

service; to the Committee on Post Office and Civil Service.

H.R. 12777. A bill to implement the Federal employees' pay comparability system by adjustments in the rates of compensation of employees holding positions under either the classified general schedule, or within the Department of Medicine and Surgery of the Veterans' Administration, or under section 412 of the Foreign Service Act of 1946, as amended; to the Committee on Post Office and Civil Service.

By Mr. PEPPER (for himself, Mr. ADABBO, Mr. ANDERSON of California, Mr. BLATNIK, Mr. BRASCO, Mr. BUTTON, Mr. CLARK, Mr. CONYERS, Mr. DANIELS of New Jersey, Mr. DENT, Mr. DONOHUE, Mr. DULSKI, Mr. DUNCAN, Mr. WILLIAM D. FORD, Mr. FULTON of Tennessee, Mr. GILBERT, Mr. GONZALEZ, Mr. HAWKINS, Mr. HELSTOSKI, Mr. JOHNSON of California, and Mr. KLUCZYNSKI):

H.R. 12778. A bill to create a Department of Youth Affairs; to the Committee on Government Operations.

By Mr. PEPPER (for himself, Mr. MACDONALD of Massachusetts, Mrs. MINK, Mr. MORGAN, Mr. NIX, Mr. PETTIS, Mr. POWELL, Mr. PREYER of North Carolina, Mr. PRICE of Illinois, Mr. PUCIN-

SKI, Mr. REES, Mr. ST GERMAIN, Mr. TIERNAN, Mr. THOMPSON of New Jersey, Mr. WALDE, Mr. CHARLES H. WILSON, Mr. MCCULLOCH, and Mr. WOLFF):

H.R. 12779. A bill to create a Department of Youth Affairs; to the Committee on Government Operations.

By Mr. STAGGERS:

H.R. 12780. A bill to amend the Federal Airport Act, and to provide additional Federal assistance in connection with the construction, alteration, or improvement of airports, airport terminals, and related facilities, to provide relief of congestion at public airports, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. HANSEN of Washington:

H.R. 12781. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes.

By Mr. DOWNING:

H.J. Res. 812. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. WHITEHURST:

H.J. Res. 813. Joint resolution proposing an amendment to the Constitution relative to

equal rights for men and women; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H. Res. 478. Resolution to express the sense of the House of Representatives that the President should make all necessary efforts to place before the United Nations Committee on the Peaceful Uses of the Seabed and Ocean Floor Beyond the Limits of National Jurisdiction a resolution endorsing basic principles for governing the activities of nations in ocean space; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CORMAN:

H.R. 12782. A bill to extend the term of U.S. Letters Patent No. 2,579,304; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.R. 12783. A bill for the relief of Dr. Tuneo Yamada; to the Committee on the Judiciary.

By Mr. GAYDOS:

H.R. 12784. A bill for the relief of Joseph C. Petrick; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

STEMMING THE TIDE OF POPULATION GROWTH

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. SCHEUER. Mr. Speaker, several weeks ago, Representative GEORGE BUSH and 60 of my colleagues in the House, in a display of political and ideological non-partisanship rare in congressional annals, joined me in sponsoring a population bill designed to provide the United States with a coordinated, comprehensive, and effective population policy which, if enacted, will establish the machinery by which the United States will be able to move to curtail uncontrolled population growth at home. The measure was sponsored by Senator JOSEPH D. TYDINGS, Democrat, of Maryland, and 22 of his colleagues in the other body.

It was noted at the time that the scope of the problem, of great import and consequence nationally, was worldwide in nature. If present population growth continues unabated, the present world population of 3½ billion will double to 7 billion by the year 2000. Even more critical is the fact that 80 percent of this increase will occur in the developing nations of the world. In low-income countries, population is doubling every 25 years or less. This means currently available and new education and health facilities will be immediately subjected to intolerable burdens, and indeed, will be inadequate as soon as built. Resources needed for industrial development will have to be diverted to meet ever increasing needs of people who are undernourished, undereducated, undertrained, and unemployed—living in the kind of squalor most Americans cannot even begin to imagine. Rapid population growth makes it virtually impossible to improve

conditions of the poor in underdeveloped countries by nullifying any chance to increase per capita income. Unrestrained population growth is indeed the treadmill which undermines all efforts to improve the lot of our fellow human beings in most parts of this planet.

A distinguished panel established by the United Nations Association of the United States of America has prepared an excellent report on the world population situation which is worthy of the attention of every Member of this distinguished body, indeed of every American. The panel was chaired by John D. Rockefeller III, the distinguished chairman of the Rockefeller Foundation and consisted of an impressive group of businessmen, educators, and professionals, including former Budget Director David Bell, Director of AID John A. Hannah, former President of the International Bank for Reconstruction and Development George D. Woods, and others. The report does an excellent job in defining the problem, pointing up the need for action and setting forth reasons for involvement of the United Nations and the U.N. system. It establishes a population commissioner to serve as an international administrator of population programs. It describes the activities of a variety of United Nations agencies formulating policies which can be relevant and acceptable to participating member nations and which policies would be executed by participating governments. It sets forth the type of programs that could be undertaken in the areas of technical assistance, training, and operational research projects. It points up the need for meaningful research and notes the contribution that could be made by the U.N. system to a comprehensive, balanced, coordinated population program.

This report is most timely. Both Secretary General U Thant and World Bank President Robert S. McNamara have sounded warnings about the crisis we

face throughout the world. Secretary General Thant gives us 10 years to reverse the world population growth before it becomes an irreversible and unmanageable catastrophe. Mr. McNamara called the situation one of "dynamic misery, continuously broadened and deepened by a population growth that is totally unprecedented in history."

I would commend to my colleagues a careful reading of the national policy panel report. In my judgment it reflects a sober analysis of the most critical problem confronting us next to the elusive attainment of world peace. The report is moderate, politically feasible and a useful guide to the architects of our foreign policy. Within the near future I will ask my colleagues to join me in sponsoring a resolution urging the President to make the recommendations of the report part of our foreign policy. The summary and recommendation of the panel follows:

The Panel believes that high fertility and high rates of population growth impair individual rights, jeopardize national goals and threaten international stability.

The Panel believes that all governments in developed and developing countries should attempt to ensure that their peoples have knowledge of and access to family planning information and services, and that the vast majority of such governments need policies intended to reduce the rate of population growth.

The Panel welcomes the increasing level of bilateral commitments in the field of population and family planning and hopes that through discussions in forums like OECD, existing and potential donor countries may decide to devote even greater resources to these activities.

The Panel believes that the UN system has a legitimate concern with the population problem and is uniquely qualified to make an important practical contribution towards its solution.

The Panel believes that the World Health Organization has an especially important role to play in support of national family planning programs and should make a major effort in this area.

The Panel believes that the precondition for successful UN system action is radical upgrading in the priority accorded to population activities by the agencies involved and that this can be achieved through a series of feasible and realistic programs.

The Panel therefore recommends:

(1) that a Commissioner for Population be appointed within the United Nations Development Program and a high-calibre staff recruited; that the Commissioner—acting with the agreement of the Administrator of UNDP—have the central role in planning and coordinating UN system assistance to the population programs of member governments; and that, in this work, he report to the Governing Council of the UNDP.

(2) that the Commissioner for Population be responsible for handling the Population Trust Fund recently established by the Secretary-General; that all decisions concerning budgets and work programs financed from the Population Trust Fund be made by the Commissioner with the approval of a Special Population Committee of the UNDP Governing Council, the membership of which Committee would be drawn from those countries which have made contributions to the Population Trust Fund and from those countries which wish to receive assistance from it; and that the Commissioner—with similar approval of the Special Population Committee—have authority to allocate funds to UN agencies, other bodies outside the UN system or directly to governments.

(3) that the Commissioner for Population have responsibility for the implementation and expediting of projects financed from the Population Trust Fund as well as population projects financed from the regular resources of the UNDP.

(4) that provided this system of strong central coordination and direction is working successfully, the Population Trust Fund be expanded from its present level of \$1.5 million to \$100 million a year by the end of a three-year period, thus permitting a meaningful multilateral commitment in the population field and providing a real incentive to the governments assisted to develop effective and imaginative projects.

(5) that the Commissioner for Population be prepared to sponsor or support projects extending across the whole spectrum of population and family planning programs, such as the training of medical and paramedical personnel; family planning components of health facilities; the use of mass-communication techniques; the manufacture of contraceptive materials; the establishment of special population study centers as well as ongoing statistical census and demographic work.

(6) that the Commissioner for Population devote substantial resources from the Population Trust Fund to the support of research into better methods of fertility control into the operation of family planning programs and into the relationship between population policy and development policy.

(7) that the Commissioner for Population serve as a principal representative of the UN in those intergovernmental forums where population policies and programs are or should be under discussion, such as meetings of the UN and its Specialized Agencies, the World Bank's Consortia and Consultative Groups, the Inter-American Committee of the Alliance for Progress (CIAP), the Development Assistance Committee (DAC) of OECD, the Regional Development Banks and the Regional Economic Commissions.

If the recommendations of this Report are favorably received, we urge that the governments principally concerned press for early action to put them into effect. The United Nations system will be as effective as its member nations and its Specialized Agencies choose to make it. The Panel believes that

a full-scale UN system effort in the population field would make a unique contribution to individual happiness, the prosperity of nations and world peace. It is a contribution which, surely, would be consistent with the highest hopes and ideals of those who met together in San Francisco nearly twenty-five years ago to found a great organization.

There is, at the present time, a great debate in the United States concerning priorities. Responsible Americans have begun to question seriously the need to alter our fundamental approach to the critical problems confronting our society. We are looking far more carefully into the ways we utilize our resources. Philosophically, we have given lipservice to peace, but heretofore we seem unable to mobilize our energies to achieve meaningful peace just as we mobilize our resources to successfully prosecute a war.

We now approach a turning point in man's quest for survival that has nothing to do with war; but has much to do with the way we live in peace. Overpopulation, air and water pollution, the piling of garbage in our urban areas, are a few of the problems to which we must devote our attention or suffer deplorable consequences. We no longer can afford to identify these matters with tags marked anything less than "top priority."

The U.N. Association's report is another graphic illustration of the urgency of the population problem. Stemming the tide of population growth is the first order of business for a world dedicated to peace. We must conceptualize and then design and create a world without war, destruction, and violence—a world in which the quality of life is more revered than the quality of death. The time for such action is now.

CESAR CHAVEZ; A LEADER OF
PEOPLE

HON. RALPH YARBOROUGH
OF TEXAS

IN THE SENATE OF THE UNITED STATES

Thursday, July 10, 1969

Mr. YARBOROUGH. Mr. President, in the past few weeks, two national magazines have published major articles on an American whose philosophy of non-violence and deep concern for his fellow citizens have been overlooked until now.

Cesar Chavez has become through his unstinting efforts and unquestioned personal integrity a symbol of how one man with ideals can change the attitudes of the entire Nation. He has brought the problems of the migrant worker and especially the Mexican American to the attention and the conscience of the United States. I believe that it is fitting that both the New Yorker magazine and Time magazine have written such fine articles on Mr. Chavez and his work.

I ask unanimous consent that the articles from Time magazine of July 4, 1969, entitled "The Little Strike That Grew to La Causa" and the New Yorker magazine of June 21 and 28, 1969, entitled "Profile—Organizer" be printed in the Extensions of Remarks.

There being no objection, the articles

were ordered to be printed in the RECORD, as follows:

THE LITTLE STRIKE THAT GREW TO LA CAUSA

Item: At a dinner party in New York's Westchester County, the dessert includes grapes. The hostess notices that her fellow suburbanites fall to with gusto; the guests from Manhattan unanimously abstain.

Item: At St. Paul's, a fashionable New Hampshire prep school, grapes are the only part of the meal invariably left untouched.

Item: In San Francisco, a Safeway official observes: "We have customers who come to the store for no other reason than to buy grapes. They'll load up their car with grapes and nothing else."

Item: In Oakland, a conscience-ridden housewife explains apologetically to her dinner companions: "I really wanted to have this dessert, and I just decided that one little bunch of grapes wouldn't make that much difference."

Item: In Honolulu, the Young Americans for Freedom organizes an "emergency grape lift" by jet from the mainland, inviting "all of those starved for the sight of a California grape to come to the airport."

Why all the excitement about this smooth, sweet and innocent fruit? The answer is that the table grape, *Vitis vinifera*, has become the symbol of the four-year-old strike of California's predominantly Mexican-American farm workers. For more than a year now, table grapes have been the object of a national boycott that has won the sympathy and support of many Americans—and the ire of many others. The strike is widely known as *la causa*, which has come to represent not only a protest against working conditions among California grape pickers but the wider aspirations of the nation's Mexican-American minority as well. *La causa's* magnetic champion and the country's most prominent Mexican-American leader is Cesar Estrada Chavez, 42, a onetime grape picker who combines a mystical mien with peasant earthiness. *La causa* is Chavez's whole life; for it, he has impoverished himself and endangered his health by fasting. In soft, slow speech, he urges his people—nearly 5,000,000 of them in the U.S.—to rescue themselves from society's cellar. As he sees it, the first step is to win the battle of the grapes.

MAGNIFIED MOVEMENT

To enter the public consciousness, a labor conflict must ordinarily threaten the supply of essential goods and services, like steel or transportation. Politicians and the public take notice only when there is great impact on the economy, when spectacular bloodshed occurs or when well-recognized issues are at stake. The grape strike seems to meet none of these criteria. Americans could easily live without the table grape if they had to, and even that minor sacrifice has been unnecessary. The dispute has been relatively free of violence. Neither great numbers of men nor billions of dollars are involved. The welfare of agricultural workers has rarely captured U.S. attention in the past, but the grape strike—*la huelga*—and the boycott accompanying it have clearly engaged a large part of the nation.

The issue has divided husband and wife, inspired countless heated arguments at social occasions and engendered public controversy from coast to coast. As if on a holy crusade, the strikers stage marches that resemble religious pilgrimages, bearing aloft their own stylized black Aztec eagle on a red field along with images of the Virgin of Guadalupe, patroness of Mexicans and particularly of those who work the soil. As the workers and their sympathizers march, supermarket chains, middle-class consumers, and even the grape growers are choosing sides. Some supermarkets are leaving the choice to the shopper. Others sell only grapes imported from Africa or Israel, and make a

point of advertising that they do not carry the California product. On Capitol Hill, diners in the House restaurants have not seen a grape for months, while the Senate refectory has been using 15 lbs. to 20 lbs. a week. When one California Congressman sent large bags of grapes to each of his colleagues, many of the recipients returned them. Within a few hours, the corridor outside the Congressman's office was asquish with trod-upon fruit.

Governor Ronald Reagan calls the strike and boycott "immoral" and "attempted blackmail." Senator George Murphy, like Reagan an old Hollywood union man-turned-conservative, terms the movement "dishonest." The Nixon Administration has seemed ambivalent, putting forward legislation that would ostensibly give farm workers organization rights but would also limit their use of strikes and boycotts. The Pentagon has substantially increased its grape orders for mess-hall tables, a move that Chavez and his followers countered last week by preparing a lawsuit to prevent such purchases on the ground that grapes are the subject of a labor dispute. Some auto-bumper stickers read: NIXON EATS GRAPES. The growers' answering slogan: EAT CALIFORNIA GRAPES, THE FORBIDDEN FRUIT.

Edward and Ethel Kennedy, following the late Robert Kennedy's example, have embraced Cesar Chavez as a brother. The so-called Beautiful People, from Peter, Paul and Mary to the Ford sisters, Anne Uzielli and Charlotte Niarchos, are helping to raise funds for the strikers. That support is one of the few issues that find Chicago Mayor Richard Daley, iconoclastic Writer Gloria Steinem, and liberal Senators Jacob Javits and George McGovern in total agreement. Ralph Abernathy lends black help to what is becoming the Brown Power movement.

The fact that it is a movement has magnified *la huelga* far beyond its economic and geographic confines. At stake are not only the interests of 384,100 agricultural workers in California but potentially those of more than 4,000,000 in the U.S. Such workers have never won collective bargaining rights, partially because they have not been highly motivated to organize and partially because their often itinerant lives have made them difficult to weld into a group that would have the clout of an industrial union. By trying to organize the grape pickers, Chavez hopes to inspire militancy among all farm laborers. Because most of the grape pickers are Mexican Americans, he also believes that he is fighting a battle on behalf of the entire Mexican-American community, which as a group constitutes the nation's second biggest deprived minority.

UNLETTERED AND UNSHOD

Like the blacks, Mexican Americans, who are known as *Chicanos*, are a varied and diverse people. Only recently have they emerged from a stereotype: the lazy, placid peasant lost in a centuries-long siesta under a sombrero. Unlike the blacks, who were brought to the U.S. involuntarily, the *Chicanos* have flocked to the U.S. over the past 30 years, legally and illegally, in an attempt to escape the poverty of their native Mexico and find a better life. Whatever their present condition may be, many obviously find it better than their former one, as evidenced by the fact that relatives have often followed families into the U.S. The *Chicanos* do not speak in one voice but many, follow no one leader or strategy. Their level of ambition and militancy varies greatly from *barrio* to *barrio* between Texas and California.

No man, however, personifies the *Chicanos'* bleak past, restless present and possible future in quite the manner of Cesar Chavez. He was the unshod, unlettered child of migrant workers. He attended dozens of schools but never got to the eighth grade. He was a street-corner tough who now claims as his models Emiliano Zapata, Gandhi, Nehru and

Martin Luther King. He tells his people: "We make a solemn promise: to enjoy our rightful part of the riches of this land, to throw off the yoke of being considered as agricultural implements or slaves. We are free men and we demand justice."

The dawning of Chavez's social awareness came in a seamy San Jose, Calif., *barrio* called *Sal Si Puedes*—"Get out if you can." Through Fred Ross, a tall, quiet organizer for Saul Alinsky's Community Service Organization, Cesar began to act on Alinsky's precept that concerted action is the only means through which the poor can gain political and economic power. Chavez, a Roman Catholic, has delved deeply into the papal social encyclicals, especially *Rerum Novarum* and *Quadragesimo Anno*.¹ "What Cesar wanted to reform was the way he was treated as a man," recalls his brother Richard. "We always talked about change, but how could we go about it?" Cesar Chavez went about it by working with the C.S.O. among Mexican Americans for ten years. Then, in 1962, he left to form a farm workers' union.

The conditions under which farm laborers toil have improved somewhat since the squalid Depression era so well evoked by John Steinbeck in *The Grapes of Wrath* and *In Dubious Battle*; yet field work remains one of the most unpleasant of human occupations. It demands long hours of back-breaking labor, often in choking dust amid insects and under a flaming sun. The harvest-time wage for grape pickers averages \$1.65 an hour, plus a 25¢ bonus for each box picked, while the current federal minimum wage is \$1.60.

Despite this, the seasonal and sporadic nature of the work keeps total income far below the poverty level. Average family income is less than \$1,600 a year. There is no job security, and fringe benefits are few. If they are migrants, the workers must frequently live in fetid shacks without light or plumbing (though housing, bad as it is, is frequently free or very cheap.) As a result, many have moved to the cities, where even unskilled labor can find work at decent wages.

Chavez was not the first to try to organize farm workers. Ineffective efforts to found agricultural unions date back to the turn of the century. But only in Hawaii, where Harry Bridges' tough longshoremen's union used its muscle to win the first farm-labor contract for sugar-cane workers in 1945, did unionization take hold. Agriculture is outside the jurisdiction of the National Labor Relations Board, which has provided federal ground rules for industrial workers' unions since 1935; on a national level, there is no similar mechanism for farm workers. In May the Nixon Administration proposed an independent Farm Labor Relations Board, but chances for passage of such a law this year are small. Without NLRB protection, and with farm labor normally transient and seasonal, the difficulties of organizing are enormous.

ROSE GRAFTS AND TABLE GRAPES

Undeterred by these obstacles, Chavez took his \$1,200 in savings and started the National Farm Workers' Association seven years ago, setting up its headquarters in the San Joaquin Valley agricultural town of Delano. He clicked off 300,000 miles in a battered 1953 Mercury station wagon, crisscrossing the San Joaquin and talking to more than 50,000 workers in the first six months. His money was soon gone, but he found peo-

ple who were willing to give him food. The N.F.W.A. had its first formal meeting in Fresno in September 1962; 287 people showed up. Chavez soon started a death-benefits plan for his members, a curious echo of the burial societies organized decades ago by Eastern European immigrants on their arrival in the U.S. He also set up a credit union with \$35 in assets (it now has more than \$50,000). By August 1964, he had 1,000 members, each paying \$3.50 a month in dues—no small sum for a farm worker's family. Soon he began publishing a union newspaper called *El Malcriado* (The Misfit), whose circulation is 18,000.

At last the union felt strong enough to tackle the growers on a substantive issue. In 1964, the N.F.W.A. took one employer to court for paying less than the then minimum wage of \$1.25 per hour, and after months of wrangling, won the case. The amounts of money gained were small but the point was made: a boss could be beaten. Then the association sued the Tulare County housing authority over the rents and conditions at two labor camps, built in the late 1930s and intended to be used for only a few years. The camps were a hideous collection of 9-ft. by 11-ft. tin shacks, boiling in the summer sun and lacking both indoor plumbing and heat for the chill nights. Tulare officials subsequently built modern accommodations.

