cause?

Assuming the positive results of the nitrate tests would provide sufficient cause to hold the suspects at the Habeas Corpus hearing, serious Constitutional questions are involved in the use of such tests here. The record leaves little doubt that the nitrate tests were administered after the suspects had been removed from the Church to the police station. In fact, the Assistant Prosecutor requested additional time from the Court to complete these tests (it is noteworthy that the tests were performed even though the Judge specifically denied this request and asked that no tests be given prior to the Habeas Corpus hearing).³² Thus, if the original detention is deemed to have been an illegal arrest, the evidence which derives immediately from such an arrest is considered the "fruit of the poisonous tree" and it may not be used for any purpose in the prosecution of the arrestee.³³

If, on the other hand, the detention which led to the nitrate tests was proper even though there was insufficient probable cause to authorize an arrest by Constitutional standards, the evidence might be considered. This result is possible if we can conclude that the police had a legal right to remove the suspects from the Church to the police station without placing them under full arrest. Herein we must discuss the concept of a "limited detention."

To some courts an arrest invoking the Fourth Amendment standards occurs as soon as a person is taken into custody and restrained of his full liberty, even for a short period of time.³⁴ There is, however, authority for the position that every detention of an individual does not constitute an arrest. These courts would make a distinction between an arrest and an investigatory detention and permit the detention "on grounds less stringent than the probable cause requirement for an arrest."³⁵ Inasmuch as the Supreme Court declined to decide whether persons may be detained for investigation on less than probable cause,³⁶ the question is open.

Recently, the highest court in New York endorsed the practice of reasonable investigatory detentions stating that, "The public interest requires that such interrogation (while a citizen is restrained of his liberty) not be completely forbidden so long as it is conducted fairly, reasonably, within proper limits and with full regard to the rights of those being questioned."³⁷ The Second Federal Circuit put it more strongly:

This prerogative of police officers to detain persons for questioning is not only necessary in order to enable the authorities to apprehend, arrest, and charge those who are implicated; it also protects those who are readily able to exculpate themselves from being arrested and having formal charges made against them before their explanations are considered."³⁸

Even more to the point the *Vita* court stated at p. 534 "the plain unvarnished fact that without such power society would often find itself helpless to solve crimes and protect its members." The same concern for public safety is reflected in the Uniform Arrest Act, a statute proposed in 1942 by the Interstate Commission on Crime (adopted in three states) which permits the police to detain for questioning any person against whom the officer has a reasonable suspicion.³⁹

The case which confronted the Detroit Police at the New Bethel Church provides a

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perfect example of a situation where a detention for investigation might be appropriate. At the time of police entry they had no way of knowing which persons of the one hundred and forty-two (142) found in the Church had been involved in the shooting. Moreover, to question all one hundred and forty-two (142) persons at the Church may have been as dangerous as it would have been chaotic. Under the circumstances the removal of these persons to the police station where screening, sorting and questioning could be carried out in a more orderly fashion was reasonable. The importance of preserving material witnesses is recognized in Michigan as in other states by conferring upon the Judge the power to order the custody of such a witness. In view of all of these facts we believe that the police action taken at the New Bethel Church in regard to the detention and subsequent relocation of persons for whom there was insufficient probable cause was not unreasonable.

Assuming then that a pre-arrest detention was appropriate so that the police could pursue a prompt and thorough course of investigation, we must consider whether the discovery of nitrate traces on five of the suspects was a legitimate part of the detention. In this case the nitrate tests were performed at about 9:00 a.m. Sunday morning,⁴⁰ that was after the Morning Session and about nine hours after the detention began. This fact raises the important issue of time. The purpose of permitting a pre-arrest detention is to afford the police an opportunity to complete some preliminary investigations which may result in probable cause to arrest. Yet even the few courts which have advocated such detention powers have been emphatic that the detention be brief. The Uniform Arrest Act states, "the total period of this detention shall not exceed two hours."⁴¹ The detention approved of in *United States v. Rundle*,⁴² was "reasonably brief . . . only five to ten minutes." The New York Court also expressed a concern for the duration of the detention approving a one hour detention and emphasizing the need for brevity by stating, "Lengthy detention on mere suspicion breeds abuse of those safeguards which a civilized society must erect to protect even the most reprehensible of its members."⁴³

Only the *Vita* case provides language which might justify the nine hour detention of the suspects prior to finding probable cause. In that case, they approved an eight hour detention where the circumstances justified it and where the "investigation was conducted with dispatch . . ."⁴⁴

These authorities cast substantial doubt upon the legality of the nine hour detention prior to the discovery of evidence which may have permitted a finding of probable cause. Under the law, a pre-arrest detention must result in either release or arrest upon probable cause within a short period of time. If the suspect is detained beyond that point he is considered under illegal arrest and evidence which derives therefrom (e.g., positive nitrate results) cannot be used. In this case, however, the detention of one hundred and forty-two (142) persons complicates the investigatory process substantially. There may have been some reason why the paraffin tests could not have been administered sooner. In any event, the mere passage of time under these extraordinary circumstances should not preclude the evidence.

Unfortunately, the other safeguards were ignored during this prolonged detention. Each court which has authorized the use of investigatory detention has insisted upon the zealous protection of the suspect's Constitutional rights. The New York Court concluded its opinion as follows:

"We hold merely that a suspect may be detained upon reasonable suspicion for a reasonable and brief period of time for ques-

tioning under carefully controlled conditions protecting his Fifth and Sixth Amendment rights. Mass detentions for questioning are never permissible." (Emphasis added.)⁴⁵

Not only does this case involve a "mass detention" which runs afoul of the law, but during the detention the suspects were held *incommunicado* and without being informed of their Constitutional rights. Judge Crockett's emphasis of this point at the Habeas Corpus hearing was quite legally sound. Moreover, the suspects in issue were not merely questioned during the detention. The courts have made it clear that even when a pre-arrest detention is lawful the police may not search the suspect without probable cause.⁴⁶ A nitrate test is clearly beyond "questioning." Although the Supreme Court has probably conferred the power to take a nitrate test against the will of the suspect, such a test, like the taking of a blood sample, would be considered a search and the requirement of probable cause prior to the test is explicit.⁴⁷ The search and extraction of nitrate traces from the skin is not conceptually different from the search of one's pockets for a gun. Thus, we must conclude that upon any theory of pre-arrest detention, the Court's ruling that the nitrate tests in this case were impermissible was consistent with the law on this point.