In May 1965, Chavez signed up a group of rose grafters and won a strike vote for higher wages. Everyone pledged not to go to work, but just to make sure that no one did, Chavez and Dolores Huerta, his tiny, tough assistant, made the rounds early on the strike's first morning. Mrs. Huerta saw a light in one house where four of the workers lived. She reminded them of their pledge, but they had changed their minds. Mrs. Huerta moved her truck so that it blocked their driveway and put the key in her purse. The incident illustrated the charge that Chavez and his aides sometimes coerce those who would rather work than strike. After only four days of the strike, the grower agreed to give the workers a 120% wage increase.

That same spring, in the Coachella Valley east of Los Angeles, the largely Filipino grape pickers of the A.F.L.-C.I.O.'s fledgling Agricultural Workers Organizing Committee won a brief strike for pay equal to that given field hands imported from Mexico. When the workers moved north to Delano at the end of the summer, grape growers there refused to make a similar agreement, and A.W.O.C. once more went on strike. On Sept. 16, which just happened to be Mexican Independence Day, Chavez's group held a tumultuous meeting and voted unanimously to join the walkout. The hall of the Roman Catholic church on Delano's west side resounded with cries of "Viva la huelga!" "Viva la causa! Viva la unión!" The N.F.W.A. and the A.W.O.C. merged two years later to form the United Farm Workers Organizing Committee, headed by Chavez.

Table-grape growers are particularly vulnerable to strikes because their product requires continual attention through much of the year. Since the appearance of the fruit affects its value—unlike the case of wine grapes—the bunches must be carefully picked by hand. Because of their vulnerability, Chavez picked the table-grape growers as his first target. In 1966, after a strike, he got his first contract when Schenley Industries capitulated because it had a nationally known name at stake. Later that year he won the right to represent workers at the mammoth Di Giorgio ranch in an election monitored by the American Arbitration Association. Both Di Giorgio and Schenley have since sold their tablegrape holdings, however, and Chavez's only contracts now are with wine producers: Gallo, Christian Broth-

¹ *Rerum Novarum*, published by Leo XIII in 1891, contended that the rich had in effect enslaved the poor, and that every man has a right to a decent wage and reasonable comfort. Pius XI, in *Quadragesimo Anno* (1931), criticized the economic despotism that results from "limitless free competition" and reiterated the principle of a just wage.

ers, Masson, Almadén, Franzia Brothers and Novitlate.

BOYCOTT AND BREAKTHROUGH

Chavez has never been able to get large numbers of laborers to join the strike. Many of those who do follow him are fanatic in their loyalty, but a large segment of the shifting, transient work force continues to be indifferent to unionism. Wages have been rising even in the absence of contracts, and few farm workers can afford to go unpaid for long. Although federal regulations theoretically prohibit the hiring of aliens, or "green-carders," as strike breakers, the owners have nevertheless continued to use imported workers of Mexican citizenship.

Chavez decided to resort to the boycott to keep pressure on the table-grape growers. He applied it first in 1967 to the Giumarra Vineyards Corp., the largest U.S. table-grape producer. Giumarra started using the labels of other growers—in violation of Food and Drug Administration rules—to circumvent the boycott. In retaliation, the Chavez people began to appeal to stores and consumers not to buy any California table grapes at all. The boycott has been extended overseas to Britain and Scandinavia.

Chavez has now finally achieved a breakthrough: nationwide grape sales were off 12% in 1968, and prices for this year's first California grapes are down as much as 15%. Last month ten growers representing about 12% of the state's table-grape production announced that they would sit down with Chavez to write a contract. If negotiations with Chavez succeed, some other vineyards may also sign contracts, but a determined majority still barely acknowledge his existence and remain adamantly opposed to union recognition.

If the union does begin to win contracts with an increasing number of growers, a new difficulty could arise: How is the consumer to tell the difference between union and nonunion grapes? Boxes can be labeled easily, but not loose bunches of grapes in a market. The union claims that existing boycott machinery can be turned around to promote the produce of those who have signed; they could be marketed through the chain stores that have refused to handle the produce of struck growers. However, any such confusing procedure is bound to dilute the boycott's effectiveness.

Most of the growers bitterly dispute Chavez's contentions. His claim to represent the workers is false, they say; only 3% of California's grape pickers have joined his union. Chavez has not been able to strip the fields of workers and, they argue, even if he personally preaches nonviolence, his followers do not practice it. Packing sheds have been set afire, foremen threatened, tires slashed. Chavez also has outside help. Long-haired pickets came down from Berkeley in the early days of *la huelga*, and the union gets \$14,500 a month in grants from the A.F.L.-C.I.O. and Walter Reuther's United Automobile Workers. By insisting that all workers join his union, moreover, Chavez wants what amounts to a closed shop (which is illegal under the Taft-Hartley Act, but the act does not apply to agricultural workers). This means that, for now at least, Chavez's goal, however unpalatable, is a legal one. Chavez opposes placing farm workers under the National Labor Relations Board precisely because that would make the closed shop he seeks unlawful.

The growers of Delano are difficult to cast as villains. Many are self-made men, Yugoslavs and Italians who came to the valley between 1900 and 1940 with nothing and worked hard to amass enough capital to practice the grape-growing arts they learned in Europe. Most of the Delano spreads are family enterprises, and many of them have had rough going. Costs have risen sharply over the past decade, and grape prices have now begun to decline.

The California growers also pay the second highest agricultural wages in the U.S. (after Hawaii, where unionized workers average \$3 an hour).

While they generally belittle the extent of his support, however, the growers have gone to some lengths to counter Chavez's moves. The anti-U.F.W.O.C. campaign even included for a time a group called Mothers Against Chavez. The growers are using the J. Walter Thompson agency to place \$400,000 worth of ads extolling the benefits of table grapes. The California public relations firm of Whitaker & Baxter has been retained to advise the growers about how to counter the boycott. Whitaker & Baxter helped to manage Richard Nixon's unsuccessful campaign for governor of California in 1962, and masterminded the American Medical Association's attempt to defeat Medicare.

ON \$10 A WEEK

One reason for the lack of comprehension between Chavez and the growers is that each has different concepts of the fundamental issue. The growers see themselves as management in a classic labor dispute, while Chavez and his followers believe that the cause of all Mexican Americans is at stake.

That is what inspires Chavez's devotion to *la causa*. For years he and his wife and eight children have lived jammed into a tiny two-bedroom house in Delano, subsisting on \$10 a week from the union and on food from the communal kitchen in nearby union headquarters. Chavez has grown increasingly ascetic. He has given up casual socializing as well as liquor and cigarettes; his idea of a real treat is an eclectic meal of Chinese food, matzohs and diet soda. The fight has become his life. "The days and weeks and months run together," he told Time Correspondent Robert Anson. "I can't think back to a time when we were not on strike." Nor does he contemplate surrender to the growers. "Either the union will be destroyed," he says, "or they will sign a contract. There's no other alternative."

The use of only peaceful means has been central to his thinking since a 1953 showdown in the San Joaquin Valley between his Mexican-American C.S.O. pickets and a public official. Suddenly, he realized that if there were any violence or serious disorder it would be his responsibility. He began reading Gandhi, and he says now: "If the strike means the blood of one grower or one grower's son, or one worker or one worker's son, then it isn't worth it."

In February 1968, Chavez began a 25-day fast "as an act of penance, recalling workers to the nonviolent roots of their movement." Although he insisted that his decision was essentially a private one, the fast took on a certain circus aura and raised suspicions that its motivation was more theatrical than theological. During the fast, Chavez had to make a court appearance in Bakersfield, on charges of improper picketing, in a case that has yet come to trial. As he did so, 2,000 farm workers knelt outside in prayer. One woman solemnly asked him if he were indeed a saint. When the fast ended, Senator Robert Kennedy knelt next to him to receive Communion. Some 8,000 others joined them in Delano's Memorial Park for a bread-breaking ceremony.

The fast, and Chavez's years of 12- to 16-hour days, took their toll. Last September he suffered a muscular breakdown in his back—he had been in pain for years before that—and found his legs nearly paralyzed. After spending more than two months in traction, he has now substantially recovered, but is still bedridden much of the time. Instead of spending long hours driving around the state, he receives a constant stream of subordinates at his bedside.

Chavez's religious conviction mingles with the exigencies of the movement. He opposes birth control for his people, but only partly

out of conventional Catholicism; he argues that smaller families would diminish the numerical power of the poor. A priest brings him Communion daily. To Correspondent Anson he explained: "God prepares those who have to suffer and take punishment. Otherwise, how could we exist? How could the black man exist? There must be something special. I really think that He looks after us."

Cesar Chavez came to his mission from a background of poverty and prejudice that is a paradigm of that of many *Chicanos*. Like most Mexican Americans, he is of mixed Spanish and Indian blood, with liquid brown eyes, deeply bronze skin and thick, jet-black hair. He was born on an 80-acre farm in Arizona's Gila Valley near Yuma, where his parents tried to scratch a living from the arid desert earth. Chavez met racial hostility early in daily rock fights between Anglo and *Chicano* kids at the village school.

The farm failed in the Depression, and when Chavez was ten, the family packed everything it owned into a decrepit automobile and headed across the Colorado River into California. In Oxnard, Chavez's father found work threshing lima beans; when all the beans were harvested, the family took off, looking for other jobs and often turning up just a few days after a crop was in.

ANGLOS ON THE LEFT

That first winter back in Oxnard, with the little money earned in the fields already gone, was the family's worst time. Cesar's brother Richard remembers: "There was this nice lady there, and she had a vacant lot that she let us use. So we put up a tent. It was a very small tent—I guess about 8 by 10. That's all we had. All the family stayed there. And it rained that winter. Oh, it rained. Rain, rain, rain. We had to go to school barefoot. We had no shoes. I can't forget it."

The family lived that winter on beans, tortillas and an occasional potato. Chavez's father sometimes picked peas for 50 cents a day, half of which went to the contractor who drove the workers to the fields in the back of a flatbed truck. There was nothing else to do. By the next spring, the family had learned more of the harvest schedule, and it set off for the first of many years on the circuit familiar to every migrant worker in California. Starting in the Imperial and Coachella valleys of the south, through the state's bulging middle, the San Joaquin Valley, on up north of San Francisco and into the Napa Valley, they worked each crop in its turn: asparagus, grapes, beets, potatoes, beans, plums, apricots—anything that needed picking, hoeing, thinning, leafing, tipping, girdling, digging or pruning.

In 1941, the family moved to Delano, where Chavez met his future wife, Helen Fabela. At the movies with her one night, he had a jarring brush with discrimination. He refused to stay on the right side of the theater, which was reserved for Mexicans, and sat instead with the Anglos on the left. "The assistant manager came," Chavez recalls. "The girl who sold the popcorn came. And the girl with the tickets came. Then the manager came. They tried to pull me up, and I said, 'no, you have to break my arms before I get up.'" Chavez, then 16, was hustled off to the station house for a lecture from the chief of police, but he would not promise not to do the same thing again.

Like many other teen-age Mexican Americans, Chavez became a *pachuco*, affecting a zoot suit with pegged pants, a broad flat hat and a ducktail haircut. Some sociologists now see the *pachuco* movement as the first example of militant separatism among *Chicanos*, an assertion of a distinct identity hostile to Anglo culture. The Anglos took it that way, in any case, and reacted violently: during a series of riots in the Southwest during the summer of 1943, several thousand soldiers, sailors and Marines beat up hun-

dreds of *Chicano* youths. Police promptly arrested some of the victims.

Because of his own experience of poverty and acquaintance with prejudice, Cesar Chavez has made *la causa* more than a labor movement. He is determined to better the lot of all Mexican Americans. There is much room for improvement. There have never been Jim Crow laws against them, like those against blacks, but overt discrimination undeniably exists. *Chicanos* still find it hard to get into the barbershops and public swimming pools of south Texas. Still, though the *Chicano* is set apart by language, assimilation is often easier for him than for the Negro. For this reason, and because most of the *Chicano* population lives in relative obscurity in the *barrios* or rural areas, the Mexican-American community has been slow to develop aggressive leadership.

Now, because they have seen that organized black action gets results, the *Chicanos* have begun to stir with a new militancy. They have formed the *Brown Berets*, modeled on the Black Panthers, and set up a \$2,200,000 Mexican-American Legal Defense and Educational Fund, financed by the Ford Foundation. "We are about ten years behind the Negroes, and we must catch up," says Dr. Daniel Valdes, a Denver behavioral scientist. "But I think we will do it without extreme violence." Lawyer Donald Pacheco puts the plight of the Mexican American more bluntly: "We're the 'nigger' of ten years ago."

If he is a migrant farm worker, the Mexican American has a life expectancy of about 48 years *v.* 70 for the average U.S. resident. The *Chicano* birth rate is double the U.S. average—but so is the rate of infant mortality. More than one-third live below the \$3,000-a-year level of family income that federal statisticians define as poverty. Eighty percent of the Mexican-American population is now urban, and most live in the *barrio*.

FORBIDDEN LANGUAGE

The overwhelming majority work as unskilled or semiskilled labor in factories and packing plants, or in service jobs as maids, waitresses, yard boys and deliverymen. Particularly in Texas, Mexican Americans sometimes get less pay than others for the same work. Even the few who have some education do not escape discrimination. *Chicano* women find that jobs as public contacts at airline ticket counters are rarely open; they are welcome as switchboard operators out of the public eye. Mexican-American men who work in banks are assigned to the less fashionable branches. Promotions come slowly, responsibility hardly ever.

One major impediment to the Mexican American is his Spanish language, because it holds him back in U.S. schools. Mexican Americans average eight years of schooling, two years less than Negroes and a full four years less than whites. Often they are forced to learn English from scratch in the first grade, and the frequent result is that they become not bilingual but nearly nonlingual. In Texas, 40% of *Chicanos* are considered functionally illiterate. In Los Angeles, only an estimated 25% can speak English fluently. *Chicano* children in some rural areas are still punished for speaking Spanish in school. Only this year, *Chicano* students at Bowie High School in El Paso—in a predominantly Mexican-American section—managed to get a rule abolished that forbade the speaking of Spanish on the school grounds.

The *Chicano* is as vulnerable to mistreatment at the hands of the law as the black. Seven Mexicans were beaten by drunken policemen at a Los Angeles police station on Christmas Eve, 1952; six of the officers were eventually given jail terms. During an 18-month period ending last April, the American Civil Liberties Union received 174 complaints of police abuses from Los Angeles Mexican Americans. Two of the recent landmark Su-

preme Court decisions limiting police questioning of suspects involved Mexican Americans—*Escobedo v. Illinois* and *Miranda v. Arizona*. Many Mexicans still look on the Texas Rangers and U.S. border patrols with terror.

PLURALISM V. THE MELTING POT

That Chavez has dramatized the problems of Mexican Americans in the city as well as on the farm seems beyond dispute. Father Bernardo Kenny, a Sacramento priest with a sizable Mexican-American congregation, believes that even if Chavez never wins his strike he will have made a "tremendous contribution." Says Kenny: "He focused attention on the problem of the farm workers, and he made the Mexican Americans proud to be Mexican Americans. Chavez must be given credit, I think, for really starting the Mexican-American civil rights movement." Ironically, mechanization hastened by unionization may eventually diminish Chavez's farm-labor base—but it will not slow the momentum of *la causa*.

The new Mexican-American militancy has turned up a mixed *piñata* of leaders, some of them significantly more strident than Chavez. In Los Angeles, 20-year-old David Sanchez is "prime minister" of the well-disciplined *Brown Berets*, who help keep intramural peace in the *barrio* and are setting up a free medical clinic. Some of them also carry machetes and talk tough about the Anglo. Reies Lopez Tijerina, 45, is trying to establish a "Free City State of San Joaquin" for *Chicanos* on historic Spanish land grants in New Mexico; at the moment, while his appeal on an assault conviction is being adjudicated, he is in jail for burning a sign in the Carson National Forest. Denver's Rudolfo ("Corky") Gonzales, 40, an ex-prizefighter, has started a "Crusade for Justice" to make the city's 85,000 Mexican Americans *la causa*-conscious.

As with the blacks, the question for those who lead the *Chicanos* is whether progress means separatism or assimilation. Cal State Professor Rafael Guzman, who helped carry out a four-year Ford Foundation study of Mexican Americans, warns that the *barrio* is potentially as explosive as the black ghetto. He argues for a new pluralism in the U.S. that means something other than forcing minorities into the established Anglo-Saxon mold; each group should be free to develop its own culture while contributing to the whole.

Yet there is no real consensus in the *barrio*. The forces for assimilation are powerful. A young Tucson militant, Solomon Baldenegro, contends: "Our values are just like any Manhattan executive's, but we have a ceiling on our social mobility." While federal programs for bilingual instruction in Mexican-American areas are still inadequate, that kind of approach—if made readily available to all who want it—leaves the choice between separatism and assimilation ultimately to the individual *Chicano* himself. He learns in his father's tongue, but he also learns in English well enough so that language is no longer a barrier; he retains his own culture, but he also knows enough of the majority's rules and ways to compete successfully if he chooses to.

Cesar Chavez has made the *Chicano's* cause well enough known to make that goal possible. While *la huelga* is in some respects a limited battle, it is also symbolic of the Mexican-American's quest for a full role in U.S. society. What happens to Chavez's farm workers will be an omen, for good or ill, of the Mexican-American's future. For the short term, Chavez's most tangible aspiration is to win the fight with the grape growers. If he can succeed in that difficult and uncertain battle, he will doubtless try to expand the movement beyond the vineyards into the entire Mexican-American community.

AN ANGLO-CHICANO LEXICON

As with other minority groups, there is a special vocabulary used by and about Mexican Americans. The words, naturally, are mainly Spanish. Among them:

Anglo: white, non-Mexican American. Though normally used simply in a neutral, descriptive manner, the term sometimes has pejorative overtones. It has to some extent replaced *gringo*. *Agringada* describes a Mexican American who has gone completely *Anglo* in his way of life.

Barrio: literally "district," the Spanish-speaking quarter of a U.S. city; also, *colonia*. **Bracero:** Mexican citizen brought into the U.S. temporarily and usually in groups to add to the existing labor force at times of peak activity. The program, begun during World War II to relieve manpower shortages, was ended—over farmers' protests—in 1964. However, individuals known as "green-carders" (for the permits they hold) can work as aliens.

La Causa literally, "the cause." Cesar Chavez's farm-labor movement; also, more broadly, the advancement of Mexican Americans.

Chicano: Mexican American. A shortened, corrupted form of *Mexicano*, with the first syllable dropped and the "x" pronounced like *ch* in *cheese*, in the fashion of Mexico's Chihuahua Indians.

Hispano: descendant of the original Spanish settlers of areas now part of the U.S. Used chiefly in New Mexico and Colorado to distinguish such Spanish-speaking Americans from later immigrants of Indian descent.

La Huelga: the strike.

Malinchista: traitor to the Mexican-American cause. From Malinche, the daughter of a Mexican nobleman, who became Cortés' mistress and aided the Spanish in their conquest of Mexico.

Mestizo: person of mixed Spanish and Indian blood, as are most Mexican Americans. **Guerros** have relatively light skins; **trigueños** are somewhat darker.

Pachuco: tough guy. Used of teenage Mexican-American boys in gangs. During World War II, dressed in gaudy zoot suits, they were the target of racial violence in Los Angeles and elsewhere.

La Raza: the race, meaning all Mexicans and Mexican Americans, and derived from the mystical theory of the 19th century philosopher, José Vasconcelos, that people of mixed race will inherit the earth. At best, it is a rallying cry betokening a mild form of cultural nationalism; at worst, it connotes outright racism.

Tio Taco: literally "Uncle Taco," the Mexican-American equivalent of an Uncle Tom. An equally contemptuous synonym is *vendido*, sellout.

Wetback: illegal immigrant from Mexico, so called because a common means of entry was to swim the Rio Grande.

PROFILES

ORGANIZER I

One Sunday morning last summer, I knocked on the door of a small frame house on Kensington Street, in Delano, California, that is rented by the United Farm Workers Organizing Committee for the family of its director, Cesar Estrada Chavez. It was just before seven, and no one came to the door, so I sat down on the stoop to wait. The stoop was shaded by squat trees, which distinguish Kensington Street from the other straight lines of one-story bungalows that make up residential Delano, but at seven the air was already hot and still, as it is almost every day of summer there in the San Joaquin Valley. On Kensington Street, a quiet stronghold of the middle class, the Chavez house drew attention to itself by worn yellow-brown paint, a patch of lawn between stoop and sidewalk that had been turned to mud by a

leaky hose trailing away into the weeds, and a car, lacking an engine, which appeared not so much parked as abandoned in the driveway. Signs that said "Don't Buy California Grapes" were plastered on the car, and "Kennedy" stickers, fading now, were still stuck to posts on the stoop. The signs suggested that the dwelling was utilitarian, not domestic, and that the Chavez family's commitment was somewhere else.

In the time it must have taken Chavez to put on the clothes that are his invariable costume—a plaid shirt and work pants—and to splash water on his face, the back door creaked and he appeared around the corner of the house. "Good morning," he said, raising his eyebrows, as if surprised to see me there. "How are you?" Though he shook my hand, he did not stop moving; we walked south on Kensington Street and turned west at the corner.

Chavez has an Indian's bow nose and lank black hair, with sad eyes and an open smile that is both shy and friendly. He is five feet six inches tall, and since a twenty-five-day fast in the winter of 1968 he has weighed no more than a hundred and fifty pounds. Yet the word "slight" does not properly describe him. There is an effect of being centered in himself so that no energy is wasted, and at the same time he walks lightly.

In the central part of Delano (pronounced De-lay-no), the north-south streets have been named alphabetically, from Albany Street, on the far west side, to Xenia, on the east; the cross streets are called avenues and are numbered. On Eleventh Avenue, between Kensington and Jefferson, a police car moved out of an empty lot and settled heavily on its springs across the sidewalk. There it idled while its occupant enjoyed the view. Having feasted his eyes on the public library and the National Bank of Agriculture, the policeman permitted his gaze to come to rest on the only two citizens in sight. His cap, shading his eyes from the early sun, was much too small for him, and in the middle of his mouth, pointed straight at us, was a dead cigar. He looked me over long enough to let me know he had his eye on me, then eased his wheels into gear again and humped on his soft springs onto the street. Chavez raised his eyebrows in a characteristic expression of mock wonderment. Then he waved at the back of a building that fronted on Jefferson Street. "That's our station house," he said, in the manner of a man who is pointing out, with pardonable pride, the main sights of his city. As we walked on, he talked about how he had come to be a labor organizer.

Until Chavez appeared, union leaders had considered it impossible to organize seasonal farm labor, which is in large part illiterate and indigent, rarely remains in one place long enough to form an effective unit, and is composed mostly of minority groups that invite hostility from local communities. In consequence, strikes, protests, and unions had been broken with monotonous efficiency—a task made easier by the specific exclusion of farm workers from the protection of the National Labor Relations Act, which authorizes and regulates collective bargaining between management and labor. In a state where cheap labor, since Indian days, has been taken for granted, like the sun, reprisals were swift and sometimes fatal, and the struggles of Mexican-American farm workers for better conditions have met with defeat after defeat.

In 1947, when Chavez was twenty, he himself picketed the cotton fields of Corcoran, a few miles north of Delano, for the National Farm Labor Union, and watched the union fall. As a migrant laborer who had not been able to afford enough time from the fields to get past the seventh grade, he often discussed the frustrations of the poor with his wife, Helen, and his brother Richard, but he saw no way to put his feelings into action un-

til 1952. That year, when he and Richard were living across the street from each other in San Jose and working together in the apricot groves, a new venture called the Community Service Organization, which had been set up in Los Angeles to do something about the frustrations of the Mexican-American poor in California, was preparing to open a chapter in San Jose. The C.S.O. was a project of the Industrial Areas Foundations, based in Chicago and headed by Saul Alinsky, who describes himself as a "social activist." When the man Alinsky had assigned to organize the C.S.O. asked a parish priest in San Jose for a list of likely recruits, he was given the name of Cesar Chavez. "I came home from work and they told me this gringo wanted to see me," Chavez said. "In those days, when a gringo wanted to see you it was something special—we never heard anything from whites unless it was the police. So, anyway, Helen says, 'Oh, no, it must be something good for Mexicans—money and a better job and things!'" Chavez's expression conveyed what he thought then about promises of something good for Mexicans. "You see, Stanford had people nosing around, writing all kinds of screwy reports about how Mexicans eat and sleep—you know—and a lot of dirty kind of stuff, and Berkeley had its guys down there, and San Jose State. All the private colleges. They were interested in the worst barrio, the toughest slum, and they all picked Sal Si Puedes."

"What?" I said.

"Sal—"

"Escape If You Can?"

"Yah. That's what our barrio was called, because it was every man for himself, and not too many could get out of it, except to prison. Anyway, we were just sick and tired of these people coming around asking stupid questions. I said to hell with him. Well, he came the next day again and said he would come back in the evening, so when I got home I went across the street to Richard's house, and in a little while this old car pulled up and this gringo knocked on my door, and Helen told him I was working late or something. As soon as he left, I came back and said, 'What happened?' and she said, 'He's coming tomorrow,' and I said, 'Well, I'm not going to be here tomorrow.' So I came home from work and just dumped my lunch pail and my sweater and went over to Richard's house, and the same thing happened again. Helen said he was coming back tomorrow, and I said I wouldn't see him, and she said, 'Well, this time you tell him that, because I'm not going to lie to him anymore.' So he came and talked to me. His name was Fred Ross. I was very closed. I didn't say a thing. I just let him talk. I'd say, 'Yes,' and nod my head, but half the time I was plotting how to get him. Still, there were certain things that struck me. One of them was how much I didn't like him even though he was sincere. I couldn't admit how sincere he was, and I was bothered by not being able to look at it. And the other thing was he wore kind of rumpled clothes, and his car was very poor. Well, he wanted a meeting as soon as possible to talk about what the C.S.O. could do, and I said, 'How many people do you want?' and he said, 'Oh, four or five,' and I said, 'How about twenty?' 'Gee, that'd be great!' I had my little plan, you see. So I invited some of the rough guys in the barrio, and I bought some beer and told them how to handle it—when I switched my cigarette from my left hand to my right, they could start getting nasty."

The memory of his own behavior made Chavez frown. "These damn people used to talk about fifty-year patterns, and how did we eat our beans and tortillas, and whether we'd like to live in a two-bedroom house instead of a slum room—things like that. They try to make us real different, you know, because it serves their studies when they do that. I thought this guy meant to snoop like

all the rest. We didn't have anything else in our experience to go by. We were being pushed around by all these studies. So we were going to be nasty, and then he'd leave, and we'd be even. But I knew all the time that this gringo had really impressed me and that I was being dishonest. So we had a meeting, and he came in and sat down and began to talk about the Mexican-Americans—no, not about them but about farm workers. And then he took on the police and the politicians—not rabble-rousing, either, but saying the truth. He knew the problems as well as we did—he wasn't confused about the problems, like so many people who want to help the poor. He talked about the C.S.O. and then the famous Bloody Christmas case, a few years before, when some drunken cops beat up some Mexican prisoners down in L.A. I didn't know what the C.S.O. was or who this guy Fred Ross was, but I knew about the Bloody Christmas case, and so did everybody in that room. Some cops had actually been sent to jail for brutality, and it turned out that this miracle was thanks to the C.S.O. By this time, a couple of guys began to get a little drunk, you know, and began to press me for some action. But I couldn't give the signal, because the gringo wasn't a phony. I mean, how could I? I couldn't do it, that's all. So some of them got nasty, and I jumped in and said, "Listen, the deal's off. If you want to stay here and drink, then drink, but if you can't keep your mouth shut, then get out." They said I had chickened out, so I took them outside and explained. There were a couple of guys that still wanted to get this gringo, but, anyway, the meeting continued, and he put everything very plainly. He did such a good job of explaining how poor people could build power that I could even taste it, I could feel it. I thought, Gee, it's like digging a hole—there's nothing complicated about it! There was still a note of discovery in Chavez's voice, sixteen years later.

"You see, Fred was already an organizer when Alinsky hired him. I guess some of his theories came from Alinsky, but I learned everything from Fred. Anyway, I walked out with him to his car and thanked him for coming, and then I kind of wanted to know—well, what next? He said, 'Well, I have another meeting,' and I don't suppose you'd like to come?' I said, 'Oh, yes, I would.' I told the others I would be right back, and I got in his car and went with him, and that was it. That first meeting . . . I'd never been in a group before, and I didn't know a thing. Somebody asked for a motion, and I didn't know what the hell they were talking about. The next day, I tried to get answers from my friends, and none of us knew. We were just a bunch of *pachucos*—you know, long hair and pegged pants. But Fred had wanted to get the *pachucos* involved—no one had really done this—and he knew how to handle the difficulties that came up, and he didn't take for granted a lot of little things that other people take for granted when they're working with the poor. He had learned, you know. Finally, I said, 'What about the farm workers?' and he said that the C.S.O. could be a base for organizing farm workers, and it was a good prediction—not exactly as he envisioned it, but it came about."

Chavez laughed. "I was his constant companion. I used to get home from work between five and five-thirty, and he'd say, 'I'll pick you up at six-thirty—give you a little time to clean up and eat,' and I'd say, 'No, I don't want to clean up and eat. Pick me up at five-thirty—wait for me!' So he would be waiting when I got home from work, and I'd just drop off my lunch pail and rush right out—maybe change my shirt. I was observing how he did things, how he talked to people and how patient he was, and I began to learn. A lot of people worked with him, but learned what I learned. I think the rea-

son was that I had more need to learn than anybody else. I really had to learn. So I'd pay attention to the smallest detail, and it became sort of a—well, I'd use the word 'game' if it didn't throw a wrong light on it. It wasn't a job, and at the same time it was very, very important, trying to understand these things and then apply them."

Chavez first joined the C.S.O. as a volunteer in a voter-registration drive. The organization of Mexican-American bloc voting was a first lesson in his understanding of how to build a power base. "Most of the volunteers were college people, or had good jobs. Very few were farm workers. I had a part-time job in a lumberyard. The voter registration depended on as many evenings as you could give, and soon so many people stopped showing up that we had to find a new chairman every day. Finally, I was the only one who went with Fred every night, so he made me chairman. So here I am in charge, and where do I start? I can't go to the middle class, or even the aspiring middle class, for my deputy registrars—I have to go to my friends in Sal Si Puedes. So I round up about sixteen guys—at the memory, he began to smile—"and not one of them can qualify as a deputy registrar, not one. They can't even vote! Every damn one of those guys had a felony!" He laughed. "Well, they could still knock on doors, you know, and they put out a lot of energy."

Some months later, with Alinsky's approval, Chavez was hired by Fred Ross as an organizer to work on voter registration and citizenship training. After six months in San Jose, he took over Ross' C.S.O. chapter in Decoto, and two weeks later was asked to start a new chapter in Oakland. He was still so poorly educated that he could scarcely read. He was small and thin, and looked much younger than his twenty-seven years, and he lived in terror of the meetings he was supposed to run. He would drive back and forth in front of the house where one was to be held, then dart in and sit in a corner until he was forced to identify himself as the organizer. But his first big meeting in Oakland was a success, and Fred Ross recognized it as a kind of turning point for him; soon after, Ross put Chavez in charge of the whole San Joaquin Valley. In the next few years, Chavez established chapters in Madera, Bakersfield, and many other towns. He was already a good organizer, and he got better as he developed techniques of his own. He learned to beware of established precepts, to cut around the entrenched local leadership, and to avoid philosophizing in favor of clear illustration and example ("You have to draw a simple picture and color it in," he often says), and, above all, he recognized that organizing required time. From forty to fifty per cent of California farm workers, he estimates, are illiterate in English and nearly so in Spanish. "You have to spend time with people that's all," he told me. "If he is interested, it make no difference if a man can read or write—he is a man."

In the early fifties, the Cold War reaction that congealed around McCarthyism was widespread in the Valley, and a man who encouraged Mexican-Americans to vote struck many people as an obvious subversive. Cowed by local patriots, his own people in the Madera chapter began investigating Chavez for symptoms of the dread Communism, and then retreated, abashed, when he challenged them to do this in his presence, not behind his back. According to Chavez, the experience taught him not so much how foolish it was to expect gratitude as how pathetically afraid poor people were. Subsequently, he had to return to San Jose and rebuild the C.S.O. chapter there: in the absence of strong leadership, the people had withdrawn again into apathy. Nevertheless, the C.S.O. was gaining strength, and its new power was reflected, among other ways, in the increased expense accounts of its staff. Politicians and

professional people attached themselves to the organization for purposes of prestige, and meanwhile the organization's own leaders opposed what they regarded as Chavez's impractical demand that they try to organize a union of farm workers. At meeting after meeting, Chavez spoke out against the new luxurious habits and the softening of purpose—the "erosion," which he speaks of to this day as the thing most to be feared in his own union. To symbolize his protest, he showed up at meetings unshaven and tieless—he has been tieless ever since—and refused any further increase in his own salary. "To come in a new car into a community of poor people to organize them—that doesn't work," he told me. "And if you have money but dress like they do, then it's phony. Professional hunger." He grunted in disgust. "You can be hungry and have money in the bank, or you can be hungry and have nowhere to go. There's a big difference."

In 1962, having failed to interest the C.S.O. in organizing farm workers, Chavez quit the organization and settled in Delano, where he began his campaign to win for farm workers the right to organize in their own behalf that is enjoyed by all other large labor groups in the United States. The union he heads is now engaged in a strike to organize the workers of the entire California grape industry, and it has called a nationwide boycott to support the strike. If his organization survives, it will be the first effective farm workers' union in American history.

A car coming up behind us slowed down suddenly. Chavez, like a feeding deer, showed his awareness with a sidelong flick of his brown eyes, but he did not turn, and he did not stop talking. A voice called out in Spanish, asking him if he would like a lift. He smiled and waved, then pointed to a church two streets away. "No, gracias! Yo voy a la misa!"

A sign giving the name of the pretty stucco church at the corner of Eleventh Avenue and Clinton Street—Our Lady of Guadalupe—was garish and utilitarian, and the churchyard was a parking lot, enclosed by a chain-link fence. But the place was planted with cypress, pines, and yew, which, in the early light, threw cool, fresh shadows on the white stucco under a red tile roof. Two white crosses stood outlined against the hot blue of the sky. Chavez hurried across the concrete. Though he had said nothing to me about church, it appeared that he had been bound here all along. "Let's just go in for a little while," he murmured. He was hurrying now as if a little late, though in fact the Mass was very near its end. Inside, he moved into the shadows on the left, where he crossed himself with water dipped from a font in the rear wall and subsided onto his knees behind the rearmost pew. The people had begun to sing "Bendito." All were standing, but Chavez remained there on his knees behind them until the hymn was finished. Alone in the shadows of the pew, the small Indian head bent on his chest and the toes of his small shoes turned inward, he looked like a child at prayer beside his bed.

Outside, under the evergreens, members of the congregation greeted Chavez.

"Buenos días!"

"Cesar! Cómo está?"

At one point, Chavez answered "O batallando con la vida!" ("Oh, I am still struggling with life!") He grinned at me. A Filipino in his sixties came up with a fine, wordless smile and pumped Chavez's hand in both his own.

"That's one of the brothers," Chavez said when the old man had gone. (The term "brother" is used to describe a union member, but it also has the connotation of "soul brother," and is so used by Chavez.)

A young priest, Father Mark Day, came up and spoke heartily to Chavez. The following Sunday, he said, the Catholic churches of Delano would speak out in favor of the work-

ers' right to form a union. Hearing this, Chavez merely nodded. Many national church groups, and particularly the Migrant Ministry of the National Council of Churches, had long ago come to his support, with personnel as well as money, and Father Day, a Franciscan, had been assigned to the farm workers in 1967. But the local clergy, Catholic as well as Protestant, had denounced the grape strike or dodged the issue, for fear of offending the growers, most of whom are Catholics of Italian or Yugoslav origin and are important contributors. Chavez's union was allowed to hold its strike vote in the parish hall of Our Lady of Guadalupe in 1965, but until Father Day and two other Franciscans took it over the church did not support the strike. ("I find it frankly quite embarrassing," Father Day has said, "to see liberals and agnostics fighting vehemently for social justice among agricultural workers while Catholic priests sit by and sell them religious trinkets along with distorted notions of Christianity.") It was only in recent months that—more and more embarrassed by the example of outside clergy of all faiths, many of whom had marched in the union picket lines—the Delano clergy had begun making some attempts to reconcile the growers to the union.

The young priest spoke to Chavez of the large Zaninovich clan, some of whom came to Mass at Our Lady of Guadalupe. "If they would just get together with their workers," he said, "we wouldn't have any problems."

Chavez looked doubtful, but he nodded politely. "Yes," he said, after a moment, "this church is really coming to life." With Chavez, it is often impossible to tell when he is joking and when he is being serious, because he is so often both at the same time.

A worker in a soiled white shirt with a fighting cock in bright colors on the pocket stood waiting for a hearing. Though Chavez is available to his people day and night all week long, it is on Sunday that they usually come to see him, and his Sundays are all devoted to this purpose. "... buscando trabajo," I heard the worker say when he had Chavez's ear: he was looking for work. The man had just come in from Mexico on a "green card," or visa, which is a symbol of the most serious obstacle that Chavez's organizing effort faces: the century-old effort of California farmers to depress wages and undercut resistance by pitting one group of poor people against another.

By the eighteen-sixties, the Indians who were used as near-slaves in Spanish California had all but disappeared. In agricultural areas, they had been largely replaced, after the Gold Rush, by Chinese labor, originally brought in to work on the Southern Pacific Railroad. But the thrifty Chinese were resented and persecuted by a rabble of jobless whites for whom the Gold Rush had not panned out, and also by small farmers, who could not compete with the cheap labor force. Chinese immigration was ended by the Chinese Exclusion Act of 1882, and after that the big farmers turned to the importation of Japanese. The Japanese, too, were soon bitterly resented, because they undercut all other labor. Even worse, they were better farmers than the Americans and they brought and cultivated poor land that nobody else had bothered with; this impertinence was dealt with by the Alien Lands Law of 1911, which prevented further acquisition of farm land by aliens. The next waves of farm laborers in California contained Hindus, Arabs, Armenians, and Europeans. The European and Armenian immigrants, less oppressed than other groups by the racial discrimination that had advanced the economy of California from the start, gained a strong foothold, and the parents of many of the Valley farmers of today were among those immigrants. Mexican peasants had always crossed the border more or less at will, and after the Mexican Revolution of 1910 starving refugees presented the growers with

a new source of cheap labor, which, because it was there illegally, had the additional advantage of being entirely defenseless. Filipinos were brought in in the nineteenth-twentieths, and for a time cheap Mexican labor was undercut by cheap Filipino labor. Most of the Mexicans were deported after 1929, when the Okies and Arkies and up-country Texans swarmed into California from the dust bowl; the Depression produced a heavy labor surplus among the native-born, and an effort was made to keep the border closed. Mexicans had been predominant in the farm-labor force from 1914 until 1934, and in those years, because of their illegal status, they had tended to be more tractable than other groups. For the most part, it was Filipinos and Anglos—as non-Mexican whites are called in California—who staged the famous farm strikes of the nineteen-thirties. The Filipinos became known during this period for their militance and for their refusal to scab on other workers or underbid them. After the Philippine Islands Independence Act of 1934, the importation of Filipinos came to an end, and their numbers have been dwindling ever since. By 1942, the Chinese had long since moved to the cities, the Japanese had been shut up in concentration camps, the Europeans had graduated from the labor force and become farmers, and other Anglos had drifted into the booming war economy of factories and shipyards; the minority groups that remained were not numerous enough to harvest the enormous quantities of produce that the war demanded. The farm-labor emergency was met by a series of agreements with the Mexican government known collectively as the *bracero* program, under which large numbers of Mexican field hands, or *braceros*, were brought into California and other states of the Southwest by truck at harvest time and trucked out again when the harvest was over. The *bracero* program was so popular with the growers that it was extended when the war ended. In Washington, lobbyists for the growers argued successfully that Americans would not do the hard stoop labor required in harvesting cotton, sugar beets, and other crops; hence the need for extension of the *Bracero* program. Everyone conveniently forgot that the white fruit tramps of the thirties had done plenty of stoop labor, and that workers of all colors were available to the farms if a living wage and decent conditions could be obtained. But the Mexicans, whose poverty was desperate, worked long, hard days for pay as low as sixty cents an hour, and were used to undermine all efforts by indigenous workers to hold out for better treatment. By 1959, an estimated four hundred thousand foreign workers (mostly Mexicans but including small numbers of Canadians, in the potato fields of Maine, and British West Indians, in the Florida citrus groves) were obtaining work in the United States, although four million people here were unemployed. Churches and various citizens' groups began protesting the lot of the farm workers—especially that of domestic migrant laborers—and at the end of 1964 Public Law 78, the last and most notorious phase of the *bracero* program, was allowed to lapse. (This was a year in which Congress passed significant poverty and civil-rights legislation, but P.L. 78 was primarily a casualty of congressional concern over the outflow of gold.) The death of P.L. 78 seemed to be the birth of hope for a farm union, but by 1965, when the current grape strike in California began, the growers had found another means of obtaining the same cheap labor. Under P.L. 414 (the Immigration and Naturalization Act of 1952), large numbers of foreigners were permitted to enter the United States as "permanent resident aliens," on a special green visa card. "Green-carders" can become citizens after five years of residence—and pay taxes, be drafted, and qualify for Social

Security while they wait. A migrant agricultural worker can earn fifteen times as much for a day's work in the United States as he can in Mexico, but most Mexicans have declined the opportunity to become citizens. Instead, they "commute," taking their high harvest wages—an estimated fifteen million dollars' worth in 1967—back to their homes each year. Under the law, no green-carder is supposed to work in a field where a labor dispute has been certified, but enforcement has been desultory, to say the least, and although almost half of the members of Chavez's union are not United States citizens, many Mexicans have become strike-breakers. As long as farm workers are excluded from the provisions of the National Labor Relations Act, they have no legal means of forcing employers to negotiate. When their strike was subverted by imported scabs and antipicketing injunctions, they resorted to what the growers call an "illegal and immoral" boycott.