One last possibility must be discussed with regard to the prosecution's legal right to further detain suspects without probable cause. This relates to the concept of arrest for investigation which is a rather subtle variation of a "pre-arrest detention."

Professor Wayne LaFave, appointed by the American Bar Association to study arrest procedures in the United States, reported that in Detroit "arrests for investigation" were a common practice.⁴⁸

The importance of this fact is that the concept of arrest for investigation implies, as does pre-arrest detention, that at any time of the detention the police have insufficient evidence to justify an arrest for a specific crime. The difference is that under the arrest for investigation practice, the police detention is thought to be a matter of "right" and few if any safeguards are afforded. The Detroit Bar Association has been concerned with this problem for years and as early as 1960 the Special Civil Rights Subcommittee sought to end the practice in Detroit. The problem was so great in fact that they reported somewhat proudly that the number of "illegal arrests" in Detroit were being reduced by almost 25% (nevertheless they considered about 31% (or 13,000) of all arrests that year as being without probable cause and therefore illegal).⁴⁹

This history makes it clear that when Judge Crockett refused to allow continued detention solely to permit investigation, he was not breaking new ground in insisting that the practice was illegal. Not only had the Civil Rights Subcommittee sought to eliminate such arrests but a well-publicized report from Washington, D.C. declared in 1962 that arrests for investigation were unconstitutional, unwise, and unnecessary.⁵⁰ It pointed out further that in well over 90% of the cases the police ultimately released the suspect without even bringing charges.⁵¹

LaFave's article further indicates how the practice of holding suspects for the purpose of investigating them has been effectively sanctioned by the Detroit Courts and the Prosecutor's Office. If a Writ of Habeas Corpus was brought by or on behalf of a person held in investigatory custody, it was the practice of the Prosecutor to request and the Court to grant an adjournment for up to seventy-two hours so that the police might complete their investigation. This is precisely the technique employed by the Assistant Prosecutor who in at least one case asked the Court to adjourn for twenty-four hours so the police could check the record of an out-of-state suspect.⁵²

In view of the long history of unhampered

power of the police to arrest suspects for investigation, it is understandable that both the Prosecutor and the police were disturbed and surprised by Judge Crockett's refusal to permit this illegal method of investigation. Moreover, any rebuke of the police which may be implicit in the holding that the arrests were improper may be unfair in the face of reasonable reliance on the assumption that the Detroit Judiciary would continue to ratify the practice that the Prosecutor's office sanctioned.

However, notwithstanding the good faith of the police in "removing" the suspects en masse to the police station, the validity of the conduct must be viewed in terms of the individual rights involved. In addition, the long acceptance of a liberal policy toward investigatory arrests should not have affected Judge Crockett's analysis of the Constitutionality of the practice. Indeed, the Canons of Judicial Ethics of the American and Michigan Bar Associations require that a judge resist pressures from whatever source in applying the mandates of the Constitution. Canon Three states: "It is the duty of all judges in the United States to support the Federal Constitution and that of the State whose laws they administer: in doing so, they should fearlessly observe and apply the fundamental limitations and guarantees."

The law on arrests for investigation is not equivocal; an arrest cannot be made for investigation without charging the defendant with the commission of a legally defined crime.⁵³ Moreover, suspects cannot be arrested and booked on technical charges necessary to give the police time to work on the investigation.⁵⁴ The Horsky Report at p. 60 referring to the efficacy of arrests for investigation, on less than probable cause, concludes that "the prosecutor cannot introduce in evidence articles taken from the prisoner—not even his fingerprints." The reasoning of the Horsky Report is directly applicable to the nitrate test results and such evidence is unavailable to the Prosecutor.⁵⁵

Finally, we cite the thoughtful opinion of Judge Sobeloff in a case strikingly pertinent to the one at hand:

"In ordering the issuance of an injunction we have not blotted from our consideration the serious problems faced by the law enforcement officer in his daily work. His training stresses the techniques of the prevention of crime and the apprehension of criminals, and what seems to him to be the logical and practical means to solve a crime or to arrest a suspect may turn out to be a deprivation of another's constitutional rights. And where one policeman is killed and another wounded, the police and the public, too, are understandably outraged and impatient with any obstacle in the search for the murderer. While fully appreciating the exceeding difficult task of the policeman, a court must not be deterred from protecting rights secured to all by the Constitution.

"The Police department is society's instrumentality to maintain law and order, and to be fully effective it must have public confidence and cooperation. Confidence can exist only if it is generally recognized that the department uses its enforcement procedures with integrity and zeal, according to law and without resort to oppressive measures. Law observance by the police cannot be divorced from law enforcement. When official conduct feeds a sense of injustice, raises barriers between the department and segments of the community, and breeds disrespect for the law, the difficulties of law enforcement are multiplied."⁵⁷

In view of our analysis of the issues involved we conclude: First, that the nitrate tests were not sufficiently reliable evidence to require a finding of probable cause to hold the suspects. This conclusion is supported by the apparent lack of confidence in such tests shown by the Prosecutor's office. Al-

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though they had positive test results they neither sought a warrant nor brought a charge. Second, that even if the tests were *prima facie* probable cause, the tests were taken in such a questionable time and manner that their exclusion by the Judge was fully justified.

3. May the Results of the Nitrate Tests Be Used if Such Tests Were Taken While the Suspect Was Being Held Incommunicado and Not Advised of His Right to Counsel?

The Court's ruling in this regard was primarily based upon *Wade v. United States*,¹⁸ a recent United States Supreme Court case which held that a line-up for identification purposes was a "critical" stage which entitled the suspect to the presence of counsel. Thus, if the taking of a paraffin nitrate test is analogous to a line-up in that the lawyer is needed to assure fairness of the procedure, the police committed Constitutional error in failing to offer each suspect the assistance of counsel. On the other hand, if a nitrate test is closer to fingerprints, where the method of taking them is well established and the reliability recognized, no counsel is required. The courts have not yet resolved this issue and the Judge's ruling might well turn upon factual considerations relating to the specifics of nitrate testing and not legal rules. In this regard the well-known deficiencies of the test may be a relevant factor in that a knowledgeable attorney could assure that foreign materials are not touched by the suspect. One court has lent credence to the Judge's position, however, as it refused admission of the results of such a test after specifically distinguishing it from fingerprinting.¹⁹ Although this judgment is probably the most questionable of those discussed, we must conclude that Judge Crockett's ruling was not so far afield of the established law in this area as to warrant even the slightest implication of incompetency or impropriety.