The man with the fighting cock on his shirt was a union green-carder who did not wish to cross picket lines. At the moment, however, there were more union workers than union jobs—only three growers out of several dozen in the Delano area had signed contracts with the United Farm Workers Organizing Committee—and Chavez encouraged the man to take a job wherever he could find it. He did not have to encourage the man to help the union on the job by whatever means he could; the man complained that Social Security payments had been deducted from his last paychecks even though no one had asked for his Social Security number. Chavez says that workers who cannot read are chronic victims of petty paycheck chiseling on the part of both labor contractors and growers. "Those people make a lot of money that way," Chavez said. "A lot." At that moment, he looked ugly. "In the union, they get an honest day's pay, because both sides understand the arrangement and accept it. Without a union, the people are always cheated. And they are so innocent."

We walked along Eleventh Avenue to Albany Street and turned south along cotton fields. The day was hot now, and the flat farmland stretched away unbroken into dull mists of agricultural dust and sprays, still unsettled from the day before, that hid the round brown mountains of the Coast Range. Chavez said that many of the green-carders, and especially those who intended to return to Mexico, felt they could do better than the union wage scale by working furiously for nonunion growers on a piecework basis; others refused to join the union out of ignorance—they had never heard of a union—or out of fear of reprisal. "Out at Schenley—we have a contract there now—there was a guy named Danny," Chavez said. "Danny was so anti-union that he went to the management and said, 'Give me a gun. I'll go out and kill some of those strikers.' He just hated us, and he didn't know why. He was working inside when we came with the picket line, and I guess he felt guilty about not joining us, so he went too far. And also, he told me later, 'I didn't know what a union was. I never heard of a union—I had no idea what it was or how it worked. I came from a small village down in Mexico.' You see? It's the old story. He was making more money than he had ever seen in Mexico, and the union was a threat. Anyway, we won there, and all the guys who went out on strike, they got their jobs back. And, man, they wanted to clean house, and they wanted to get Danny, and I said no. 'Well, he doesn't want to join the union,' they said. 'And if he doesn't join the union, he can't work here.' And so I challenged them. I said, 'One man threatens you? Do you know what the real challenge is? Not to get him out but to get him in. If you are good organizers, you will get him, but you're not—you're lazy!' So they went after him, and the pressure began to build against him. He was

mad as hell. He held out for three months, and he was encouraged by the Anglos—the white guys. They had the best jobs—mechanics and all—and they didn't want to join the union, either. But finally Danny saw the light, and they did, too. It took about six months before we actually got down to negotiating a contract after we won the election, and by the time we got around to setting up a negotiating committee Danny had not only been converted but been elected to the committee. So when the committee walked in there, Danny was one of them, and the employers stared at him. 'What are you doing here, Danny?' Chavez laughed. "And now he's a real St. Paul. He'll never turn against the union, because he knows both sides. People who don't know, and come on so enthusiastic and all at first, they might be turncoats one day, but not the ones like Danny. That's why the converted ones are our best men."

A car passed us, bursting with cries, and rattled to a halt a short way beyond. Two workers were driving a third out to the Forty Acres, the site of a new union headquarters that is being built, and Chavez suggested that we ride out there with them. The car turned west and rolled two miles through cotton and alfalfa to a barren area of mud, shacks, and unfinished construction on the north side of the road. The Forty Acres lies between a state road and the city dump. Useless for farming in its present condition, the land was obtained in 1966 from a widow who is no longer wanted to pay the taxes on it. Here the car left us, to go back to town, and the third man, shouting cheerily to Chavez, went off to water some scattered saplings that were shrivelling in the summer heat.

"We've planted a lot of trees," Chavez said. "Elms, mostly, and Modesto ash—only the cheapest kinds." He stood with his back to the road, hands in hip pockets, gazing with pleasure at the desolation. "Don't get me started on my plans," he said. To Chavez, the Forty Acres, on which he envisions the country's first migrant workers' center, is already very beautiful; he goes there regularly to walk around and let his plans take shape. "There's alkali in this land," he said, putting it mildly. "We're trying to get something growing here, to cut down the dust."

Near the highway, an adobe building with an orange tile roof, designed to house gas pumps, an automobile repair shop, and a cooperative store, had recently been completed, but was not yet in use. Behind it was a temporary aggregation of shacks and trailers. These accommodated a clinic and the offices of the union newspaper, *El Malcriado* ("The Rebellious Child," "The Nonconformist," "The Protester"—there is no simple translation), which puts out editions in both English and Spanish every fortnight. A green trailer bearing the legend "Mobile Health Center" was a contribution of the International Ladies Garment Workers Union; its medical staff, like the staff of *El Malcriado* and most of the rest of the U.F.W.O.C. operation, was entirely volunteer. So was the labor being done, intermittently, on the headquarters building, a gray shell on the west side of the property. The work at the Forty Acres was being supervised by Chavez's brother Richard, who was away just then on a trip to help out with the boycott in New York. "The strike is the important thing," Chavez said, moving toward the headquarters building. "We work on the Forty Acres when we get a little money, or some volunteers." The day before, six carpenters from a local in Bakersfield had given their Saturday to putting up gray Sheetrock interior walls, and Chavez, entering the building, was delighted with the progress. "Look at that!" he kept saying. "Those guys really went to town!" He told me that plumbing had been done by a teacher at Berkley, and that, two weeks before, forty-seven electricians from Los Angeles, donating materials as well as labor, had wired the whole building in six hours. "You

should have seen it," he said. "I could hardly get into the building. Everywhere I went, I was in somebody's way, so I just went out through the window." He turned in a complete circle. "Those guys really went to town! It's entirely changed! The first center for farm workers in history!"

Outside again, we walked around the grounds, in the hot emptiness of Sunday. "Over there"—he pointed—"will be another building, a little training center, mostly for people in the union, the organizers and ranch committees. Non-violent tactics, you know—though if it were just a matter of non-violence, that could be studied in a monastery. It has to be real, you know—the mechanics of union work, and so forth. And also we want to be very strong about honesty. Some of these guys will be getting a lot of power as the union develops, and some will be very good and some won't know how to handle it. If someone in the hiring hall is willing to take a bribe to put one guy ahead of another for a job, he may also be willing to steal a hundred dollars from the union, or accept a hundred dollars for an act of violence. There's all kinds of chances for corruption, and things can go to hell very fast—we've seen that in other unions. So the best way to teach them is by example."

Chavez glanced at me. He is the least boastful man I have ever met, and, being a truly humble man, he does not waste his own time or his listener's with false humility, yet he is uncomfortable when the occasion arises to speak about himself, and may even emit a gentle groan. He grinned suddenly, glad to change the subject. "You know, we have some great guys in this union, some really great guys. We've put together farm workers and volunteers, people who just wanted to do something for the cause. We have so many volunteers that we save only the best. In a way, we're all volunteers, even the ones—the lawyers and everybody—whose salaries are paid by outside people. They're not making any money. You start paying the strikers for what they should do for themselves, then everything is done for money and you'll never be able to build anything. Most of us work for five dollars a week. Outside people thought we were crazy—the Teamsters and everybody—but really it's the only way we can stay in business. It's a long, long haul, and there isn't any money; and if we start paying wages, then it means that only a few can be hired, and a few can't do as much as many. It has to be done that way. I've been in this fight for too long, almost twenty years, learning and learning, one defeat after another, always frustration. And then, of course, raising a family—you have to get your family to suffer along with you, otherwise you can't do it, you know. But finally we are beginning to see daylight, and that's a great reward. And then, you see, these farm workers will never be the same. If our union was destroyed today, these people would never go back to where they were."

Under the eaves of the garage, in the shade of its north wall, a blue wooden bench had been placed against the adobe. We sat there for an hour or more, cut off from the hot highway by the cool clay wall. Across the property to the north, dead cars glittered on the crown of the city dump, and to the west was a farm, with a solitary black-and-white cow in the barnyard; surrounding all was the flat, low, dusty green of vast crops. The adobe walls and orange tile roof were Chavez's own wish, to be repeated in the other buildings as they take shape; this idea came from the old Franciscan missions and from an adobe farmhouse of his early childhood. "The people wanted something more modern—you know, kind of flashy—to show that they had a terrific union going here, but I wanted something that would not go out of fashion, something that would last," he said. Eventually, the entire Forty Acres will

be surrounded by a high adobe wall, which will mercifully shut out its grim surroundings. The flat, hard sky will be broken by trees, and there will be a fountain in a sunken garden, and a central plaza where no cars are to be permitted.

Chavez drew his hopes in the dust with a dead stick. "Inside the walls, paths will lead everywhere, and we'll have places for the workers to rest," he said. "There will be little hollows in the walls—you know, niches, where the people can put little statues if they want, or birds and things. We'll have frescoes. Siqueiros is interested in doing that, I think. This place is for the people, and it has to grow naturally out of their needs." He smiled. "It will be kind of a religious place, very restful, quiet. It's going to be nice here." He gazed about him. "I love doing this—just letting it grow by itself. Trees. We'll have a little woods." He pointed to some Arizona cypress that had been planted along the property lines, but I noticed that many of the seedling trees had yellowed and died in the heat.

Near the blue bench, a shaded passage penetrated the building. Opening off it to the left was a back door to the cooperative store, which was stocked with food for the strikers donated by individuals and agencies all over the United States. (During the strike, members have been able to get food there when not holding a job, and, if necessary, their rent has been paid out of the strike fund.) Opposite this back door to the cooperative was the door of a small storeroom, eight feet by six. It was in that small room, behind thick walls that sealed away the sounds of the outside world, that Chavez had fasted for some three weeks.

The fast began on February 14, 1968, just after Chavez returned from a fund-raising tour around the country. (Of such tours Chavez once remarked, "The speaker is just a little man in a big box. When the speech is over, he is put back in his box and carried on to the next place.") Everywhere he had gone, the militant groups that supported him or sought his support had been talking about the violence and was being planned for the summer of 1968, and in Delano his own people were rivalling the growers with loose talk about quick solutions. It was winter, in the hungry time between the pruning and the girdling of vines, and the grape strike had been going on for two and a half years, and the workers were muttering that they had waited long enough. Hadn't violence got results in the ghetto riots of 1967? Perhaps a little burning in Delano, or an explosion or two, might force the growers to negotiate. Chavez could not deny this. "If we had used violence, we would have won contracts long ago," he once told me, "but they wouldn't be lasting, because we wouldn't have won respect." Depressed, he decided on the fast as a kind of penance for the belligerence that had developed in his own union.

Chavez had fasted twice before, for periods of four days and ten days; he had no idea when he began how long this fast would last. "I started to fast on a Wednesday, and on Monday I called a special meeting in town and told the people what I was doing. I said that there was nothing to debate or decide, because it was a personal decision—that I knew I would not be able to carry out all my duties, because I would be in bed, but that I would do the best I could, and would always be available to them. I told them I thought the best place for the fast was our own Forty Acres. I told them that I didn't want anybody else to fast. Somebody might say, 'Well, if Caesar can do it I can do it,' but there was no reason for them to starve themselves. For me, it was different—I was prepared and everything. So I got out of the meeting and I walked a couple of miles, and then Helen got a ride and caught me, and walked with me the rest of the way out here to the Forty Acres. I told everybody that the

fast should be kept as secret as possible, and if it got out I wouldn't talk to the press. The people could come to see me day or night, and the strike would go on as usual. But it didn't, and there was a lot of confusion. Even at the meeting, there were some people against, some people for. It was the sixth day or the eighth day before everybody accepted it. When I disappeared, there was a rumor that I had been shot, and then everybody said that I was very sick, and finally we had to tell them the truth, but we still said we didn't want any interviews or pictures or anything. I didn't talk to the news-men—didn't want to. I just wanted to continue working."

He laughed. "I did more organizing out of that bed than I did anywhere. It was really a rest, though. To me, it was a vacation. As soon as the word got out, the members began to come. Just people! From all over the state! Mexicans, you know—farm workers. We estimated that ten thousand people came here during the fast—we never turned anybody away. And Negroes came, and Filipinos. Everybody! I didn't know how the people were going to respond to the fast, but the Filipinos and the Mexicans have very similar traditions—the Spanish went to the Philippines and they did pretty much what they did in Mexico. Any way, everything went beautifully. The Filipinos came and began to paint the windows in some of the buildings, and all kinds of little things began to appear. They weren't artists, but the things looked beautiful." He spoke this last word with great intensity, turning to look at me. "I think the fast was a sort of rest for the people, too. You know? Oh, I could go on for days about the things that happened in the fast that were really great! I guess one time I thought about becoming a priest, but I did this instead, and I'm happy to be a part of it. For me, this work is fun. It's really fun! It's so great when people participate. Mexico is such a poor country, and I could never understand how after the Revolution they could produce all that beautiful art. But now I see it in our own strike. It's only a very small revolution, but we see this art beginning to come forth. Art is becoming important to the people, and they are bringing these things. When they find themselves like this, they begin to appreciate some of the other things in life. I didn't understand this at first, but they began to bring things. Offerings, you know—religious pictures, mostly. Some people brought a hundred-and-fifty-year-old Christ of the Miners, handmade out of silver down in Mexico, and there were some other really valuable pieces. We've got everything safe, and we'll put it on display one day here at the Forty Acres. The only pictures we got that weren't of Christ or of a saint were of John Kennedy—there were many of them. And the people learned more about Martin Luther King and about Gandhi in that fast than if we had sat them down for a whole year of lectures."

"Something else very beautiful happened. For years and years, the Mexican Catholics have been very discriminatory against the minority Mexican Protestants. They didn't know anything about them, they were just against them, and I didn't like it a bit. Well, we used to hold Mass every day in the store across from my room—we made it into a kind of chapel. And about the fifth day a Protestant preacher came. He works out there at Schenley, and he has a little church in Earlimart. And I said, 'How would you like to come and preach at our Mass?' And he said, 'What?' I mean, such a thing had never happened, and he thought he would be stoned, because there was a lot of nonsense still going on between Catholics and Protestants. I told him this was a wonderful time to begin to repair some of the damage that had been done, the bad feeling, but he said, 'I can't preach here. I'll get thrown out.' I said, 'No, if that hap-

pens I'll go out with you.' So he said, 'All right, fine.' And when he came I introduced him, gave the full name of his church and everything, so there was no room for doubt about where he came from. And he did it in great form, something like the Negro Southern preacher, but it wasn't too much or anything. He knew the Bible by heart. He spoke about non-violence—from Matthew, I think. I think it was from Matthew. And the people accepted him. There was a great spirit. They just took him in. So three days later, I asked another one to come, and he came, and he was also great, and then a Negro minister came—it was beautiful. So then I went back to the first one and told him to come again and bring his whole group and sing some of those Mexican Protestant hymns. He said, "Gee, no." Chavez shrank back and imitated the clergyman's voice. "'Sure,' I said. 'The people will love it.' So they came and sang some real great Mexican Protestant music that we're not familiar with because of that prejudice. And now our Franciscan priest has gone and preached out there, in that little Protestant church in Earlimart!"

I asked him if his concept of the fast derived from Gandhi.

"Well, partly," he said. "In India, fasting is part of the tradition—there's an Indian engineer here who is a friend and comes to see us, and he says that in India almost everybody fasts. But Mexicans have the Catholic concept of sacrifice. The *penitencia* is part of our history. In Mexico, a lot of people will get on their knees and travel for five miles. I don't know much about Gandhi, so I read everything I could get my hands on about him, and I read some of the things that he had read, and I read Thoreau, which I liked very much. But I couldn't really understand Gandhi until I was actually in the fast. Then the books became much more clear. Things I understood but didn't feel—well, in the fast I *felt* them, and there was some real insights. There wasn't a day or a night that I lost. I slept in the day when I could, and at night, and I read. I slept on a very thin mattress, with a board—soft mattresses are no good. And I had the peace of mind that is so important. The fasting part is secondary."

In the heavy Sunday silence of the Valley, Chavez got up from the bench and stretched and grinned, and we went back out into the sun. Ten o'clock had come and gone, and the blue sky had paled to a blue-white. In one corner of the Forty Acres, just off the highway, was a heavy wooden cross made of old telephone poles, with ten-foot arms. It had been consecrated soon after the fast, and after the assassination of Robert Kennedy it was covered with a shroud. In late June, after two attempts to burn it, vandals had sawed it down. The charred remnants had been left there in the mesquite-desert dust, so that no one on either side should forget the event. Chavez glanced at the despoiled cross but made no comment. We went out onto the highway and walked toward town.

During the fast, Chavez subsisted on plain water, but his cousin Manuel, who often guarded him and helped him to the toilet, was fond of responding to knocks on the door by crying out, "Go away, he's eating!" I asked if in the fast he had had any hallucinations.

"No, I was wide awake," he said. "But there are certain things that happen, about the third or fourth day, and this has happened to me every time I've fasted. It's like all of a sudden when you're up at a high altitude and you clear your ears. In the same way, my mind clears—it is open to everything. After a long conversation, for example, I could repeat word for word what had been said. That's one of the sensations of the fast. It's beautiful. And usually I can't concentrate on music very well, but in the fast I could see the whole orchestra and

everything, that music was so clear. That room, you know, is fireproof, and almost soundproof—not quite but almost. There's a ten-inch wall, with six inches of poured concrete. There were some Mexican guitars around—this was about the nineteenth day—and I turned to Helen and my brother Richard and some of my kids and said, 'I hear some singing.' So everybody stopped talking and looked around. 'We don't hear anything.' So I said, 'I'll bet you I hear singing!' So this time they stopped about forty seconds. 'But we don't hear anything!' 'Well,' I said, 'I still hear singing.' Then my sister-in-law glanced at Richard. Her expression was kind of funny, so I said, 'We'd better investigate this right now, because either I'm hearing things or it's happening.' They said it was just my imagination, and I said, 'Richard, please investigate for me, right now, because I won't feel right if you don't.' So Richard went outside, and there were some guys there across the yard having a drink, and they were singing." Chavez laughed. "Then, toward the end, I began to notice people eating. Helen and everybody. I'd never really noticed people eat. It was so . . . so . . ." He struggled for words to express fascination and horror. "Well, like animals in a zoo. I couldn't take my eyes off them."

I asked Chavez what had persuaded him to end the fast.

"Well, the pressure kept building, especially from the doctor. He was getting very concerned about the acids and things that I didn't know anything about. A kind of cannibalism occurs, you know—the acid begins to eat your fat, and you have to have a lot of water to clear your kidneys. First of all, at the beginning, I wouldn't let him test me. I said, 'If you declare me physically able to begin the fast, then it's not a sacrifice. If you find out that I'm ill, there will be too much pressure not to do it. So let me begin, and after I've started, then we'll worry about what's wrong with me.' But I forgot that the doctor was responsible for me—that if something went wrong with me he would get it. So I argued and he worried. Finally, after the twelfth day, I let him check my urine, and about the seventeenth day I let him check my heart, and he said, 'Well, you're fit.' And I said, 'I know I'm fit. I knew it when I got into this.'" On the twenty-first day of the fast, Chavez's physician, Dr. James McKnight, insisted that he take medication, and also warned him to drink a few ounces of bouillon and unsweetened grapefruit juice. Dr. McKnight and many other people felt that Chavez might be doing himself permanent harm. Chavez did not agree. He said that the back pains that had been bothering for about ten years gave him less trouble during the fast than they had for some time, and that the chronic headaches and sinusitis from which he had suffered also disappeared. "After the fast, they gave me a complete analysis—blood and all that stuff—and do you know something?" Chavez smiled, shaking his head. "I was perfect!"

Chavez told me that he could have gone on longer than he did, but that the pressure—all kinds of pressure—kept mounting. He smiled again. "Usually there was somebody around to guard me—give me water, or help me out if I had to go to the rest room—but one time, about two o'clock in the morning, they were singing out there, and then they fell asleep, and the door was open. And this worker came in who had come all the way from Merced, about fifty miles from here, and he'd been drinking. He represented some workers' committee, and his job was to make me eat and break my fast." Chavez laughed. "And he had tacos, you know, with meat, and all kinds of tempting things. I tried to explain to him, but he opens up this lunch pail and gets out a taco—still warm, a big one—and tries to force me. And I don't want to have my lips touch the food. I mean, at that point food is no temptation—I just

thought that if it touched my lips I was breaking the fast, you see, and I was too weak to fight him off. This guy was drunk, and he was pretty big, and so he sits on top of me, he's wrestling with me, and I'm going like this." Chavez twisted and groaned with horror, rolling his eyes and screwing up his mouth in an imitation of a man trying to avoid a big, warm taco. "Oh! Ow!" he cried. "Like a girl who doesn't want to get kissed, you know. I begin to shout for help, but this guy really meant business. He had told his committee, 'Look, you pay my gas and I'll go down there and make him eat. He'll eat because I'll make him eat. I won't leave there until he eats.' So he didn't want to go back to Merced without results. First he gave me a lecture, and that didn't work. Then he played it tough, and that didn't work. Then he cried, and it didn't work. And then we prayed together, and that didn't work, either."