IV. CONCLUSION

The Judiciary is not so sacred that it is beyond criticism. Every judge of this land has an obligation to the people and the right of citizens to disagree with or protest any ruling is ingrained in our political system. However, when the criticism turns to vituperative accusation, and the integrity and competency of a judge is challenged, we think there is a special need for sober examination of the situation. Now Detroit is disturbed that much of the criticism surrounding Judge Crockett's rulings after the New Bethel shooting has been provoked by inaccurate reporting of facts and inadequate understanding of the law. We hope that this memorandum will be helpful in dispelling widespread misapprehensions of fact and law, explaining the judicial role in our legal system and restoring calm and perspective to our society.

Not every lawyer or judge will agree with every ruling made by Judge Crockett. There has never been a judicial ruling yet that has met with unanimous approval. Yet neither legal disagreement nor the frustration resulting from our inability to immediately solve every crime and catch every criminal can justify a personal attack upon a Court which has exercised its authority in good faith and with the support of state laws and the United States Constitution. Based upon our examination of the facts and law involved in this case, we are convinced that Judge Crockett's actions were taken in good faith with ample legal basis. We hope that this will be the end of the matter.

CONCURRING REPORT—WITH COMMENTS

I concur with the majority report's conclusion that Recorder's Court Judge George W. Crockett, Jr. was not guilty of judicial misconduct in his handling of the 142 arrestees resulting from the horrible events at the New Bethel Church.

To state it positively, I believe that under applicable law Judge Crockett acted within permissible and accepted limits of judicial discretion in holding court at the precinct station and in his decision of the several legal and factual issues that came before him on that Sunday.

Since the majority and I now agree in substance on the validity of Judge Crockett's conduct with respect to his convening of court early Sunday morning, his issuance of the Writ of Habeas Corpus and his decision to release the so-called "nitrate suspects" on the evidence (or lack of it) then before him, I shall confine my remarks to the arrest issue (without detracting in any way from the conclusion stated above) and to comments that I think should be made.

I cannot accept the main thrust of the majority as to the original arrests. After all discussion is sifted, I interpret them to conclude that the arrests were probably unlawful. I refuse to decide that issue. We don't know that we have all pertinent facts (and the majority proceeds only on the facts presented to Judge Crockett) and I would leave final determination to a proper tribunal where all the facts are presented and tested. This is one area that likely will be thoroughly explored in any later trial of those who were arrested in the church.

But I don't think the legality or illegality of the arrests is necessarily pertinent to Judge Crockett's hearings on the Habeas Corpus Writ. Obviously, if the original arrests were unlawful the continued detention could not be justified. But I am not at all sure that Judge Crockett made any such determination. At least his conduct in holding some and bonding others is not consistent with such a ruling.

But assuming the arrests were lawful under present Constitutional law, the persons in custody were entitled to know the charges against them and have a speedy hearing as to the lawfulness of their continued detention. When Judge Crockett learned early on Sunday morning that there were no charges and no evidence to support a charge, he acted within the permissible bounds of judicial discretion in discharging the janitor and ordering others to return at noon.

By noon, most of those arrested had been released and Judge Crockett had to decide only as to the few remaining. And he could act then only on the basis of the evidence presented to him. While some judges and lawyers might differ with the conclusions he reached, there is no sound basis for saying that there was any judicial impropriety in the action he took.

COMMENTS

1. The confusion inherent in a mass arrest situation

Ever since July of 1967, various groups have been working on plans for handling mass arrests and the processing of prisoners in the event of another emergency. At least one of these plans called for the establishment of temporary court facilities in the several precincts to facilitate the speedy processing of arrested persons. It is obvious that these plans have not been perfected and communicated to the necessary officials. I suggest we waste no further time and put the plans in order so that all concerned will know the ground rules under which they will work. I agree that in emergencies the court should be taken to the precinct if safe to do so, but I do not agree that court should be held in a police station. Any coordination and advance planning should take this into account.

While I have concluded that Judge Crockett had a Constitutionally valid base for his decisions, I cannot say that other judges could not have decided differently and also been legally correct. The facts and circumstances always enter into and control the Constitutional accuracy of a decision as to the violation of a given individual's rights.

When the facts are confused or unknown, the circumstances in dispute and the pressures great, it is not surprising that reasonable judicial minds might vary in their conclusions. But the judge on the spot can only make them on the basis of the evidence properly before him.

I am seriously concerned with the possible consequences of the majority conclusion that the original arrests in the church were probably unlawful. We don't yet have all the facts necessary to decision, but most of us have heard the police network tape which reported shooting from the church. If the police on the scene reasonably believed this to be true, I believe they were fully justified in entering and securing the church, using only the force necessary to do so. To say as some have said that any further investigation must have been conducted on the scene seems to me to require that we must invite a riot rather than make the necessary arrests and conduct the investigation and court hearing in a protected area. I do not believe that this is good sense or good law.

2. The nitrate suspects

As stated above, I agree with the majority that Judge Crockett faced issues of law and fact which he decided within the bounds of permissible judicial decision. This is not to say that all lawyers and judges would agree with his conclusions. But the right to decide necessarily includes the right to be wrong. And this is the reason for appellate courts. I have no doubt that the Constitutionality and reliability of nitrate testing in the absence of counsel for the accused will be decided soon—perhaps as a result of this incident. Until it is decided, lawyers and judges will differ as to what that decision should be. But Judge Crockett was acting as a judge and not an interloper when he made his decision to refuse to consider the nitrate evidence in determining probable cause for continued detention.

CONCLUSION

If this city is not to be permanently divided, then we must hold fast to the rule of law and not of men. If we don't, the only alternative is law enactment and enforcement by brute force. An independent judiciary is an indispensable part of our rule of law and must be preserved and defended. It may need reforming and enlargement, but it must remain. If it does not, our liberties go with it. I have yet to meet the man or group of men to whom I would entrust the power to decide my rights and privileges independently of the law. Have you?

FOOTNOTES

¹ Certificate On Habeas Corpus Hearing, March 30, 1969, page 2-3, hereinafter "Certificate."

² Rules for the Recorders Court of the City of Detroit (Feb., 1955), Rule I.

³ *People v. McCager*, 367 Mich. 116 (1962).

⁴ G.C.R. 712.5.

⁵ *People v. Hamilton*, 359 Mich. 410, 416 (1940).

⁶ M.C.L.A. § 600.4307.

⁷ M.C.R.A. § 712.3, Commentary p. 127.

⁸ M.C.R.A. § 712.3, Commentary p. 127.

⁹ Certificate 6.

¹⁰ Certificate 7.

¹¹ Transcript 11.

¹² Transcript 11, 69.

¹³ *Henry v. United States*, 361 U.S. 98, 104 (1959).

¹⁴ Certificate 5.

¹⁵ Certificate 5.

¹⁶ *Brinegar v. United States*, 338 U.S. 160, 183 (1948).

¹⁷ *Beck v. Ohio*, 379 U.S. 89, 97 (1964).

¹⁸ *Beck v. Ohio*, *supra*.

¹⁹ *Wong Sun v. United States*, 371, U.S. 471, 481 (1963).

²⁰ *Mallory v. United States*, 354 U.S. 449, 456 (1957).

²¹ Transcript 11.

²² Transcript 11, 44, 57.

- ²² Transcript 41, 42.
²³ Transcript 43.
²⁴ Transcript 39.
²⁵ Transcript 45-51.
²⁶ Transcript 51.
²⁷ Transcript 58.
²⁸ Warren Report, p. 561.
²⁹ Warren Report, supra.
³⁰ 46 *Journal of Criminal Law and Criminology* 281, 283 (1955).
³¹ Transcript, 49-50.
³² *Wong Sun v. United States*, 371 U.S. 471, 485 (1963).
³³ *United States v. Mitchell*, 179 F. Supp. 636 (D.C. 1959).
³⁴ *United States v. Rundle*, 274 F. Supp. 364 (1967).
³⁵ *Rios v. United States*, 364 U.S. 253 (1960).
³⁶ *People v. Morales*, 290 N.Y.S. 2d 898 (1968).
³⁷ *United States v. Vita*, 294 F. 2d 524, 530 (1961).
³⁸ Uniform Arrest Act § 2, 28 *Virginia L. Rev.* 351, 321 (1942).
³⁹ Transcript 47.
⁴⁰ Uniform Arrest Act, Section 2 (3), supra.
⁴¹ *United States v. Rundle*, supra, p. 369.
⁴² *People v. Morales*, supra, p. 907.
⁴³ *United States v. Vita*, supra, p. 531.
⁴⁴ *People v. Morales*, supra, p. 907.
⁴⁵ *United States v. Rundle*, supra, p. 370.
⁴⁶ *Schmerber v. California*, 384 U.S. 768 (1966).
⁴⁷ "Detention Investigation by the Police: An Analysis of Court Practices," *Wash. Univ. L. Quar.*, June 1962, p. 338.
⁴⁸ 28 *Detroit Lawyer* 21, 22 (1960).
⁴⁹ Kamisar, Book Review, 76 *Harv. L. Rev.* 1502, 1504 (1962).
⁵⁰ *Report and Recommendations of the Commissioner's Committee on Arrests for Investigation, District of Columbia*, (Horsky Report) 1962 p. 58.
⁵¹ Transcript 41.
⁵² *Collins v. United States*, 289 F. 2d 129 (5th Cir. 1961).
⁵³ *Staples v. United States*, 320 F. 2d 817 (5th Cir. 1963).
⁵⁴ *Manual v. United States*, 355 F. 2d 817 (5th Cir. 1965).
⁵⁵ See also *Bynum v. United States*, 262 F. 2d 465 (1958).
⁵⁶ *Langford v. Gelston*, 364 F. 2d 197 (1966) at p. 204.
⁵⁷ *Wade v. United States*, 388 U.S. 218 (1966).
⁵⁸ *Brooke v. People*, 339 P. 2d 993 (1959).

IMPROPRIETIES OF JUSTICE DOUGLAS

HON. WENDELL WYATT OF OREGON

IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 18, 1969

Mr. WYATT. Mr. Speaker, I was as shocked as the gentleman from Oklahoma (Mr. EDMONDSON) was when I read press accounts of an article just published in *Playboy* magazine authored by Supreme Court Justice William O. Douglas. Congressman EDMONDSON, yesterday, commented upon the gross inaccuracies and distortions in the article. I commend him for his scholarship in bringing this to the attention of the Members.

The truly shocking aspect of this incident is the total attitude of a Justice of the Supreme Court toward an agency of the U.S. Government in a field of interest which is frequently before the Supreme Court for decision. Justice Douglas has clearly disqualified himself from any participation in cases involving water

resources by his open, flagrant opinions, appearing in *Playboy*, opinions which are based upon such shoddy research.

Columnist James J. Kilpatrick wrote a suitable comment upon this sordid incident in last evening's *Washington Evening Star*, and I herewith bring it to the attention of my colleagues:

JUSTICE DOUGLAS' ARTICLES FOR PLAYBOY DECRIED

South Carolina's Senator Thurmond had a tough time on the floor the other afternoon, trying to build his case for the resignation of Justice William O. Douglas. It was not, to speak truth, the senator's most shining hour, though it might have come off better without the incessant interruptions of Senator Kennedy. Yet Thurmond was right: Douglas ought to resign.

It is not a matter of one thing, or two things, or three. The extra-curricular activities of this busy jurist are one fuzzy thing after another. Nothing patently illegal. Nothing covert or crooked. But Douglas flirts with impropriety with a brand of arrogance all his own. He does not exactly disgrace the robe he wears; he merely leaves it a little bit soiled.

There is, for example, the matter of Douglas, the freelance writer, contributor to *Playboy* magazine. The current (July) issue of Hugh Hefner's effulgence, intended for sophomores of all ages, carries a lengthy article by the Justice, this one dealing with the dam-building sins of the Corps of Engineers.

It is Douglas' fourth contribution to *Playboy* in a span of eighteen months. His first article, on invasions of privacy, appeared in December of 1967. A second, on water pollution, appeared in June of 1968. A third, on civil liberties, ran in *Playboy* for January, 1969. Now this.

Viewed on their merits, the articles are unexceptional. There is not an original idea in them, but they are well documented and strongly presented. If any other conservationist or libertarian had written them, one might remark only his astonishment that *Playboy* should have published the pieces. And there's the rub. Hefner didn't buy these essays for their content; he bought them for their byline. And that's what Douglas sold.

Now, *Playboy* isn't obscene. By definitions Douglas helped to write, it falls to the windward of the law. The magazine is a lumpy concoction of bare bosoms, first-rate writing, he-she jokes, and Professor Hefner's portentous advice to the lovelorn. It makes millions. It attracts letters and articles from Senators, bishops, and assorted literati. (Next month: Frank Church.) Mainly it attracts aging sportsmen, out to ogle the centerfold bunny.