I asked if the man was still sitting on him while they prayed, and Chavez said he was. "He got my arms, like this." Chavez gestured. "And then he got my hands, like this." He gestured again. "In a nice way, you know, but he's hurting me, because he's so heavy. I'm screaming for help, and finally somebody—I think it was my cousin Manuel—opens the door and sees this guy on top of me. Manuel thinks he's killing me, but he's so surprised he doesn't know what to do, you know, so he stands there in the door for at least thirty seconds while I'm yelling, 'Get him off of me!' Then about fifty guys rush in and pull him out of there. I thought they were going to kill him because they thought he was attacking me. I can hardly speak, but I try to cry out. 'Don't do anything to him! Bring him back!' 'No!' they yell. 'Bring him back!' 'No!' they yell. I'm shouting, you know. 'Bring him back! I have to talk to him! Don't hurt him!'" In describing this scene, Chavez made his voice quaver piteously. "So finally they brought him back. He wasn't hurt—he was too drunk. So I said, 'Sit down. Let me explain it.' And I explained it, step by step, and the guy's crying—he's feeling very dejected and hurt." Chavez stopped on the highway shoulder, laughing quietly at the memory, in genuine sympathy with the emissary from Merced.

"Anyway, the kids began to feel the pressure, and my father and mother," he went on. "My dad began to lose his sleep. He'll never talk about himself, but he's over eighty, you know, so I got a little worried. He has fasted a couple of times himself. Once, he had dysentery and he couldn't clear it up, and he was dying. And one of those hoboes on their way through—this was in the Depression and they were white Okies, mostly—one of them told my father not eating could take care of it. He said, 'I'll either save you or I'll kill you, and I'll be back in three days, so you think it over.' Well, my dad had been to a specialist and everything, and nobody could help him, but he said, 'Hell, how can I stop eating? I can't stop eating for even a half a day.' An the hobo said, 'No, you can go for twenty days, maybe thirty days.' So, anyway, when the hobo came back my dad said he would try it. So he stopped eating, and in three days he got rid of the dysentery—there was nothing to feed it. He went for twenty days. So I said to him, 'Dad, you fasted for twenty days,' and he said, 'Yes, but that was different.' I had no set date in mind, but a combination of things made me end it on March 10th, after twenty-five days. I could have gone a few days more. I broke the fast on a Sunday—it must have been about one or two o'clock. I ate a small piece of bread. But actually I kept on fasting for the next four days, because you can't eat right away. So really I felt weaker after I broke my fast."

During the fast, Chavez had received a telegram from Senator Robert Kennedy ("I want you to know that I fully and unwerv-

ingly support the principles which led you to undertake your fast. . . . Your work and your belief have always been based solely upon principles of nonviolence. . . . You have my best wishes and my deepest concern in these difficult hours", and the Senator, with a phalanx of the press, appeared in person on the epochal Sunday when the fast ended. Chavez had first met Robert Kennedy in Los Angeles back in 1960—a brief early-morning meeting concerned with a voter-registration drive for John Kennedy's Presidential campaign—and in 1966, as a senator, Robert Kennedy had come to Delano for hearings of the Senate Subcommittee on Migratory Labor. "Even then, I had an idea he was going to be a candidate for the Presidency, and I was concerned for him because he endorsed us so straightforwardly, without straddling the line," Chavez told me. "This was a time when everybody was against us—the only people for us were ourselves. He didn't have to go so far. Instead of that awful feeling against politicians who don't commit themselves, we felt protective. He said that we had the right to form a union and that he endorsed our right, and not only endorsed us but joined us. I was amazed at how quickly he grasped the whole picture. In the hearings, when they began to call the witnesses, he immediately asked very pointed questions of the growers. He had a way of disintegrating their arguments by picking at the very simple questions. He had to leave just before the hearings ended, but he told the press that the workers were eventually going to be organized, and that the sooner the employers recognized this the sooner it was going to be over. And when reporters asked him if we weren't Communists, he said, 'No, they are not Communists. They're struggling for their rights.' So he really helped us, and things began to change."

On March 10, 1968, while Senator Kennedy was in Los Angeles, he was notified that the fast was ending, and he chartered a plane and flew to Delano with Paul Schrade, head of the West Coast United Automobile Workers. At first, according to some of the people around Chavez, Kennedy seemed rather cold. "He felt kind of uneasy, and one of our people heard him ask Paul Schrade or somebody, 'What do you say to a guy who's on a fast?'" Chavez told me. "He was only in the room with me about thirty seconds. He looked at me"—Chavez grinned mischievously—"and he says, 'How are you, Ce-zar?' I said, 'Very well, thank you. And I thank you for coming.' He said, 'It's my pleasure,' or something. So then we kind of changed the subject. I was very weak, and I did not know what to say, either. I think I introduced him to Paul Schrade." Chavez laughed. "The TV people were there, and one poor cameraman got blocked out. I saw he was frantic, and I was too weak to shout, but finally I signalled to let him in, and they let him in. The poor guy was really pale. And he said, 'Senator, this is probably the most ridiculous request I ever made in my life, but would you mind giving him a piece of bread?' And the Senator gave it to me, and the camera rolled, and the man said, 'Thank you very, very much.'"

Chavez, who used to be rather stocky, had dropped from a hundred and seventy-five pounds to a hundred and forty during the fast; bundled up in a dark checked hooded parka against the March cold, he was half carried to a Mass of Thanksgiving held in a Delano park, where an altar had been set up on a flatbed truck. During the offeratory, Paul Schrade, on behalf of his auto workers, presented the union with fifty thousand dollars for the construction of its new headquarters at the Forty Acres. Reyes Lopez Tijerina, a leader of New Mexico's Mexican-Americans, gave a fiery speech, and Kennedy declared that he was present out of respect for "one of the heroic figures of our time." After taking Communion with Chavez, he gave a speech in a Spanish so awful that he

stopped to laugh at himself. "Am I murdering the language?" he inquired, and was wildly cheered. "Hool-ga!" he shouted, in an effort to say "huelga," which is Spanish for "strike." "Hool-ga!"

The Mass was attended by from four thousand to ten thousand people, depending on the source of the estimate, and Kennedy's meeting with Chavez and with the crowds in Delano obviously enlivened him more than anything had in a long time. "He had a heck of a time getting from where we were sitting to the car," Chavez told me. "The crowd was pushing and surging, and when he got there he didn't get in. The way the people were reacting, he wanted to stand there and shake their hand and talk to them. Everybody was afraid of so many people pushing like that, and when he got inside, the people were saying through the windows, 'Aren't you going to run? Why don't you run? Please run!' Then the car got moving, and Kennedy turned to some people in the car with him and said, 'Maybe I will. Yes, I think I will.' So when he announced his candidacy a week later, it was no surprise to us. When Paul Schrade called to ask if I would endorse the Senator and run to be a delegate, I knew it would not be honorable to ask for something in return. With most politicians, this would have been all right, but not with this man who had already helped us so much. After a three-hour discussion, our members voted unanimously that I should be a delegate, and we immediately began a voter-registration drive for the primary in June. We worked right up to the last minute. We had a beautiful time, and the drive was a tremendous success. Some precincts went out a hundred per cent for Kennedy. But I was very tired after the voting, and I felt embarrassed when my name was called at the victory rally at the Ambassador in Los Angeles, and so I left early, before the Senator came downstairs. The last time I ever talked to him was when he gave me that piece of bread."

Our shoes scuffed along on the highway shoulder, over the slag of broken stone, tar bits, glass, and flattened beer cans. Passing cars buffeted with hot wind the big yellow sunflowers that had gained a foothold between the asphalt and the dull, man-poisoned crop, and pressed toads, as dry as leaves, gave evidence in death a few wild things still cling to life in this realm of organophosphates and chlorinated hydrocarbons. Hard-edged and monotonous as parking lots, the green fields seemed without life. The road we walked across the Valley floor was as straight and rigid as a gun barrel, without rise or curve.

Of all California's blighted regions, the one that man has changed most is this great Central Valley, which extends north and south for almost four hundred miles. The Sacramento Valley, in the northern half, was once a sea of grass parted by rivers; the San Joaquin Valley, adjoining the Sacramento to the south, was a region of shallow lakes and bulrush or tule marshes. Both of these sections of the Central Valley supported innumerable animals and birds, among which waterfowl, antelope, and tule elk were only the most common; there were also significant populations of wolves, grizzlies, cougar, deer, and beaver. To the Spanish, centered in the great mission holdings along the coast, the grasslands of the interior were scarcely known, and their destruction was accomplished almost entirely by the wave of Americans that followed hard upon the Gold Rush. Game slaughter became an industry, and the carnivores were poisoned; unrestricted grazing by huge livestock herds destroyed the perennial grasses. Oat grass, June grass, and wild rye gave way to tarweed, cheatgrass, and thistle, which were crowded, in turn, by rank annual weeds escaped from the imported food crops of the settlers. In the last part of

the nineteenth century, the huge corporate ranches were challenged for the dying range by huge corporate farms; the first big factory crop was wheat, the second sugar beets. One by one, the tule marshes were drained and burned over; by the beginning of our century, the lakes and creeks, like the wild creatures, had disappeared without a trace. As the whole Valley dried, the water table that had once lain just below the surface sank away; the search for water became fiercely competitive, and in some places people resorted to oil-drilling equipment, tapping Ice Age aquifers hundreds of feet down. To replace the once plentiful water, the rivers were dammed and rechanneled; Shasta Dam destroyed the Sacramento, and Friant Dam choked off the San Joaquin. Today, there are no wild rivers in the Valley, and very few in all of California; the streams of the Coast Range and the Sierras have been turned to irrigation, seeping across the Valley floor in concrete ditches.

A car, bulging with children, slowed down, and the driver offered us a lift; when Chavez refused, the occupants shouted in surprise. The car swayed on, and a woman's voice drifted back to us: ". . . su penitencia?" Chavez, glancing at me shyly, grinned. "Si, si," he murmured. "Mi penitencia." The driver of the next car, seeing Chavez refuse the ride, blared a loud greeting on his horn, and a child's voice—"Hi, Mr. Chavez!"—was whiled upward and away in the hot, dusty wind of the car's wake.

A farm truck came by as we approached the town, and the sunburned face of a blond boy stared back at us. I wondered if he had recognized Chavez. "Some of the growers still get pretty nasty," Chavez remarked, after a moment. "The worst are some of these young Anglo kids. They come by and give you the finger, and you wave back at them. Then they give you a double finger, and you wave back again. You don't wave back to make fun of them—you just wave back."

As he spoke, Chavez stopped to pat a mangy dog, which flinched away from him; he squatted down to talk to it. "Hay más tiempo que vida"—that's one of our *dichos*. "There is more time than life. We don't worry about time." (In a letter to the head of a growers' association, he once wrote, "Time accomplishes for the poor what money does for the rich.")

Children and a woman greeted him from a shady yard, and he called back to ask the woman about her husband's job. The woman's house was right next door to the old union office, now the hiring hall, a gray stucco building at the corner of Albany Street and First Avenue; this is the far southwest corner of Delano, and across the street, to the south and west, the vineyards stretch away. The hiring hall, which was originally a grocery, is in poor condition, because of old age and cheap construction, and also because of several hit-and-run assaults. "One truck backed right into it," Chavez said, bending to show me a large crack in the wall. "Practically knocked down the whole thing. See? See what he did there?" He straightened. "They broke all these windows. One time, they threw a flaming gasoline-soaked rag through the window—that just about did it. But someone saw them and called the fire department, and they put it on the radio, and my brother Richard was listening to the radio and took off and got over here quick. He had it out before the fire department got here." Chavez shook his head. "One second more and the whole thing would have gone." He laughed suddenly. "Man, they used to come here with bows and shoot fire arrows into the roof! We had to keep a ladder and a hose on hand for a long time."

Rounding the corner into First, we approached the union headquarters, in a building known as the Pink House. Although it was Sunday, several cars were parked along

the street, and two workers in clean denims stood on a bleached patch of lawn behind a low picket fence. Chavez hailed them: "Qué tal?"

I talked with the two workers for a little while. In telling me about Chavez and the union, they interrupted each other out of pure enthusiasm. They both said that if a secret ballot could be taken, ninety-five per cent of the workers on most ranches would be pro-union but that the workers were uneducated people who did not speak English very well and were afraid. "They scared if they do anything the boss just kick them out," one of the men said. "And if you got kids you got to work, you know. If you got kids, you got to work every day." He was a very big man with heavy eyebrows and steel-rimmed glasses. At the mention of children, he looked worried.

"We know we livin' in a free country, but the growers don't know it yet," said the other man, whose broad open face had a small mustache on it. "Why they don't want a secret ballot? Because they afraid! When the picket line comes, they have everything out there to drown it out." The man snickered with delight. "Man, they have radios, they have loudspeakers, car horns, bells!"

One non-union grower, the men told me, was paying a dollar-sixty an hour at the moment, because he needed people for the harvest, but later he could drop the wage to a dollar-forty, and anybody who didn't like it was out of a job. Union workers had a two-year contract, giving them a dollar-ninety an hour, which would automatically be raised ten cents the following year. Not only that but the work hours were regulated now, with time and a half for overtime.

The face of the man with glasses wrinkled in distaste. "Before Cesar was there, everybody was afraid." To illustrate, he doffed his hat in a slow, obsequious gesture. "Now we not afraid no more."

"We got paid vacations now," the other man said, in a voice suggesting that he could still scarcely believe it. "We got seniority. You know Henry? Well, we got this colored fella, Henry, that was out there eleven years and never got no seniority on the best jobs. Now he's drivin' a tractor, and he don't believe it. He just don't believe it."

Both men were silent. Then the man with the mustache said, "I want the union for every poor people in this country. I win more money, then they must win it, too. If you got a big family, one-forty an hour is not much—you got to work twelve to sixteen hours every day. This is the way they killin' the peoples. A man workin' seven days a week for twenty, thirty years—I don't think that man is livin'."

In the late afternoon, Chavez sat down in the shade of the Pink House with a delegation of high-school students from East Los Angeles called the Young Adult Leadership Group. On his busiest day, Chavez seems unhurried; he is altogether where he is. Once, I asked him about a magazine interview in which his responses to the reporter seemed too simple, and Chavez nodded. "He was in a hurry," he said. "So I was, too." The students were mostly Mexican-Americans, along with a few whites and blacks. Some were straight and some wore long hair and hippie beads, but all were interested in helping the union boycott by picketing the East Los Angeles supermarkets. "We had a great reception in East L.A. when we went down to get the vote out for Senator Kennedy," Chavez told them. "I went to many polling places and talked to the ladies and the men, and they knew all about the union. We made a lot of friends there. They send us food now, and some have come to visit us in Delano. Anyway, don't let them kid you about those grapes coming from Arizona or Mexico. In East L.A., they shouldn't be selling any grapes at all." He grinned. "They

should only be selling tacos and tamales, things like that." The Mexican students laughed.

Chavez talked about race prejudice and the problems he had had with it in his own union. "The *chicanos*"—the Mexican-Americans—"wanted to swing against the Filipinos. We don't permit that against anyone. I told them they'd have to get somebody else to run the union. You don't take a vote on those things—whether to discriminate or not. You don't ask people whether they want to do that or not—you just don't do it." He regarded his audience of black, white, and brown students. "That doesn't mean you can't be proud to be what you are. In the union, we're just beginning, and you're just beginning. Mexican-American youths is just beginning to wake up. Five years ago, we didn't have this feeling. Nobody wanted to be *chicanos*. They wanted to be anything but *chicanos*. But three months ago I went up to San Jose State College and they had a beautiful play in which they let everybody know that they were *chicanos* and that *chicanos* meant something and that they were proud of it." He paused again. "In a conflict area like here in Delano, you have to be for your people or against them. We don't want to see anybody on the fence. I walk down the street here and I get insulted almost as many times as I get a friendly wave. And that's the way it should be—you have to be for or against. If you aren't committed one way or the other, then you might as well lie in the weeds."

The students told Chavez that the police in East Los Angeles had become very hostile, especially against the Brown Berets, a group of young Mexican-American militants who pattern themselves after the Black Panthers. A girl said, "The Man is after everybody now. I think they're out to crush the whole *chicano* movement." Discussing the police, the young people sounded tense and worried, and in their haste to confide their worry to Chavez, who looked worried himself, they interrupted one another.

"Them thirteen that were arrested—"

"Club you, man. They club you—"

Chavez was nodding; he has told me that he feels it is only a matter of time before brown communities start exploding like the black ones. "But those police clubs will organize the people," he told the young visitors.

After Chavez excused himself, the students chattered excitedly among themselves. Already a few of them had acquired buttons that said "VIVA LA CAUSA!" and "HUELGA!" One of the hippie contingent, a boy with dark skin and long hair, wearing wild beads and a green Che fatigue shirt, was pinning on a "GRAPES OF WRATH—DELANO" button. "We'll show these guys," he told me. "Cesar don't believe in violence, but we do." Fists on hips, he tossed his chin toward his fellow-students, who were squealing, jostling, squalling, and flirting their way to a bus. "The Young Adult Leadership Group," he said, and he gave a low, mocking whistle.

At the Stardust Motel, I ran into the sun-burned blond boy I had seen staring at Chavez from a pickup truck. He turned out to be the nephew of a local grower, and was working in the vineyards for the summer, before going to college. He had started at Chavez because a foreman in the truck had said that whenever he saw a Mexican near Albany Street it was probably one of Chavez's men, and now he was surprised to learn that he had actually seen Chavez himself. Most of the growers, I had already discovered, had never laid eyes on this dangerous figure, and probably would not recognize him if they did. The nephew was handsome, pleasant, and polite; he called me "sir." He said that although his generation felt less strongly than their fathers, and although some sort of farm workers' union seemed inevitable, the Delano growers would let their grapes rot in the fields before signing a union contract with

Chavez. I asked if this was because Chavez was a Mexican. No, he said, it was because Chavez was out for himself and had no real support; even that three-day fast last winter had been nothing but a publicity stunt.

A few days later, I drove down the Sandrini Road to Lamont, a farming town southeast of Bakersfield, where a small vineyard was to be picketed by Chavez's people. The Lamont-Arvin-Weedpatch fields, celebrated by John Steinbeck in "The Grapes of Wrath," are the southernmost in the San Joaquin Valley; here the grape harvest, which had scarcely begun in Delano, thirty-five miles to the north, was almost complete.

At dawn, the hot summer air was already windless, and a haze of unsettled dust shrouded the sunrise. Trucks were unloading empty grape boxes for work crews at the ends of long rows of vines, which looked almost fresh in the thin dew, and men in charge, standing beside their pickups, watched my strange car approaching from a long way off.

As I drew up behind the waiting vehicles, two men in the middle of the road began to argue. One said, "You don't want to do that, Abe. You don't want to do that. You do that and they'll know they're getting to you."

But the other, small and bespectacled, stomped over to my car. "You on our side?" he demanded.

His companion, a husky, dark-haired man in his late twenties, came over to calm him down. Politely, to elicit my identity, he introduced the small man—Abe Haddad. "Barling's my name," he added, hand extended. "Most people around here call me Butch." He glanced at Haddad, who glared at me, unmollified. "Our dads are partners in this field," Barling explained.

I asked how they had known they would be picketed this morning.

"How did you know?" Haddad countered. I said that I had learned it from the union office.

"Well, we have a spy system, too," he said. "But their system is a hell of a lot better." He pointed to some unpicked vines near the public road, where his pickers would be working within easy reach of the voices from the picket line. The pickets, he said, would arrive around seven-thirty, when the pickers were well settled at their work. If even one worker could be persuaded to walk off the job and give his name to agents of the United States Department of Labor, then a labor dispute would be certified, under P.L. 414. "I think me and Johnston's are the only ones left around here that do not have a certified strike," Barling remarked. But, in fact, I knew he was wrong: several people had walked off the Johnston farm after work the day before.

Haddad and Barling told me that Chavez had been losing ground with the workers. "As far as your local help here, they don't want no part of him," Haddad said. "They wish he'd get the hell out of here."

I asked why.

"Because they're makin' more money here than they could ever make with the union!" Haddad said.

"The union, they only work a forty-hour week, so even with their wage increase they make less money," Barling said. "On your union ranches, sure the wages are just as good, maybe better, but they don't let 'em work the hours, work the days. The union is tryin' to run a farm like a factory, and you cannot run a farm like a factory!"