The point is that *Playboy* simply is no place for an associate justice of the United States Supreme Court to propound his views on public affairs. If such a publication is not beneath Douglas's dignity, it is beneath the Court's dignity. It is almost immaterial to inquire what Douglas was paid for the articles. (He won't say; I have asked.) What Hefner bought for his money was some of the respectability of the highest court in the land. That isn't for sale.

The *Playboy* pieces aren't Douglas's only contributions to belles lettres. As Senator Paul Fannin of Arizona has disclosed, he did a free-lance article on folk singing for the March issue of *Avant-Garde*, the latest enterprise of Ralph Ginzburg. Whatever may be said of the *Playboy* contributions, this exercise for *Avant-Garde* was plainly an impropriety: Ginzburg is a notorious pornographer, denounced by five of Douglas's colleagues as a panderer.

Much has been written about Justice Douglas's part-time executive duties as president of the Parvin Foundation, yet much remains obscure. He resigned in April from the \$12,000 job. It is a legitimate inquiry to ask what he did to earn the money. Mr. Justice Douglas isn't saying.

Between 1965 and 1967, the Parvin Foundation gave \$70,000 to the Center for the Study of Democratic Institutions, an offshoot of the Foundation for the Republic. Douglas is chairman of the Center. He has received plump stipends from both the Center and the Foundation.

It is too much. The Supreme Court is—ought to be—the most revered institution in our public life. The nine men who sit on that court have an obligation for propriety beyond the obligations of other men. Those who can't measure up ought to stand down. If that shoe fits Douglas—and it does—let him put it on.

COMMENDATION TO U.S. SENATOR ROBERT P. GRIFFIN

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 18, 1969

Mr. VANDER JAGT. Mr. Speaker, the Michigan State Senate, having as its membership 20 Republicans and 18 Democrats, on May 21, 1969, unanimously adopted a resolution commending U.S. Senator ROBERT P. GRIFFIN for his straightforward approach to the Fortas case.

It is proper that the State senate take this action because all of us in Michigan do take pride in the way Senator GRIFFIN conducted himself during the entire Fortas matter.

I submit the full text of the resolution for inclusion in the RECORD, as follows:

SENATE RESOLUTION No. 64

A RESOLUTION OF COMMENDATION TO U.S.
SENATOR ROBERT P. GRIFFIN

Whereas, The role played by Senator Robert P. Griffin in the Supreme Court drama involving Justice Abe Fortas has not only increased the stature of Senator Robert Griffin in the eyes of the citizens of the State of Michigan and the citizens of the United States of America, but has also elevated the United States Senate to its rightful position as an equal branch of government of the United States government; and

Whereas, Senator Robert Griffin's persistent course of action in scrutinizing the activities of Justice Abe Fortas and insisting upon the traditional role of checks and balances by the three major branches of the federal government have not only vindicated the constitutional form of government of our United States of America, but has also once again emphasized the dominant role that the legislative process should play in a democratic system of government; and

Whereas, Senator Robert P. Griffin's calm, deliberate and legal approach to the problems indicated by the Fortas case shows the need for the type of senator such as portrayed by Senator Griffin; now therefore be it

Resolved by the Senate, That the members of the Michigan Senate express great pride in the statesmanlike conduct of Senator Robert P. Griffin in the Fortas matter and along with all the citizens of the State of Michigan pay tribute to the wisdom, fortitude and judicial-like calmness by which Senator Robert P. Griffin conducted himself in this trying situation in that his conduct can only mean, and rightfully so, a maturity befitting a great member of a great deliberative body, the United States Senate, and that added honor and prestige has been bestowed not only upon Senator Robert P. Griffin but also the State of Michigan by this outstanding United States Senator from the State of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to Senator Robert P. Griffin. Adopted by the Senate, May 21, 1969.
 BERTL T. KENYON,
 Secretary of the Senate.

**SERVICES OF HOME MAINTENANCE
 WORKER SHOULD BE PROVIDED
 UNDER MEDICARE PROGRAM**

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. GILBERT. Mr. Speaker, I want to call to the attention of my colleagues in the House, my bill, H.R. 10296, which will amend title XVIII of the Social Security Act to authorize payment under the program of health insurance for the aged for services furnished an individual by a home maintenance worker—in such individual's home—as part of a home health services plan.

Medicare has provided some needed medical services to most of our senior citizens. In addition to hospitalization and outpatient care, it also provides for some services in the patient's own home. There is one aspect of this service, however, which I feel must be strengthened. Home health services provided under title XVIII of the Social Security Act—medicare—do not include home maintenance service. Home maintenance service includes help with shopping, cooking, laundry, and housecleaning. This is the simplest and least expensive form of help which could prevent or postpone placement of an aging person in a hospital, nursing home or other institution. Frequently, such services on a part-time basis will not only make it possible for the elderly person to remain in familiar surroundings within his own home and in his own community but, in addition, it can save the community the cost of more expensive forms of care.

At the present time, the medicare legislation provides home maintenance care to an older person only when it supplements personal care such as feeding, bathing, transfer in and out of a wheelchair, and so forth. However, a person with a serious heart condition or disabling arthritis might be able to take care of his own personal needs but not be able to shop, cook, or do housecleaning and laundry.

Today's aging were yesterday's labor force. Today's senior citizens are the men and women who throughout their working years have supported themselves, educated their children, and have been productive members of society. Today there are over 19 million persons, aged 65 and over in the United States, most of whom have been forced to retire from their jobs. In my own city, New York, there are over 1 million senior citizens. Many older persons live in isolation, their children have moved away, and their friends have died. Most live on extremely limited incomes. The approaching disappearance of the three-generation household and the extension of the retirement years have created an urgent need for creative planning to keep the aging in their own homes. This is desired by most of our senior citizens.

In contrast with Scandinavia and Great Britain, home help services, designed to permit the aged to remain in their own homes, have not been given sufficient opportunity to develop in this country. Patients in many kinds of institutional settings could be cared for in their own homes, provided services are available. One recent study in Syracuse, N.Y., financed by the U.S. Public Health Service, showed that "21 out of every 100 patients in nursing homes could have been appropriately cared for at a less intensive level of care, such as home care"; and "23 out of every 100 persons in domiciliary homes could have been living in semi-independent living units, had such facilities been available in the community."

Mr. Speaker, I repeat that our senior citizens deserve a realistic choice between remaining in familiar surroundings with the help needed, or institutionalization. To give the senior citizen the most appropriate care as part of a medical plan will be used for those who must have that kind of intensive care. Let us be realistic, and give the senior citizens the care they need and spend the taxpayers money only for essential services. I urge my colleagues in the House to give their support to my bill, H.R. 10296.

COMBATTING THE NEW LEFT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. RARICK. Mr. Speaker, the true mood of our young people can best be judged by their individual expressions.

Mr. Mike Connelly is a junior in business administration, pursuing prelaw, at Louisiana State University in Baton Rouge, La. He is also president of the Louisiana State University Chapter of the Young Americans for Freedom.

Recently Mike presented a talk to the Baton Rouge Rotary Club which I feel is worthy of consideration by our colleagues. With young men like Mike Connelly for our future leaders, I feel our country will be in capable hands.

I include his speech in the RECORD at this point:

COMBATTING THE "NEW LEFT"

(By Mike Connelly)¹

The other night as I was thumbing through the new issue of Reader's Digest I came upon an article of great significance to me. It was a eulogy written by an anguished father to the son he had lost on the battlefield in Vietnam, and as I read it, I knew that it was going to make my task before you today much easier. The man who wrote the article was rededicating himself to the principles that his son had died for, and I found myself making the same rededication. Upon reading the article for the first time I felt a sense of failure. I felt as

¹ Talk presented to Baton Rouge Rotary Club, Wednesday, May 21, Capital House, Baton Rouge. Mr. Connelly is a Junior in Business Administration at L.S.U., pursuing a pre-Law degree. He is President of the L.S.U. Chapter of Young Americans for Freedom and represents that organization in this speech.

if I had failed this young soldier and failed my country. Why, I asked myself, did he have to die on a distant battlefield while I stayed at home, safe from the bullets that had ripped his body?

But then as I reread the article for a second time I began to realize the full significance of what his father was trying to say. I realized that the field of combat his son died upon is only one of the battlefields that America must fight on. And as he fulfilled his duty against the Vietcong, I must fulfill mine against an enemy at home, an enemy just as dangerous and one which is not being adequately met.

His enemy carries a Communist made rifle while mine carries a picket sign with a Communist inspired slogan upon it. His enemy fires rockets and artillery rounds, while mine hurls Molotov cocktails and rocks. His enemy storms the barricades of freedom in a liberty seeking country in Southeast Asia, while my enemy hurls himself against the barricades of America's cherished institutions. And while his enemy seeks to tear the American flag from its lofty perch and drag it through the mud of a rice paddy, my enemy seeks to burn our flag in front of the eyes of the world.

Yes, the conclusion is obvious, the enemy is the same whether he wears the uniform of a Communist or Nazi soldier or the unorthodox garb that is characteristic of the New Left. They all seek the same objectives, the destruction of our country and the liberty it holds so precious.

So it is to defeating this enemy, wherever he may be found, that I have rededicated myself. I stand before you today as a representative of a new group of young Americans. A group that shares my inherent belief in the principles of the greatest nation the world has ever known.

We are prepared to go on the offensive, here on the L.S.U. campus and on campuses all over the country. No longer will we tolerate the misdeeds of a violent minority that hides behind the sacred guarantees of our constitution while it seeks to destroy the very institutions that were constructed by it.

And what of our enemy, who are they and what do they believe? Well, the Students for a Democratic Society, which seems to speak for the New Left, has as its professed goal the destruction of the establishment. That means you and I, gentlemen, and everything we believe in. It includes our economic and political systems as well as our belief in God and our very moral fiber. And what do they offer as an alternative? Well, I guess it was summed up best by one of SDS's own national leaders when he said that "we seek to destroy the establishment in the hope that out of the rubble something better will emerge". When asked what that something better might be, he said they hadn't thought about that yet. Well, I have thought about it and I can readily predict what will come about if the New Left has its way with America. It will be Communism or Facism or some other form of tyranny that seeks to end forever the God-given rights of man.

And what about their methods? Well, the New Left has adopted the old Communist supported philosophy that the end justifies the means. We all saw the pictures of the Democratic convention in Chicago when chaos and violence reigned supreme. Where Vietcong flags flew side by side with the black flag of anarchy and the blood red flag of Communist inspired revolution, and then when the demonstrations flared into the inevitable violence that accompanies New Left events, the press and the presidential commission had the utter audacity to term it a police riot. I believe I would have swung a pretty mean billy club myself if someone had shouted obscenities at me for twenty-four hours and showered me with everything from eggs and tomatoes to golf balls with spikes in them to homemade spears.

Yet as vicious as the New Left was at Chi-

cago, it is nothing to what they are doing on the campuses of America's first educational institutions. As a student this is what concerns me most. I recently returned from a trip to Washington, D.C., where I attended a conference on S.D.S. There were students from all over the country there, from such campuses as Berkeley, San Francisco State, Columbia, and Chicago, and from them I learned the real story of S.D.S. These were students who had listened with sympathy to the promises of student rights that S.D.S. had offered. They had seen the problems that truly exist on many campuses and they had yearned to find a cure.

Yet now they were banning together to face an even greater problem, that of the self-imposed tyranny of the New Left. I heard many stories and they both shocked and frightened me. They were stories of beatings and the threats of beatings given to conservative students, and of the open violence at San Francisco State, Columbia, and so many other campuses. Stories of harassment of professors and administrators, be they conservative or liberal, who refused to do the bidding of a minority of militant students. They talked of the complete lack of freedom of speech at such places as Berkeley and New York University, where virtually anyone not on the far left cannot speak without being shouted down, humiliated and threatened with physical violence.

The students I talked to have become disillusioned with and fearful of SDS, and finally they have become angry and in some cases militant. Who can blame them? I certainly cannot. It is not hard to become disillusioned with an organization whose national leadership opposes American involvement in Vietnam, yet supported the Russians invasion of Czechoslovakia as an internal Russian affair. Inconsistent, you say, not really when you consider that almost half of the delegates to SDS's recent national convention were also members of the Chinese Communist Progressive Labor Party.

Perhaps you think that it cannot happen here. There is an SDS on the campus now and a so-called Student Liberal Federation which has adopted many of SDS's programs. Already there have been instances of guest speakers on the campus being shouted down, and the use of violence against conservative students. The Student Liberal Federation has decided not to follow the rules and regulations set down by the university. And the other night the SLF brought a member of SDS's national executive committee to speak on the campus. Need I say more?