When Haddad had gone, Barling acknowledged that the boycott had hurt him. "Today the market is three dollars a box—I'm breaking even. Next week I could be going backward." He laughed at his own helplessness. And even a grower with a small holding, like Barling, is far better off than a man trying to subsist on a family farm. Two-thirds of California's farms are of less than a hun-

dred acres, and even without the pressure of a strike the family farms are going under; California has lost fifty-three thousand farms—nearly half—in the last decade. Since 1960, more than a quarter of America's family farms have vanished, but it is the family that vanishes, not the farm; farm land, absorbed by the large growers, has decreased only about four per cent in the same period. The small farm, with small capital and small margin, can afford neither the labor force nor the new machinery that keep increasing the advantage of the large ones. Rarely do the small farms cooperate in their production and distribution operations, or join forces to support the price of their smaller crop. Huge corporate enterprises, which can make money on a small profit from an enormous volume, are actually far more of a threat to Barling than Chavez's union.

We stood around awhile, waiting for the pickets. Before long, Barling said, "Here they come now." A caravan of ancient cars had appeared on the Sandrini Road. They drew off the pavement, and fifteen or twenty people got out, stretching. Carrying horns and "HUELGA!" banners, the pickets split into two groups, stationing themselves opposite two main crews of pickers.

"Well, this is a pretty good-looking group," Barling said, starting across the highway. "Sometimes we get a lot of these guys with long hair and beards." He grinned bitterly through his own early-morning stubble. "Course, we know they're actual grape pickers, not just a bunch of hippies from L.A.," he said. "Don't get me wrong." For the first time, and the last, we laughed together. He crossed the public road. Arms folded on his chest, legs wide apart, he took up a position where his workers could get a good look at the boss.

Up and down the road, red strike flags fluttered, the only brightness in the sunny haze that stretched away to the brown shadows of the Tehachapi Mountains. Already the voices of the pickets were calling to the workers.

"Venga! Vengase! Compañero!"
"Huelga! Huel-ga!"

To Chavez, the picket line is the best school for organizers. "If a man comes out of the field and goes on the picket line, even for one day, that man will never be the same," he once told me. "The picket line is the best possible education. Some labor people came to Delano and said, 'Where do you train people? Where are your classrooms?' I took them to the picket line. That's where we train people. That's the best training. The labor people didn't get it. They stayed a week and went back to their big jobs and comfortable homes. They hadn't seen training, but the people here see it, and I see it. The picket line is where a man makes his commitment, and it's an irrevocable commitment. And the longer he's on the picket line the stronger the commitment. The workers on the ranch committees who don't know how to speak, or never speak—after five days on the picket lines they speak right out, and they speak better. A lot of workers make their commitment when nobody sees them—they just leave the job and they don't come back. But you get a guy who, in front of the boss and in front of all the other guys, throws down his tools and marches right out to the picket line—that's an exceptional guy, that guy, but that's the kind we have out on the strike. Oh, the picket line is a beautiful thing, because it does something to a human being. People associate strikes with violence, and we've removed the violence. Then people began to understand what we are doing, you know, and after that they're not afraid. And if you're not afraid of that kind of thing, then you're not afraid of guns—these things can't frighten you. If you had a gun and they had a gun, then you would be frightened, because it becomes a question of who gets the first shot. But if you have no gun

and they've got a gun, then—well, the guy with the gun has a lot harder decision to make than you have."

In the first months of the strike, in the autumn of 1965, local sheriffs and the state police of Kern and Tulare Counties followed the strikers everywhere they went. At that time, many of the ranch foremen carried guns, and shotgun blasts destroyed picket signs and car windows. The growers, startled by a walkout of several hundred harvest workers in the first few days, apparently meant to see to it that this strike was broken as quickly as all the rest, and they set about their business with a will. With policemen watching, they marched up and down the picket lines slamming the strikers with their elbows, kicking them, stomping their cowboy boots down on strikers' toes; they cursed them, spat on them, and brushed them narrowly with speeding trucks. On September 23, 1965, while picketing the house of a scab-labor contractor in Delano, a small striker named Israel Garza was knocked down repeatedly by a grower before the police intervened; they had been warned by Chavez that he could not control the crowd if the attacks continued. The police reported to the Fresno Bee that they had dispersed the crowd "when one picket fell down." The strikers accepted this treatment, in the expectation that arrests would soon be made, but those arrested were invariably strikers, who were taken into custody for such offenses as shouting, the public use of bullhorns, the public use of the word "huelga," and, in one case, the public reading of Jack London's "Definition of a Strikebreaker."

Of all the tactics of harassment, the threatening use of trucks was the most dangerous, but repeated complaints got nothing more from the police than the statement that no crime had been committed. At one point, a Filipino union member named Alfonso Pereira, who said that he had lost faith in the non-violent philosophy, announced that he was old and despondent and wanted to trade his life for that of a grower. He got into his car, drove around a field to pick up speed, and then launched himself into a trio of growers by the roadside. All but one jumped clear; the victim, John Zaninovich, got away with a broken hip. Pereira was dealt with swiftly by the courts, and went off to spend a year in jail, apparently with no regrets.

A few months later, a striker was run down. The complaint charged:

On or about Oct. 13, 1966, at the packing shed located at Garces Highway and Glenwood St. in the City of Delano, County of Kern, State of California, at or about the hour of 10 A.M. of said day, defendant Lowell Jordan Schy, acting within the course and scope of his employment did maliciously, deliberately, and willfully assault and batter plaintiff by driving a flatbed truck, California license number W49-554, over plaintiff's body.

The plaintiff, Manuel Rivera, who had been one of the first workers to walk off the job and join the strike in 1965, was permanently crippled, and very nearly lost his life. The man who crippled him was not a trucker but the sales manager of a large grower; he had got angry when the drivers refused to cross the picket line, and decided to drive a truck himself. But, having run down Rivera, he rolled up the windows of the truck cab and subsided into a funk. If the episode had taken place out in the vineyards instead of in town Schy would almost certainly have been killed. Had Chavez not arrived very quickly, he might have been killed anyway, because the truck was coming down around his ears when Chavez got there. Chavez had left the scene a few minutes before the accident; Helen Chavez phoned him at the office, and he came rushing back. Schy was actually calling for Chavez to come and save him, but Chavez could not reach the truck

door through the angry crowd. Finally, he crawled under the truck bed and surfaced at the running board of the cab, where he rose like a vision before the mob. But the people were cursing non-violence; they wanted blood, and Chavez was in their way. Chavez yelled that they would have to get him, too, then, and at last the people in front calmed down enough to listen, and he brought them back under control. He escorted Schy to the packing-shed offices, where he confronted the owner, a man named Mosesian. "That was the maddest I ever got," Chavez told me. "I really let him have it. I told him, 'You people value your damned money more than you value human life.'" Mosesian said he was sorry about what had happened, but subsequently a citation was issued against Manuel Rivera, for obstructing traffic. An assault case against Schy is still pending, and Rivera has received no compensation.

The mood of that time has been described by the Reverend James Drake, Chavez's administrative assistant: "Everybody thought Rivera was going to die, so everybody wanted to get the cops, who had been practically goosestepping up to the picket line with their clubs, and they wanted to get the driver. One of the strikers, carrying a gun, walked up to Cesar and said, 'Goodbye. It's been nice knowing you.' He said how enjoyable it had been, working with Cesar and the union. So Cesar said, 'Where are you going?' and the man said, 'I'm going to kill that guy.' So Cesar put his arm around him and said, 'Let's take a little walk.' Anyway, in a situation like that you forget your philosophy. I've been on the picket line ten different times when I didn't even know myself—you just see red and you have to do something."

I had followed Barling out onto the public road, and he pointed out two Labor Department officials and a heavy man in a white shirt who was leaning against a pale-blue car, arms folded. This was Joseph Brosmer, of the Agricultural Labor Bureau—an organization set up, in effect, to protect the growers by keeping them from getting "overly excited," as Barling put it. "Some of your growers lose their tempers fairly easy, particularly if they are picked on or aggravated at, or so on and so forth," Barling said. He introduced me to Brosmer, who, upon discovering that I had a journalistic interest in the strike, asked me if I was aware of the fact that a worker who had been employed only one second could walk off the job and give his name to the gentleman over there—he pointed to the Department of Labor people—in order to certify a labor dispute. "This situation tends to lend itself pretty well to plants," he said.

Approaching the strikers, I was stopped by the picket captain, a husky blond man with glasses. He had seen me talking with the growers, and he asked for my identification. "I want to know if you're a friend or enemy," he said. I told him that on a public road I was under no obligation to identify myself. "I'm asking anyway," he said, neither rudely nor politely, and I obliged him, because if he could not stop me from asking questions, he could stop me from getting answers. This picket captain was Nick Jones, a member of the staff of the Migrant Ministry, a Protestant group that attends to the needs of migrants in many states and, in Jones's opinion, does a poor job of it everywhere but in California. A sign that read "NO TRESPASSING: SURVIVORS WILL BE PROSECUTED" attracted Jones's attention, and he went over to an old Volkswagen and got out an old camera to record it. In the foreground of his picture he placed a stout Mexican woman striker with a bullhorn, whom he addressed as Mrs. Zapata. She wore a big, cone-peaked straw sombrero with a pink brim, which was festooned with Kennedy buttons, an A.F.L.-C.I.O. badge, a "GRAPES

OF WRATH—DELANO" button, a small portrait of Jesus, and a purple feather. In the long rise and fall of loudspeaker rhetoric, she talked nonstop most of the morning. She told the workers that they should not be afraid of the *patron*, that they, the strikers, had known hunger, too and were seeking to better the lot of the poor, that all workers must organize and fight so that their children would not have to work like animals, as they had. "Vénganse, señores!" she bawled. "Para su respeto y dignidad!" Her entreaties were carried to the workers on waves of "Huelga! Huelga!" from the picket line, and the workers glanced at her uneasily and kept working. Now and then, Mrs. Zapata was drowned out by a passing truck, which would blare its horn from a half a mile away and continue blaring after it had passed, its dust cloud rolling off into the fields. These trucks were driven at high speed, skimming the road edge just behind the strikers. Once, I had to jump, and each time I was shaken by the passing blast of air. Then the strike cries would resume again: "Huelga!"

Since many of the first-line strikers were now working on the boycott in the Eastern cities, what was left was a sort of skeleton crew. The men pickets that morning were mostly aged Filipinos, the women mostly Mexicans who were out of work. One pretty woman told me that she had been knocked unconscious by nitrate fertilizer spray while she was working in the Coachella Valley a few weeks before. She was a green-carder from Mexico City, Magdalena by name and beautician by trade, who had come to make some quick money during harvest time. She was gaily attired in a green shirt with huge white polka dots, a yellow bandanna, lavender slacks and fake red hair, all set off by a small silver Virgin on a chain, and she was extremely cheerful about her ailments, which included nosebleeds, headaches, and sore lungs. It still pained her to breathe, she told me, and she could not go near the smell of sprays without a recurrence of her symptoms.

"Huel-gal!" the pickets shouted. "Vénganse! No tengan miedo del patrón, señores! Vénganse!" The old Filipino men beckoned with their arms, or waved red banners back and forth like fans. When they saw a countryman among the work crews, they would switch from poor Spanish and English and cry out to him in their native Tagalog: "Mag labas kayo, kabayan! Huelga!"

Jones told me that he was optimistic about the progress of the strike. The Johnson ranch had been struck yesterday; no workers had walked off the job during the picketing, but a whole group had come into the farm workers' office afterward. "If we get the base here, we can start sweeping, take a lot of ranches further north," he said. "Those guys aren't going to make us boycott, because that hurts them worse than the strike itself. Much as they dislike Cesar, they'll sit down and negotiate."

"Esquiroll!" a woman shouted at the workers. "Esquiroll!"

I asked her what the word meant, and she said it was a term used for scabs. "Es un animal." She laughed, making an ambiguous writhing motion with her hand. "Ni aquí ni allá."

"Man, they don't like Cesar," Jones went on. "And behind the dislike for Cesar is the whole Mexican thing—someone they called 'boy' is standing up and asking to negotiate."

Chavez himself has given a good deal of thought to the growers' feelings about race. "Let them have their pride," he once told me. "What we want is the contract. This is what they fail to understand. We are not out to put them out of business, because our people need the work. We are out to build a union, and we'll negotiate half of our lives to get it. If we can get better wages and conditions for the workers, we are willing to give up something. But they choose to

make it a personal fight, so we have to do something to save their face. It's not hard to understand why they feel the way they do, because they've had their own way for so long that they've got the habit of it. So things can't look as if we are getting a victory and they are not."

The perfunctory yells and catcalls on the picket line gained sudden momentum; red flags danced as the pickets gathered in a single spot, like a flock of birds. Down a row of vines, perhaps fifty yards away, a work crew had run out of boxes, and while they waited for a truck they turned toward the picket line and sat down to listen. The strikers' big gun, Mrs. Zapata, was moved into position, and while she huffed and blew into her bullhorn a Filipino shouted at the work crew in an old, hoarse voice that could scarcely be heard. Most Mexicans in the vineyards do not speak English, and this man's Spanish was not up to the job. "Ven!" he cried. "Come on, you! All of you! Ven! Come on! Leesten, you!" He wore a red "HUELGA" kerchief tied into the band of a plastic straw hat, and a purple button that said "DON'T BUY SCAB GRAPES."

"Para respeto, hombre!" Jones yelled. "Come on!"

The workers appeared to be arguing among themselves. Then one boy stood up and started for the picket line. After a few steps, he retreated, to argue some more. A second time he started down the road, motioning over his shoulder for his friends to follow. Though several got to their feet, they did not move. When the boy reached a point perhaps ten yards from the property line, he looked back and saw that he was all alone. He was no more than eighteen, and very small and thin, with a red-and-white kerchief tied around a homely narrow head. He stared at the dancing banners of the picket line—"Véngase! Venga!"—and at his boss, Barling, and at Joseph Brosmer, and at the two federal officials. He glanced back again at the *campesinos* he had left. Then he sank slowly to one knee and picked at the earth. He forced a smile, to suggest that he was only playing a game. He glanced back again to where he had come from.

"Venga! Véngase! Nosotros también tenemos hambre!"

The boy with the red-and-white kerchief waved a thin, ragged arm at the workers he had left behind. No one was working now; the boy's crew had been joined by others. But after a while the other crews dispersed and went back to work. Soon the long row was almost empty, stretching away southward into the dusty sky. The boy got up. He hesitated, then he spun away, cringing in a howl of disappointment that went up from the pickets. Shoulders hunched, he hurried down the row. Staring at the ground, kicking at clods, he lifted both hands high into the sky, thumbs outward, and, without turning, waggled a goodbye with his fingers to the picket line.

The picket line subsided in discouragement; the boy had dissipated any pressure that might have been built up, and the morning was a failure. Mrs. Zapata moved a few rows away, where, using the bullhorn, she burst into song. "Nosotros Venceremos" ("We Shall Overcome") was followed promptly by "Huelga General" ("General Strike"):

Viva la huelga en el "fl"!
Viva la causa y la historia!
La raza llena de gloria!
La victoria va cumplir!

A big woman came to the edge of the fields and shouted violently at Mrs. Zapata. Through the bullhorn, Mrs. Zapata notified the workers that she knew this broad only too well and that she was entirely untrustworthy; in fact, she owed fifteen dollars to Mrs. Zapata herself, which she refused to pay. The woman, calling Mrs. Zapata a bitch, shrieked out an invitation to cross the prop-

erty line, at which time she would be paid in full. In response, without letting up on the bullhorn, Mrs. Zapata saluted the woman with one finger. (To cross the property line, as the workers knew, was to get arrested.) Laughing, the picketline disbanded. The strikers got into their old cars and drove away.

When I recrossed the road, Barling said, "That Mexican gal with the bullhorn is terrific. She's better than all the rest of their people put together." He seemed more tense than ever. Barling and Brosmer had been joined by a young grower named Dan Surber of Caratan Farms. "Him and I have some grapes together, too," Barling said.

"Them geese are making one-forty an hour fertilizing that pond," Surber said, pointing at some white geese in a farm pond behind his truck, "and they're goin' on strike."

Brosmer laughed.

Barling had promised to let me go into the fields and talk with his workers once the pickets were gone, and when I reminded him of his promise he looked unhappily at Brosmer.

"I think that would be useless, Butch," Brosmer said. "I think it would be better to wait until you finish your day." To me, Brosmer said, "People have a natural-born curiosity, and you may only talk to two, but every one of 'em is going to stop working to watch. It's just human nature." Barling nodded, in discomfort. He did not look me in the eye. Brosmer continued, "I think I'd have to agree with Butch that you'd better hold off going in there until Butch finishes his working day."

Apologetically, Barling said that after work he would take me in and let me pick out any worker I wanted to talk with, and I asked him why, now that the strikers were gone, it would not be all right for me to walk into the fields by myself.

"I guess we're not communicating," Brosmer said before Barling could speak. "You would be a disruptive factor."

But Barling said, "That would probably be all right. Just so long as I don't get disrupted."

"No," Brosmer said. "I think you're making a mistake."

"Well, let's go, then," Barling said ambiguously, looking at no one. He set his jaw and started for his truck, and I went with him and got into it.

"You're making a big mistake!" Brosmer called after him.

We drove down a side road into the fields. It was nearly noon, and the truck raised big, evil clouds of hydrocarbon dust. Barling swung off into a service lane that crossed the rows of vines, and stalled the truck at the edge of a crew of workers. "I ain't never goin' to get this crop out of here if them damn people don't leave me alone," he said. His voice was tight and his face red.

Down the rows, I spotted a red-and-white kerchief on a head that sank down behind the leaves. I waited a little while, and then I asked Barling if I could talk with the worker of my choice. Sure, he said. Which one? If he didn't mind, I said, I'd like to operate alone—it might be more spontaneous. He grunted and let me go. But the big woman who had shouted at Mrs. Zapata saw where I was going. "That young kid?" she called. "There weren't any boxes, and he said, 'I'm going to have some fun with them while I'm waiting.' That's why he walked out there and sat down."

The boy was deep under the vines, which were no higher than my chest. In the shadows, the filtered sun gave the big bunches of green grapes a soft glow. Crouched there, he stared up at me. He did not speak English. "Buenos días," I said.

He did not so much answer the greeting as repeat it, in a hushed voice full of fear.

In bad Spanish, I told him please not to

be afraid, and then asked why he had gone back.

I had expected a few frightened murmurs, but he spoke right out, in passion and pain. He was a green-carder on vacation from an insurance job in Mexico, and he could speak frankly because in harvest time no one was fired. His voice grew louder. Besides, as an insurance man he would be here only two weeks more before his vacation ended. The insurance man poked his head out of the vines and looked up and down the row before continuing, in a lower voice. *Si*, he was in favor of a union. "The ranchers have no concern for us. Everybody should have a union."

Persisting, I repeated my question: Why had he not walked out an hour before?

The boy picked at the dust on his sandals. "The whole world was awaiting me," he murmured, "and I became afraid."

PROFILES ORGANIZER II

The walls at the headquarters of the United Farm Workers Organizing Committee, in Delano, California, are decorated with photographs of Martin Luther King and Mahatma Gandhi; beside them is a blood-red poster of Emiliano Zapata, complete with mustachio, cartridge belts, carbine, sash, sword, and giant sombrero, under the exhortation "*Viva la Revolución*." All three, in their different ways, are heroes of U.F.W.O.C.'s director, Cesar Chavez. There are also portraits of John Kennedy and Robert Kennedy, black-bordered and hung with flowers, as in a shrine. Here and there is the emblem of U.F.W.O.C., a square-edged black eagle in a white circle on a red background, over the word "HUELGA," which in Spanish means "strike." According to one legend, the eagle appeared in a dream to Chavez! according to another, the inspiration came to Chavez's cousin Manuel from the label on a bottle of Gallo Thunderbird wine. The truth is that after Cesar Chavez settled on an Aztec eagle as an appropriate symbol for the union, Manuel sketched one on a piece of brown wrapping paper with the help of Cesar's brother Richard. They then squared off the wing edges so that the eagle would be easier for union members to draw on the handmade flags that are now a familiar sight on picket lines near vineyards in the San Joaquin Valley and elsewhere in California, where for nearly four years U.F.W.O.C. has been conducting a strike to win union contracts for the grape workers.

I was shown around the offices and introduced to members of the staff one morning by LeRoy Chatfield, one of Chavez's assistants. Before joining the union movement, three and a half years ago, Chatfield, a man in his early thirties, with the white hair of a blond child in summer and a wide-eyed, bony face, had been known as Brother Gilbert, of the Christian Brothers. He had been a teacher at Garces High School, in Bakersfield, but it was Cesar Chavez, he told me, who had given him his education. Chatfield introduced me to two staff lawyers, Jerry Cohen and David Averbuck; to the Reverend James Drake, a young Protestant clergyman who has been working with Chavez since 1962; to Philip Vera-Cruz, a Filipino vice-president of the union; and to Chavez's wife, Helen, who runs U.F.W.O.C.'s credit union. Mrs. Chavez speaks very softly, but Chatfield told me later that she has a hot temper, which has been known to erupt on rare occasions. "Sometime she has less faith than Cesar in nonviolence," Chatfield said.

Manuel and Richard Chavez were on the point of setting off for New York by car to try and gain support for a boycott of California grapes, which seemed to be faltering. Large quantities of Thompson seedless grapes had been arriving in New York in boxes marked "Hi-Color," a label belonging to a subsidiary of the DiGiorgio Fruit Corporation,

with which Chavez had signed a contract, and which was therefore exempt from the boycott. According to Manuel Chavez, DiGiorgio had not been harvesting table grapes in recent months, and workers had reported seeing "Hi-Color" boxes in the vineyards of non-union growers. "I am going over to New York," Manuel Chavez said. "How far is it?" His face had been serious, but suddenly he laughed.

One of the union's vice-presidents is Dolores Huerta, a very pretty, sad-eyed young woman who does not look like the mother of seven children but is. Mrs. Huerta told me that she met Chavez through a man named Fred Ross. Ross had been active in behalf of the migrant Okies during the Depression, had taken up the problems of displaced Japanese and Nisei during the war, and was working to help Mexican-Americans by setting up branches of a private agency called the Community Service Organization when Chavez and Mrs. Huerta came under his influence. In 1955, when Mrs. Huerta first met Chavez, she was an active member of the Stockton chapter of the C.S.O. "I had heard a lot about him from Fred Ross—Cesar this and Cesar that—but I didn't really get a chance to talk to him, and he didn't make much of an impression on me," she said. "I forgot his face. I knew he was a great organizer, but he never showed it. It came out in the reports. He was very unassuming, you see—did a lot of work but never took any leadership role. The first time I really heard him speak was at a board meeting in Stockton in 1957. He had to respond to sharp questions from an attorney, and I was very impressed by the way he handled it. You couldn't tell by looking at him what he could do. You had to see him in action to appreciate him. In 1958, they made him organizing director of the whole C.S.O., but even then he wasn't the forceful leader that he is now." Mrs. Huerta paused, and laughed. "Of course, everywhere he worked tremendous things happened," she said. "Those things didn't just happen by themselves. The rank and file began to see Cesar as the real head of the organization long before the leadership did."

For a year and a half, between August, 1958, and November, 1959, Chavez worked at organizing the farm workers of Oxnard against the inequities of the so-called *bracero* program, which he believed was being abused for the growers' benefit by both the Farm Placement Service of the California Department of Employment and the Bureau of Employment Security of the United States Department of Labor. The program had been set up during the Second World War, when there was a scarcity of farm laborers, to bring Mexican *braceros*, or field hands, into this country on a temporary basis. Even in the late nineteen-fifties, Chavez found that American laborers supposedly assigned to jobs by the F.P.S. still had trouble getting work when any *braceros* were available. According to law, the American workers should have been given first choice. Chavez documented hundreds of cases of illegal job discrimination by taking groups of unemployed workers to fill out employers' work cards day after day and keeping a record of the results. Then he staged sit-ins—his men went out and stationed themselves opposite the *braceros* who had taken their jobs—and protest marches, at the end of which the cards were burned in a gesture of contempt for the corruption of the hiring practices. Reporters were invited to the fires. These maneuvers anticipated tactics that Chavez would refine in his own union, and they worked. Because of all the publicity, American workers began getting more jobs. They were some eighteen hundred workers around Oxnard who were loyal to Chavez, and they held firm when he demanded better wages and working conditions. The growers met his terms, though

not officially. Without giving their names, they would call up and ask him to send so many workers to be picked up by a truck near a certain church. Chavez wanted very much to get a union shop, but his C.S.O. job did not give him authority to negotiate an actual contract, and he watched in despair as the Packerhouse union of the C.I.O. took over what he had begun to build. Under routine trade-union direction, the organization soon disintegrated.

In the aftermath of Chavez's experience at Oxnard, I was told, he offered a year's service without salary to the C.S.O. if it would support a new union of farm workers. At a C.S.O. convention in Calexico in March of 1962, the board voted down Chavez's plan. At that point, Chavez stood up and said simply, "I resign." Immediately, people started arguing with one another, as if he weren't there. Chavez *couldn't* resign, they decided. But he had, and that evening, when he and Dolores Huerta and Fred Ross went across the border to Mexico to get something to eat, they were all very depressed. According to Mrs. Huerta, Chavez was heartbroken.

Chavez was immediately offered a well-paid job as an organizer for the Agricultural Workers Organizing Committee, a farm workers' union that had been set up by the A.F.L.-C.I.O. in Stockton during his own successful organization of the workers in Oxnard, but at the time he wanted no part of traditional trade-union methods, and he turned it down. He spent two weeks finishing up his work for the C.S.O., and on March 31st, his thirty-fifth birthday, he drove off with his wife and his children—he had eight—to Carpinteria Beach, southeast of Santa Barbara, and not far from where he had picked tomatoes for several seasons during his own time as a migrant worker. This was the last vacation he has ever had time or money enough to take. After six days on the coast, Chavez had made up his mind how and where he would begin his own organization drive for farm workers, and the Chavezes went straight to Delano, where his wife's family lived and where his brother Richard had been head of the local C.S.O. chapter. Chavez himself had first worked in Delano's vineyards and cotton fields in 1937, when he was ten. He has said that he chose Delano because he knew that hard times were ahead and his family would not starve there, but another good reason for choosing Delano was the composition of the work force. There are seventy-odd grape ranches in the Delano area, with an estimated thirty-eight thousand acres of table-grape vineyards, and grapes, unlike most crops, require tending of one kind or another—pruning, tying, thinning, girdling, leafing, cultivating, spraying, and so forth—for almost nine months of the year. Because of the long work season, the farm workers of Delano are less transient than most, and many stay the year round—a situation that makes organizing them both simpler and more effective. The growers are doubtless right in their contention that Delano's grape workers, who average twenty-four hundred dollars a year, are the best-paid farm workers in California, but, in Chavez's opinion, the most desperately poor are not necessarily those most inclined to take action; unlike people who have glimpsed a spark of hope, the destitute are often too defeated to revolt.

In Delano, Mrs. Chavez got a job picking grapes at the DiGiorgio Corporation's huge Sierra Vista Ranch, and Chavez took a three-day trip to "absorb" the Valley, from Marysville south to the Tehachapi Mountains, crisscrossing the flat countryside on long, straight roads. Then he returned to Delano and got a job picking peas—the first of a series of part-time jobs that helped to support the beginnings of his organization, which was called the National Farm Workers Association.

At first, Richard Chavez did not appreciate what his brother was trying to do. Richard was earning his living as a carpenter, and had small interest in a farm workers' union. As for Manuel, he was working at that time in San Diego, making good money as a car salesman; when Cesar asked him to join the new association, he flatly refused. "We aren't farm workers anymore," he said. "We got away." But Cesar argued that because the Chavezes had got away didn't mean they could abandon all the others. Finally, Manuel agreed to join up for one month. He has never left.

Apart from Mrs. Chavez, the only person who was enthusiastic from the start of what is now known as *La Causa* was Mrs. Huerta. When Chavez left the C.S.O., she told him she would be honored to work for him—the verb is hers—and a few months later she quit her job as a lobbyist for the C.S.O. at the state capitol in Sacramento and moved to Delano. Not long after Chavez started to work in Delano, the Reverend Chris Hartmire, the state director of the Migrant Ministry of the National Council of Churches, who had worked with Chavez in Oxnard, assigned James Drake to Delano. Drake had just arrived in California, and this was his first mission. Like Mrs. Huerta, he was not overwhelmed by his first encounter with Chavez. "Cesar was very quiet," he told me. "He just mentioned that he had quit his job to start organizing farm workers around Delano. I was expecting to do the same thing, more or less. I was assigned to spend six weeks in Delano, and I'm still here."

When Chavez first got to Delano, the cheapest rental he could find was a house on Kensington Street, a block north of the one he lives in today. He had a small garage that he used as a headquarters, and it was so hot in there, Drake recalls, that all the ink melted down in a mimeograph machine the Migrant Ministry had lent him. "Everything was so oppressive that first summer that everything he wanted to do just seemed impossible," Drake told me. "He had so many kids, and they had almost nothing to eat, and they had an old 1953 Mercury station wagon that burned much too much gas and oil—it belonged in a museum even then. So I really thought this guy was nuts. Everybody thought so except Helen—even Helen's family. I had a car and a credit card, but I couldn't really help much besides that. They had no money, but whatever they had they shared. I'd bring a lunch with me, but it was very important to them that I eat with them, and they were so gracious that I finally gave in. What impressed us most at the Migrant Ministry was that even though Cesar was very hard up for financing, he didn't want our money. He made it clear right from the start that whatever organization he got going would be entirely independent; he didn't want any Teamster money or any money from the A.F.L.-C.I.O. or any other money that might compromise him."

"Cesar had studied the structure of the C.S.O.," Mrs. Huerta said, "and he tried to correct its mistakes in his organization. Mainly, he wanted the people who did the work to make the decisions. He wanted the workers to share, to participate, and he still does, because without that the union has no real strength. This is why he would never accept outside money—not, at least, until the strike began. He wanted the workers to see that they could pay for their own union." Very early in his struggle, Chavez turned down a private grant of fifty thousand dollars, offered without conditions, because he felt that the gift would put pressure on him to obtain immediate results. "Manuel and I almost quit," Richard Chavez told me.

In that first year, after Chavez had spent his own savings, amounting to twelve hundred dollars, he sometimes found himself asking people for food. This was hard on his pride, as he admits, but he came to believe that the union got some of its best members

as a result of this begging. He has frequently said, "The people who give you their food give you their hearts."

Chavez got up early every morning and worked until midnight, taking a survey up and down the Valley to find out what farm workers really wanted. With his youngest child, Anthony, who was then four, he went from door to door and out into the fields, distributing eighty thousand cards on which the workers were invited to set down how much they thought they should be earning. At that time, the average wage was ninety cents an hour, and it is a measure of their morale that most of the workers said that they deserved a dollar-ten, or perhaps a dollar twenty-five. Occasionally, a man would say that he deserved a dollar-fifty, or even a dollar seventy-five, and a few might scrawl on their card a note of encouragement or hope. These people Chavez visited in person, and many became the first members of his association.

"His consistency and perseverance really struck me," Drake told me. "A disability case, a worker injured on the job—he would stay with that worker day and night, day and night, until he could locate an attorney who would take the case for nothing, or find some way of settling it that was of benefit to the worker. That's how his union was built—on plain hard work and these very personal relationships. It was a slow, careful, plodding thing. The growers didn't even know he was in town. Even when the strike started, they had no idea who Cesar Chavez was. But the workers did. Day and night, they came to his house, because his office was his house. He just built up this very basic trust. He ran a series of house meetings and never talked about forming a union—just an association of concerned people—because there had been unions and unions and strikes and strikes, and every one of them had failed. He learned out of a government manual how to keep books, and he set up a credit union. He talked about cooperatives and everything, but he never used the word 'union' until 1965, when the strike began."

One of the early members was a man named Manuel Rivera. Rivera came to Chavez in 1963 with the complaint that his labor contractor not only had refused to tell him what his hourly wage was for work already done but, when he protested, had kicked him out of the truck and let him walk back to town; the police had shown no interest in his case. Chavez learned that Rivera's old car had broken down for good, and that the Rivera family had spent three days at the bus station in Delano. The Chavezes took the whole family into their own small house and lent Rivera an old Volvo. When Rivera had saved a little money and was ready to move on, he said, "How much do I owe you?" and Chavez answered that he didn't owe anything; he owed help to other farm workers. After returning Chavez's old car all polished up, Rivera left Delano, and Chavez soon forgot about him. Six months later, Rivera showed up again. Over Chavez's protest, he paid union dues for all the months since Chavez had taken him in, and on the job spoke so fervently of Chavez to other workers that he eventually brought in more than a hundred new members. (In 1966, Rivera was run down and permanently crippled by a flatbed truck belonging to a grower whose fields were being picketed.)

The organizing work has always gone slowly and it was especially difficult at first. Manuel Chavez still has his 1963 N.F.W.A. card. On it, along with a green eagle, is printed "Delano Local Number 2. Cesar Chavez, General Director. Manuel Chavez, Secretary-Treasurer." Manuel laughed as he showed it to me. "I guess Cesar was one local and I was the other. We were the membership, too. It's a good thing Richard was still a carpenter—he was kind of supporting us." In this dark period, Chavez, who was penniless, turned down

a job, at twenty-one thousand dollars a year, as director of the Peace Corps in a four-country region of South America.

Chavez held on, and by August, 1964, his association had a thousand members. A number of these new members, including Julio Hernandez, who is now a union officer, came from the town of Corcoran, about twenty-five miles northwest of Delano. It was in Corcoran, on October 4, 1933, that five thousand cotton pickers, many of them Mexicans, began a strike that spread up and down the cotton fields of the San Joaquin Valley, and eventually involved eighteen thousand workers. As was customary in the Depression, wages had been drastically pushed down by advertising for many more workers than could be used, then letting starving men with starving families underbid each other for jobs, until the pay ran as low as fifteen cents an hour. When the cotton pickers struck, the growers armed themselves and, after evicting the strikers from their camps, followed them to a rally in Pixley, just north of Delano, where they opened fire on the crowd and killed two workers. A third worker was murdered the same day at Arvin, a town southeast of Delano, in Kern County. Eleven growers were arrested and eleven were acquitted. The strike, which lasted for twenty-four days, won a small wage increase for the workers, but the leaders of the union that ran the strike—the Cannery and Agricultural Workers Industrial Union, an unabashedly pro-Communist organization—were fogged, tarred and feathered, and finally jailed. At the time of the Corcoran strike, an assistant sheriff was quoted as saying, "We protect our farmers here in Kern County. They are our best people. They are always with us. They keep the country going. They put us in here and they can put us out again, so we serve them. But the Mexicans are trash. They have no standard of living. We herd them like pigs." Like the signs of Chavez's childhood that read "No Dogs or Mexicans Allowed," remarks of this sort are considered poor public relations these days, but the underlying attitude, I was told by members of Chavez's union, is still very much alive.

After a new surge in membership, Mrs. Chavez left the fields to work full time at running the credit union, and Mrs. Huerta took over the bookkeeping and other responsibilities. At about this time, a man named Gilbert Padilla was assigned by the Migrant Ministry to work with Drake on the problem of improving conditions in labor camps run by the counties of Kern and Tulare for migrant workers. A large-scale rent strike organized in the Linnell and Woodville camps of Tulare County by Drake and Padilla and a lawyer named Gary Bellow finally closed them down and led to the construction of new camp buildings. "The county was making a big profit on those camps, which were just slums," Drake told me. "When the workers found out about that profit, it wasn't hard to organize a rent strike." The workers Drake and Padilla had organized during their rent strike came into Chavez's association in February, 1965, and in the summer of that year Padilla led them in a strike at the J. D. Martin Ranch, in Tulare County near Earlimart, and won a pay raise for the grape pickers there. This small victory lifted morale in the new union, and that September what is now known as the California Grape Strike began in earnest.

The Agricultural Workers Organizing Committee, the A.F.L.-C.I.O. farm workers' group Chavez decided not to go to work for in 1962, had made some small gains for its members—most of whom were Filipinos—but it got no further than the unions of the past in winning legal contracts and the right to collective bargaining. (Because of the failures of farm unions in the past and a general feeling that unions dominated by what are known as Anglos had actually worked with employers against the interests of Filipino and Mexican-

American farm workers, the Agricultural Workers Organizing Committee, like Chavez's National Farm Workers Association, avoided the word "union" in its title.) On September 16, 1965, the Mexican Independence Day Chavez's N.F.W.A., which was made up mostly of Mexican-Americans, voted to support an A.W.O.C. strike for a wage increase which had started a week before. Led by two Filipino organizers, Larry Itllong and Ben Gines, six to eight hundred A.W.O.C. workers had struck a number of Delano vineyards, including the huge holdings of the DiGiorgio Fruit Corporation; in supporting the A.W.O.C. strikers, Chavez's group voted to strike two other large growers—Schenley Industries, Inc., and Guimmarra Vineyards, Inc. On September 20th, eleven hundred members of N.F.W.A. walked off the job.

Chavez, seeking funds and volunteers, spoke at a number of colleges, and appealed to CORE and S.N.C.C. for people with experience in confrontations to act as picket captains until the farm workers could be trained. The response to Chavez's appeal was mixed. At public meetings, he would be asked when he had last paid dues to the Communist Party. Once, he was actually pelted with eggs and tomatoes, but he kept right on with his speech, and before he was through the booing had changed to wild applause. Besides S.N.C.C. and CORE people, a number of clergymen, of all faiths, came to man the picket lines, and there were also volunteers from other groups, such as Students for a Democratic Society and the W. E. B. DuBois Clubs, as well as an assortment of hippies of uneven quality, some of whom were less help than hindrance. Chavez eventually got rid of those who were becoming financial burdens, or sources of embarrassment because of their behavior. "He didn't act nearly as fast as the rest of us wanted," Chatfield told me. "He agonized about those kids for months. But when he did move—" Chatfield made a chopping motion with his hand. "Man! Like a knife!"

The strikers' main efforts in the early months were concentrated on Schenley Industries, The Schenley farm in Delano was such a small part of the company's operation that a defense against the boycott that was undertaken in late 1965 might scarcely have seemed worth the negative publicity Chavez's volunteers were trying to give the Schenley trade name all across the country. But the Schenley fight was costly for the farm workers. Hundreds of people already poor had sacrificed their jobs to strike, and that first autumn exhausted the strike fund. Despite a good many misgivings in some quarters about Chavez and his allies, the labor movement began to provide some support for the strike. A workers' clinic was operated by a volunteer nurse, and out-of-town doctors gave free service. (No local doctor ever volunteered.) In San Francisco, the Teamsters refused to cross the Schenley picket lines, and in mid-December Walter Reuther, of the United Automobile Workers, marched through the streets of Delano with Chavez and Larry Itllong and spoke out in defense of the Schenley boycott. "We'd rather not do negative things like boycotts," he said, "but when the growers refuse to sit down at the bargaining table there is no alternative." Reuther handed over a check for five thousand dollars, and pledged the same amount every month until the strike was over. The A.F.L.-C.I.O. was underwriting A.W.O.C. at ten thousand dollars a month, and collections had been taken up by the Garment Workers, Seafarers, Packinghouse Workers, and other A.F.L.-C.I.O. unions, as well as by church and student groups. But the combined sums did not pay for the strike, which was costing forty thousand dollars a month. The deficit was made up in hardship.

By the middle of March, 1966, when the Senate Subcommittee on Migratory Labor

conducted hearings in California, the two organizations involved in the strike—N.F.W.A. and A.W.O.C.—had conducted by far the longest farm strike in California history, and seemed to be on the edge of total defeat. The chairman of the subcommittee was Harrison A. Williams, Jr., a Democrat from New Jersey, who had been supporting the interests of farm workers in Congress since 1959—the year the subcommittee was established—and he was accompanied by Senator Robert Kennedy, of New York, and Senator George Murphy, a California Republican. Chavez addressed Senator Williams's subcommittee with his usual frankness. "Although we appreciate your efforts here, we do not believe that public hearings are the route to solving the problem of the farm worker," he said. "In fact, I do not think that anyone should ever hold another hearing or make a special investigation of the farm-labor problem.

Everything has been recorded too many times already, and the time is now past due for immediate action. Or, some people say education will do it—write off this generation of parents and hope my son gets out of farm work. Well, I am not ready to be written off as a loss, and farm work could be a decent job for my son, with a union. But the point is that this generation of farm-labor children will not get an adequate education until their parents earn enough to care for the child the way they want to and the way the other children in school—the ones who succeed—are cared for. . . . All we want from the government is the machinery—some rules of the game. All we need is the recognition of our right to full and equal coverage under every law which protects every other working man and woman in this country." Chavez was referring to the fact that growers, unlike most other employers, are under no legal obligation to bargain with their employees, since farm workers have been specifically exempted from the terms of the National Labor Relations Act, and only a few farm workers have been affected by federal minimum-wage legislation. In the course of the hearings, Bishop Hugh A. Donohoe, of Stockton, expressed unanimous support for the strikers on the part of the eight Roman Catholic bishops of California and made an eloquent appeal for full collective-bargaining rights for farm workers.