But, gentlemen, you see before you one student among many that is not going to stand by and let the forces of anarchy have their way here at L.S.U. Two new organizations, the Young Americans for Freedom and the Collegiate Conservative Union, have been formed on the campus with the primary objective of mobilizing students to counteract the New Left.

Our program is relatively simple. Through the Collegiate Conservative Union we plan to launch a philosophical attack on the chaotic ideas of the New Left. Through the use of literature supplied by our national organization, the Intercollegiate Studies Institute, we plan to flood the campus with the writings on the philosophy of our nation, and through the Young Americans for Freedom we plan to expose the hypocrisies of the New Left, and force them to do battle on grounds where they will surely be defeated. The first issues of The Collegiate Conscience have appeared on the campus. It is a conservative newspaper that not only exposes the New Left, but offers realistic alternatives to their program. YAF will do many other things, too. Included among these are the bringing in of nationally known speakers, the staging of patriotic rallies supporting our country and, if necessary, we will stand in the doorways of our campus buildings to keep SDS from destroying them.

In short, gentlemen, we offer a new philosophy to our students. It is a philosophy of positive action. A philosophy of patriotism, pride, honor, and responsibility. We do not ignore the problems of our nation, our state or our university, but we do believe that there are no problems so great that our nation cannot solve them through its established institutions without the destruction of those institutions!

As a student I cannot help but favor an increase in student rights, but I favor them only if they come with an increase in student responsibility. Responsibility, that is a word the New Left seems to have excluded from its vocabulary. My fellow students cannot and will not exclude it from ours. It is too much a part of the nation that we love. We are Americans and proud to say it. We do not try to hide the lump we get in our throats as the National Anthem is played or the stars and stripes pass in review.

Patriotism is not just a word to us, it is a way of life. There will be no American flags burned in our presence, and no funds will be collected on this campus to aid the Vietcong. Our university is a part of our country and we intend to see that it fulfills its obligations not only to the students who come here for an education, but also to the people and government that support it.

We want the doors of our university opened to all opinions, and we will respect the rights of others to disagree, for this is a part of our heritage. But we will not glorify treason by calling it dissent, and we will not stand by quietly as someone advocates the violent overthrow of our country. We cannot condone violence in any form against our university or country.

Too much blood has been lost and too many tears shed in defense of America for us to allow the university to be used as a staging ground for the destruction of our society. We will not allow ourselves to forget the sacrifices that your generation and the generations before you have made for us. And we pledge to you that our campus will remain open and our nation free.

With your help our movement can perhaps spread to other campuses, and enlist the support of all students that feel as we do. We are going to turn off the New Left, and with the help of all Americans and the principles of our nation as our guide, we will turn on a bright new tomorrow.

So we return now to the story of a young man who should be here with me today. He and many like him could testify to the greatness of America. But they could not be here because, you see, they have already given their testimony with their lives. They died at Bunker Hill, Gettysburg, Iwo Jima, and Korea, and they are dying now in a place called Vietnam. Throughout two centuries and countless battles our countrymen have died for America, now it is time we started living for it.

CONGRESSIONAL ROLL CALL NIGHT BASEBALL GAME

HON. FRANK M. CLARK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. CLARK. Mr. Speaker, this year's record crowd at the eighth annual Congressional Rollcall Night Baseball Game is a tribute not only to the good sportsmanship of the Members of Congress who participate in this great annual event, but it is also a tribute to the hard work of a lot of people here on Capitol Hill.

The Congressional Secretaries Club board and the baseball committee really

pitch in every year to make this annual event a success and their efforts for the most part go unnoticed.

Through the years there has been one man in particular who has labored long and hard to keep things moving on the diamond and on the Hill, and that man is John "Skip" Maraney of the House Clerk's staff. Skip was on the original baseball game committee back in the days when our former colleague, Carroll Kearns, of Pennsylvania, and Sid Yudin, of Roll Call collaborated to get the national pastime back into our National Legislature.

Skip has performed a variety of chores for this event, and this year his performance in making all the congressional game arrangements was as usual excellent.

So, Mr. Speaker, to Skip and his associates on the staff, let me say thanks for a good job well done.

ROTC STUDY

HON. CARLETON J. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1969

Mr. KING. Mr. Speaker, the ROTC is an institution that every college and university should be proud to have on its campus. Without ROTC, the United States would have had an extremely difficult time finding the officers necessary to lead our military forces in defense of American freedom in World War II, in Korea, and now in Vietnam. The service academies cannot begin to supply the number of officers needed in times of national emergency.

Recently, there have been outbursts against the Reserve Officer Training Corps on several of our college and university campuses. Some of the universities have gone so far as to yield to the demands of a small handful of SDS-type malcontents by reducing the ROTC to an extracurricular activity without benefit of academic credit.

Fortunately, the United States is not without academic leaders who are willing to condemn current trends and developments with respect to the downgrading of the ROTC. An exchange of correspondence concerning the retention of the ROTC program at Cornell University has recently been called to my attention, and I would like to share it with my colleagues. Attached is a memorandum from Prof. Gordon P. Fisher to Dean L. Linscott of Cornell University and Dean Linscott's reply regarding the ROTC study at Cornell.

Mr. Speaker, this correspondence has been brought to my attention by Maj. Gen. Laddie L. Stahl, USAR, the commanding officer of the 98th Division, a training division consisting of 3,200 officers and enlisted men. General Stahl has been an outstanding military officer since receiving his commission in 1942. Since resigning from the Regular Army in 1954, General Stahl has been employed by the General Electric Co. and is presently the manager—Research and Development Application Service, Research and Development Center.

Under unanimous consent I submit for

inclusion in the CONGRESSIONAL RECORD, as follows:

MAY 19, 1969.

Re the ROTC Study.
To: Dean L. Linscott.
By: Gordon P. Fisher.

It may have come to your attention that I have been asked to serve on the Faculty committee on R.O.T.C. Knowing of your interest in this matter, I am asking your assistance in striving to reach a point of view that is broadly representative of Faculty opinion.

It would be most helpful to me to have your views on the R.O.T.C. question in general and a statement of your fundamental concern. In addition to other views, I would welcome your comments on three points particularly:

(1) Should universities support R.O.T.C. programs and engage in the education of regular and reserve military officer candidates? Why?

(2) Assuming that the answer to (1) is yes and well-supported by argument, should Cornell be so engaged? What, in your view, are the really compelling philosophical reasons for Cornell to maintain an R.O.T.C. program? Should it be left to other universities such as Texas A & M, V.P.I., etc. which are more receptive, perhaps because of their roots in a military tradition, to carry on R.O.T.C. education? (For example, the provision of military scholarships to Cornell students is not to my mind a compelling reason, although it is certainly part of the price to be paid for abolishing R.O.T.C.)

(3) If R.O.T.C. programs should continue at Cornell, hopefully with some enthusiasm and honest cooperation to insure their respectability within the University, what changes, if any, in the content and mechanics of the program would you like to see made? Which are vital? Which should receive top priority? In parallel, what steps could the University administration and other academic departments take on their side to enhance military officer education and its position in the University?

I shall be most grateful for your considered response. In responding, please tell me also whether you would object to having your statement exposed to the full Committee. I am indebted to those of you who already have sent me statements of your views. Please feel free to extend this invitation to any of your faculty colleagues.

MAY 28, 1969.

To: Prof. Gordon P. Fisher.
From: Dean L. Linscott.
Re: The ROTC Study.

Thank you for your memo of May 19 regarding the ROTC study. I am happy to forward an opinion to you on this matter. Feel free to expose the statement to the full committee if you so desire.

I will comment on the three points you mentioned first.

(1) The universities of the nation should support ROTC programs and engage in the

education of regular and reserve officer candidates. In my opinion, mankind has not progressed sufficiently to eliminate the need for defensive mechanisms, and it is not likely in the foreseeable future that the situation will change. Therefore, the armed forces purpose is to defend the nation, uphold the constitution, and act as directed by civilian authority in the best interests of this nation and the world. Members of the services are participating in a necessary and an honorable profession. (Excesses, mismanagement and other deficiencies present in any organization are not in question at the moment.)

I think we ought to assume as a fundamental principle that civilian authority should prevail over the military because of the inherent power of a military organization. In other words, civilian influence and control of the armed forces should be a national concept, a part of the check and balance system to be maintained intact or even strengthened. Military forces, especially of this nation, do not initiate action unilaterally. Armed forces are instruments of civilian policy. Major confrontations nearly always stem from civilian diplomatic failures. In view of our present global commitments it is amazing to me that incidents of small confrontations, which may or may not have been the result of unilateral military indiscretion, have been so few in number. Indeed, this fact is highly complimentary of the judgments exercised by our armed forces.

If the armed forces, acting under civilian direction and influence, perform their missions in the best interests of the United States and hopefully the world, as directed by civil authority and do so in a spirit of protection and defense and not aggression, it seems to me that they are a moral force and hold a necessary and legitimate place in our society. Thus, universities have the same responsibilities to the armed forces as they have to any special interest group—medicine, engineering, agriculture, business, law, industry, labor, etc. The argument against specialized education or training of the military by universities can be applied with equivalent logic to all of these groups. Some say let the military conduct their own specialized postgraduate education programs and keep the military off the campus. Others may say let the sociologists conduct their own specialized postgraduate educational programs and keep the sociologists off the campus. Accept one argument and it seems you should accept the second.

A second compelling reason stems from the philosophy of civilian control and influence of the military and other necessarily authoritarian agencies. To disengage universities from the military will cause a situation of inbreeding and seclusion which ultimately may foster sharp confrontations between civilian and military agencies at grass roots as well as top levels. We should keep civilians close to and within the military structure who can appreciate the military point of view, yet convey effectively to the armed forces a sense of civilian purview and

objectivity. I can testify that the Reserve Officer fulfills this role.

A third argument, although not critical, is one to consider. If universities condone and accept vocal extremist groups as a legitimate part of their systems (some of which groups publicly advocate the destruction of constitutional authority and the nation, by whatever means possible) then it seems the universities are bound to accept and support organizations with opposing views (some of which are sworn to defend the nation and constitutional authority) if indeed they are to be called universities.

(2) The answer to (1) was yes, hopefully supported by satisfactory argument. Should Cornell be so engaged? Yes. We should have military officers from universities which are not heavily vested in military tradition for reasons indicated in (1). Numbers of officers graduating from Cornell, of course, are insignificant. But Cornell is considered by some to be a bell-wether university—"the most western of the eastern and most eastern of the western." Ill considered action by Cornell could have inordinate consequences. The principle as stated in (1) is the key. If the answer to (1) is yes, Cornell as a leader should give active support to ROTC programs. A second reason, Ezra Cornell wanted a university where one could study any subject—a present day impossibility. I think he really wanted a university of free expression with balanced programs. I do not see ROTC as a threat to any other Cornell program while retaining value and validity in its own right.

The suggestion has been made to let Texas A & M, V.P.I. etc. produce our military officers. Since the Ivy league produces so many leaders in government and politics are we indeed suggesting that the Midwestern and Southern schools develop those men who have to clean up after the failures of our protégés? Isn't this an example of the "in-equities" that some of our students and faculty have been so concerned about?

(3) The military has given honest cooperation to this University in the past and gives every indication of being willing to do so in the future. In return they should be allowed to perform their teaching role by the university without unwarranted harassment.

Military curriculum should be left to the faculty committee on military curriculum and the military. We have no convincing evidence that the military at Cornell are operating in any manner inconsistent with Cornell traditions. If you find evidence to the contrary, my suggestion is that the military will encourage dialogue and bilateral action for improvement. I am impressed by the general lack of criticism by students of military courses, the manner of presentation, and of the professional competency of the military professors. I say that there is no real problem with the ROTC at Cornell.

In summary, I think it would be a serious error for this University to remove ROTC from the campus. To do so would serve no creditable or legitimate purpose, in my opinion.

SENATE—Thursday, June 19, 1969

The Senate met at 11 o'clock a.m., and was called to order by the Vice President. The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O God, whose splendor fills the world, whom we would worship in the beauty of holiness, and whom we can find in the holiness of beauty, who art ever saying "he that hath ears to hear, let him hear"

mercifully quicken all the senses with which Thou hast endowed us, that each may be an opening door into the presence of the Eternal. However few or many our days, we thank Thee for life itself and that we may serve Thee here. Receive, O Lord, the dedication of energies, that amid the round of daily duties we may keep ever before us the vision of the higher kingdom which Thou hast re-

vealed in Thy Son who went about doing good, and in whose name we pray. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, June 18, 1969, be dispensed with.