On March 17th, the day after the hearings, Chavez set off on a widely publicized workers' march—or *peregrinación*, as he called it—from Delano to the steps of the capitol at Sacramento. The *peregrinación* was inspired in part by the freedom march from Selma, Alabama, that had taken place a year before, but, like a fast that Chavez undertook two years later, it had a religious connotation as well. Its emblem was the Mexican patron saint of the *campesinos*, La Virgen de Guadalupe, and the *peregrinación* was to arrive at the capitol steps on Easter Sunday. Chavez had suggested that the march should be penitential, like the Lenten processions of Mexico—an atonement for past sins of violence on the part of the strikers, and a kind of prayer. But *La Causa* was supported by a number of Protestants, Jews, and non-believers, and some of them made it clear that they did not see the slightest reason for atonement on the workers' part—weren't the workers the victims? "The question was brought up at a special meeting," Mrs. Huerta told me. "We put the Virgin to a motion, and virginity won." Sixty-seven strikers set off on the three-hundred-mile march to Sacramento, where they hoped to meet with Governor Edmund G. Brown. The progress of the *peregrinación* was slow and ceremonial; as Chavez had anticipated, it received a good deal of support and participation from people along the way, in the form of food and shelter for the marchers. More than fifty of the strikers, who came to be known as *los originales*, made the entire march from Delano to Sacramento, which lasted twenty-five days, and when they ar-

rived on the capitol steps, in the rain, on Easter morning they were joined by thousands of supporters and some notable figures in politics and labor. Governor Brown had forsaken notables and *originales* alike in favor of a weekend at Palm Springs with Frank Sinatra, but the occasion did not lack a climax, for it was announced that Schenley had agreed to negotiate a contract. The contract, which was signed in June, 1966, provided an hourly wage of a dollar seventy-five and a union hiring hall. Except for some contracts the International Longshoremen's and Warehousemen's Union had won for pineapple workers in Hawaii, it was the first real contract for farm workers in the history of American labor.

The strikers now turned their attention to DiGiorgio, whose Sierra Vista Ranch occupied forty-four hundred acres near Delano, and began to establish a boycott of DiGiorgio's products. Suddenly the Teamsters union, which had provided important support for the strikers in the fight against Schenley, announced that it was prepared to represent the DiGiorgio workers, and the company quickly arranged an election in which workers could choose the Teamsters, Chavez's N.F.W.A., or no union at all. The election was held on June 24th, but Chavez told his people not to vote, and Governor Brown ordered an investigation by Ronald W. Haughton, of the American Arbitration Association, who recommended that a second election be held. There followed two tense months of accusations, violence, reprisals, injunctions, and arrests. Among those arrested was Chavez. Having persuaded ten workers to walk off the job at DiGiorgio's Borrego Springs property, northeast of San Diego, Chavez and two clergymen, one Protestant and one Catholic, accompanied them into the ranch to retrieve their belongings and were arrested for trespassing. All of them except the Catholic priest were then stripped naked and chained together by some zealous sheriff's deputies.

The Teamsters was the only union that had supported the retention of the *bracero* program, and, as Chavez saw the situation, the Teamsters had entered into an alliance with DiGiorgio to work out what is known as a "sweetheart" contract—one that would almost certainly benefit the union and the employer but might or might not help the workers. Under these circumstances, Chavez concluded that he had no choice but to merge N.F.W.A. with A.W.O.C., under the banner of the A.F.L.-C.I.O. The merger took place in August, before the second election at DiGiorgio, and the last phase of the battle with the Teamsters was extremely vicious. The A.F.L.-C.I.O., which had expelled the Teamsters in 1957, charged that the Teamsters were controlled by gangsters, and the Teamsters countered that the new organization, called the United Farm Workers Organizing Committee, was influenced by an international Communist conspiracy. Prevented from picketing at the Sierra Vista Ranch, the strikers held nightly vigils outside the labor camps, at a shrine set up in the back of Chavez's old Mercury station wagon; the workers, some of whom had been recruited by DiGiorgio from as far away as Juárez, Mexico, were proselytized when they came out to pray. The second election was held at Sierra Vista on August 30th, and anyone who had worked there for fifteen days or more during the previous year was eligible to vote. The Teamsters already had a large California membership of workers directly dependent on agriculture, which is a four-billion-dollar industry in the state and the workers in the packing sheds voted 94 to 43 to join the Teamsters. But the field workers, some of whom had heard about the election in Mexico and had come back at their own expense, voted for U.F.W.O.C. by 530 to 331.

Nine days after the DiGiorgio election, the field workers walked out of the vineyards

of A. Perelli-Minetti & Sons, demanding to be represented by U.F.W.O.C. But the company, which makes Tribuno wines, signed a contract with the Teamsters. After another inter-union struggle, in the course of which a U.F.W.O.C. picket, John Shroyer, was beaten up, the Teamsters reversed their policy and came to terms with Chavez. Under a general agreement reached in July, 1967, U.F.W.O.C. gave the Teamsters representation of certain shed workers in return for representation of all field workers, including those at Perelli-Minetti, whose union contract was at once transferred to U.F.W.O.C. After these developments, Gallo, Almaden, Christian Brothers, and the other large California wineries presented very few difficulties for Chavez; the big wineries, which sell their products under their own nationally advertised brand names, would be especially vulnerable to a boycott, and by September of 1968, when the Paul Masson vineyards signed, almost all of them had contracts with U.F.W.O.C.

Meanwhile, the growers of table grapes, who are less vulnerable, continued to resist, and they were unquestionably heartened in November, 1966, when Ronald Reagan, who had spoken out against the grape strike from the start of his campaign, was elected governor. In that same month, U.F.W.O.C. won another representation election at the vineyards of Mosesian-Hourigan-Goldberg, a relatively small firm in Delano, by a vote of 265 to 38, but that was the last new representation election any table-grape grower has permitted. In fact, there had not been much good news of any sort for the union in many months until a few days ago, when ten table-grape growers in the Coachella Valley indicated that they would be willing to negotiate with Chavez.

Chavez eats no breakfast and is careless about lunch. He usually sits down to a modest meal in the evening. During the day, he drinks a great deal of Diet-Rite Cola, and he keeps a supply of dried apricots and prunes and a package of matzos in a drawer in his desk at U.F.W.O.C. headquarters in Delano. On the other hand, he is very fond of Chinese food, and I drove thirty miles with him one evening last summer to eat dinner at his favorite Chinese restaurant in Bakersfield. It was a family outing. Helen Chavez and four Chavez daughters went in one car, with a friend; Chavez and I were in a second car with the youngest daughter, Elizabeth, and the two young Chavez sons, Anthony and Paul. The only child missing was Fernando, nineteen, who was living with his Chavez grandparents in San Jose.

All eight of the Chavez children have nicknames. Elizabeth, who was then ten, had pronounced her own name as "Titibeth" when she was a baby, and it had stuck; Paul, eleven, who had been an especially rotund infant, started out as Bubble, and the name was later modified to Babo; and Anthony, who had just turned nine, was called Birdie, because of his supposed resemblance to a bird. "My own name was Manzi," Chavez told me. "As a small child, I was supposed to have liked *manzanilla*—you know, camomile tea? So the family always called me Manzi."

The memory made him smile. There is a single silver strand in the black Indian hair that falls across his forehead, and a black mole on the brown skin just below his lower lip seems to balance a gold tooth in his smile. He went on talking cheerfully about his childhood. His paternal grandfather had been a peon in Mexico, but had come to the United States with his family in 1889 and acquired, as a homesteader, about a hundred and sixty acres of sage, and mesquite desert in the Gila River Valley some fifteen miles northeast of Yuma, Arizona. Chavez's parents were both born in Mexico, but Cesar Estrada Chavez entered the world, on March 31, 1927, as a citizen of the United States. According to Chavez, his grandfather, another Cesar,

greatly admired the big Mexican haciendas, and since he had nine sons and six daughters, some of whom had families of their own, he designed his house on the same scale. It lasted a half century, and might have lasted indefinitely in that dry climate if the roof had been of tile instead of adobe, because the walls were twenty-four inches thick. The house was cool in summer, warm in winter; it stood on a slope against the hills, with a laundry and a woodshed on one side and a garden on the other side. The farm produced cotton, lettuce, carrots, and watermelon, with maize, grain, and alfalfa for the animals, and it fed not only the Chavez families but many strangers who were wandering up and down the land in the Depression years. "At that time," Chavez said, "my mother's patron saint was St. Edwige—I think she was a queen who gave everything to the poor—and my mother had made a pledge never to turn away anyone who came for food. And so, you know, ordinary people would come and have the food, and there were a lot of hoboes that used to come, at any time of day or night. Most of them were white. We lived in my aunt's house in Yuma for a while, and my mother sent my brother Richard and me out into the street sometimes to look for *trampitas*—that was our affectionate way of calling the hoboes. I remember the first one. We found him sitting under a retaining wall, right around the corner, and we wanted this one bad, so we could quit looking and go play. But when we told him all about the free food just waiting for him around the corner, that tramp couldn't believe it. 'What for?' he said. 'What are you doing it for?' 'For nothing,' we said. 'You just come with us.' So we hustled him around the corner, and he ate the food, but he still didn't believe it. She'd just give them very simple things—beans and tortillas and hot coffee—but it was a meal, and soon all the hoboes knew about her, because word spreads. We didn't have much, and sometimes there was enough for everybody and sometimes there wasn't."

Manuel Chavez, who is first cousin to Cesar and Richard, came to the farm to live when he was small, and has been so close to Cesar ever since that the two men refer to each other in as "my brother." For a while, this produced a certain amount of confusion in the union movement. The story goes that one time someone came to Cesar and begged him for enlightenment: Was Manuel his brother? In this period, Manuel's volatile nature was a constant threat to Cesar's program of non-violence, and Cesar considered the question a few seconds before he answered it. "Sometimes," he said.

The farm in the Gila River Valley represents a lost home to all three men. By 1937, Chavez's grandfather had died and the family's money was all gone; the farm was seized by the county to pay off the local taxes and the water bill. While they were working in the Imperial Valley last summer, Manuel and Richard drove over to see the homestead, and reported to Cesar that they found only a ruin of fallen adobe on another man's farm. "I missed that house," Cesar told me. "When I was living there, we had all kinds of space—it seemed like the whole world belonged to us. In the cities, I couldn't get used to the fences. We couldn't play like we used to. On the farm, we had a little place where we played, and a tree in there was ours and we played there. We built bridges and we left everything there and when we came back the next day it was still there. You see, we never knew what stealing was, or to be stolen from. Another thing that we learned after we left the farm—my dad especially—was that people would lie to you. Lie without batting an eye. For instance, they'd say, 'If you go to so-and-so place, they have a job for you, at a very high wage.' And we always went for it, hook, line, and sinker. They'd get you to go because you were competition.

And we'd get there and we'd find there was no housing. The wages weren't what they'd said, and in many cases there wasn't even a job. I remember now that my dad and my mother had a heck of a time trying to understand why anyone would really—you know—just lie."

Chavez was quiet for a while. "We went to live in Brawley, and we used to shine shoes, and we really hustled. The cops wouldn't let us into Anglo Town, where the white people lived, but there was a diner right on the line, kind of, and everybody talked about how it was supposed to have beautiful hamburgers. It also had a sign reading 'WHITE TRADE ONLY,' but we had just come from the country, from Arizona, from a community that was mostly Mexican or whites too poor to bother about us. So we didn't understand yet, and we went in. The counter girl was up at the far end with her boy friend, and I said, 'Two hamburgers, please!' Chavez shook his head. "The girl said, 'What's the matter—you can't read?' —dumb Mex! She and her boy friend laughed, and we ran out. Richard was cursing them, but I was the one who had spoken to them, and I was crying. That laugh rang in my ears for twenty years. It seemed to cut us out of the human race."

With the loss of their land, the Chavez family became migrant farm workers. Up and down California they followed the crops, struggling for shelter, clothing, food. When the trek began, Manuel was twelve, Cesar ten, and Richard eight. Their childhood was already over. They worked with their parents in the fields, picking prunes and figs and apricots, turning grapes for raisins, hunching and stooping down row upon row, from the Imperial Valley north to Marysville, and then south again in November, taking such poor, segregated schooling as they could find in the brief winter season between pruning and girdling. Chavez says that he attended more than thirty schools, without ever reaching high school. Although all members of the family were United States citizens, they were in constant peril of deportation: the Border Patrol, known as "la migra," rarely concerned itself with the difference between Mexicans and Mexican-Americans. "My mother was so frightened of 'la migra' that she would be trembling whenever we were near the border," Chavez said. Sometimes the family lived in tents or under bridges, eking out a meager diet with fish and greens culled from roadside ditches. "Mexicans like hogweed," he said enigmatically. He and Richard saved tin-foil from old cigarette packs found on the highways; from the sale of an enormous ball weighing eighteen pounds, he remembers, they made enough to buy two sweatshirts and one pair of tennis shoes. In 1939, in San Jose, Cesar's father joined a C.I.O. union that was organizing workers in the dried-fruit industry; this union was broken, like all other farm workers' unions, as soon as it went out on strike.

Chavez stopped talking to point out some freight cars on a railroad siding; in the twilight, I could just make out that the cars were heaped with sugar beets. "That is one crop I am glad is automated," he said. "That was work for an animal, not a man. Stooping and digging all day. And the beets are heavy. Oh, that's brutal work. And then to go home to some little place, with all those kids, and hot and dirty—that is how a man is crucified. Crucified." He spoke with a low, intense burst of anger, gazing back at the cars of beets. "The growers don't care about people, and they never will. Their improvements, their labor saving devices are all for their own benefit, not for ours. But once we get union contracts, we'll be protected. We're not afraid of automation. We'll split the profits of progress with them, fifty-fifty."

At Bill Lee's Bambo Chopsticks, in Bakersfield, we all sat at one big table in a corner. The older girls announced that they wanted

the combination shrimp plate, and there were jokes between Chavez and his children about shrimp strikes and hungry strikebreakers who might cross the picket line in the middle of the table. In the excitement, Chavez repeatedly confused the names of Sylvia and Linda, his very pretty older daughters, and at last Linda shouted, "He doesn't know us apart!" Chavez shook his head ruefully; he gazed at her until she looked at him and smiled. But then he called Linda "Sylvia" again, and his wife hissed at him with real vehemence.

Mrs. Chavez, whose maiden name was Fabela, has fierce Spanish eyebrows. Her father was a colonel under Pancho Villa in the Revolution, and Chavez sometimes teases her about her hot blood. They met in Delano during the Second World War when Chavez, then fifteen and still migrating, found himself stranded there, out of a job. She was working in a grocery store. "She used to give me gas coupons, I think," Chavez told the children. "Then she asked me to a show. How could I say no?"

Unwillingly, it seemed, Mrs. Chavez began to smile.

"Who paid?" Sylvia asked.

"She did, of course." He laughed a little, smiling warmly at his wife. "She had a job and I did not—what could I do?"

"Were you a lover in your days?" Linda inquired.

"Love 'em and leave 'em, I bet," another daughter said, and the shrimp eaters giggled as a group. The children were all salty and affectionate with their father without being impolite.

"Well, I was very friendly, you know. A lot of girls were my friends, but I was not a lover." Chavez said this simply, without coyness.

Chavez was called to the telephone while we were breaking open our fortune cookies, and we waited for him a little later in the street. There was a bookstore right across the street from the restaurant, and Mrs. Chavez said, "I hope it isn't open—he'll be in there all night." She said that he was the same way about camera stores. Her shyness made me feel shy myself. At any rate, I had no wish to intrude upon her, and confined myself to the observation that I supposed she would be very glad when the strike was over. Helen Chavez's smile, when it appears, is a beautiful surprise. "Yes," she said, paying no attention to the fatuity of my remark. Standing there on the sidewalk, considered life without the strike, she spoke the word with all her heart.

On the way home, Chavez reminisced about the two years he spent in the Navy, where he first became interested in photography. "I got in this poker game," he said. "I think that was the first time and the last time I ever gambled. And I won and I won and I won—I could not stop winning. There was more money lying there than I had ever seen before. And I couldn't quit. The guy who gets that far ahead, he can never quit." Finally, a loser begged Chavez to buy his camera so that he could keep on losing. Chavez said he had forgotten what happened to the money, but he kept the camera and started taking pictures.

He had joined the Navy in 1944, and he served for two years on a destroyer escort on weather patrol out of Saipan. He had never been on a ship before, and at first he was seasick, and frightened of the sea. In fact, the ocean still disturbs him. "I like the sea, but I don't rest there," he said. "I think. The waves coming in, you know. They make me think. I love the woods. Big trees. That's where I rest."

In 1948, Cesar Chavez and Helen Fabela got married. "We went to live on a farm near San Jose, and there was a little tiny house for me and my family. I was married, Richard was married, and there was my mother and my dad, my sisters, and my other brother. We

worked the strawberries, sharecropping—it was horrible. We worked there for two and a half years, and we never made any money. We figured later that the whole family together was making twenty-three cents an hour. At the end of the month, we just didn't have anything left over. We worked two and a half years. Every day, every single day—Saturday, Sunday. And I couldn't get my dad to leave. I didn't want to leave him there, yet I couldn't get him to leave—because he'd made a commitment, you know. His word! There were hundreds of people caught in this exploitation. Finally, we got him to admit that we were being taken, and that the best way was just to leave the whole damn thing."

In 1950, Richard and Cesar went to work in a lumber camp on the Smith River, just south of the Oregon border. It was summer, and they slept in the big woods along the river. One day, they asked the foreman if they could build a cabin in the woods, and because they were both good, dependable workers the permission was granted. In their spare time, they built a serviceable cabin, and in the process learned basic carpentry. For Richard, this was a turning point, because not long after that he became an apprentice carpenter. The brothers loved the cool forest and the river, they were proud of their cabin, and they were making good money. But although both had steady work and could have brought their families there, they returned in the same year to San Jose, where they lived in a slum area known as Sal Si Puedes—a name that may be translated, roughly, as Escape If You Can. Before long, Richard became a carpenter, and Cesar, supporting his family as best he could, took the first steps in his career as a labor organizer and the founder of what may become the first effective farm workers' union in America.

It is as an organizer, rather than a union leader, that Chavez sees himself, and one afternoon while we were driving back to Delano from some appointments he had had in San Francisco he told me, with cheerful fatalism, that when his union is established and his own people, no longer preoccupied with survival and aspiring to consumer status, find him too thorny for their liking and kick him out, he might like to go and organize somewhere else—maybe in the Mexican slums of East Los Angeles. He always speaks passionately about organizing, but he does not romanticize his work. "There's no trick to organizing, there's no shortcut. A good organizer is someone willing to work long and hard," he said. "Just keep talking to people, and the people will respond. People can be organized for the most ridiculous things. They can be organized for bad as well as good. Look at the John Birch Society. Look at Hitler. The reactionaries are always better organizers. The right has a lot of discipline that the left lacks. The left always dilutes itself. Instead of merging to go after the common enemy, the left splinters, and the splinters go after one another. Meanwhile, the right keeps after its objective, pounding away, pounding away."

Going south through Oakland toward the freeway, Chavez pointed out St. Mary's Church, in whose hall he had held his first big meeting for the Community Service Organization. "I was green, you know, but we brought in over four hundred people. Oh, I was so happy! I was happy!"

By the time we reached the freeway, it was nearly five, and an hour later we were still caught on a belt of noise and ugliness that bored through the sprawling suburbs of the Bay area. The rush-hour traffic was stifling any chance we had of reaching Delano in time for a union meeting that evening, and Chavez said, "Maybe I could stop in San Jose and just say hello to my mother and my dad." Aside from his parents and his son Fernando, he has two sisters and a brother living in

San Jose. The brother is a carpenter. One sister is married to a carpenter, the other to a plasterer. "They're pretty good guys," Chavez said. "But they're not interested in what we're doing. I don't see too much of them." Chavez talked a lot about his sister Rita, who became president of the San Jose C.S.O. In a fight to get blacks into her chapter, he said proudly, she had beaten down the prejudice against them that she found among many of the Mexicans. "Oh, Rita's great!" he said. "If she had a choice, she'd be swinging with us right now, down in Delano."

Chavez has always wanted to have his family involved in his organizing work as much as possible. "Of course, I'm lucky to have an exceptional woman," he said. "Even if I come home at four in the morning, I give her a full report on what has happened, and to this day—well, most of the time—she still wants me to do this."

We left the freeway, turning east up the gleaming glass-plastic-neon boulevard that is San Jose's main thoroughfare; at the end of it low, bare ridges of the Santa Clara Mountains ease the eye. Toward the eastern edge of town is Sal Si Puedes. Of the many communities that Chavez has known since he left the Gila River Valley, he feels drawn most strongly to Sal Si Puedes, where he lived for long periods both before and after he was married. He pointed out a wooden church that he had helped to build. Sal Si Puedes was the first community that he organized for the C.S.O., and there is scarcely a house along those small streets that he hasn't been in. The part of the *barrio* where his parents live has a few trees and patches of lawn among the bungalows. We stopped at a mailbox marked "Chavez," and he went into the yellow stucco house to see if his parents were at home. When he came out to get me, he was talked by two toddling nephews, and he was laughing.

Chavez's parents are about eighty, and they both have spectacles and snowy hair. The father, who must have been a very strong, good-looking man, has been troubled for several years with age and weight and deafness; his wife is still very alert and active. After I had said hello to Chavez's parents, he introduced me to niece of his, a pretty fifteen-year-old named Rachel, and to his son Fernando, a tall, strong-looking boy with a generous, open face and manner. Fernando held a golf iron in his hand.

Chavez, sitting on the couch with his mother in the living room, asked Rachel if she was coming to Delano the next summer to help in the strike, and she said enthusiastically that she would like that. I had the feeling that he was talking to his son, and apparently Fernando thought so, too, because he murmured mildly that he had meant to accompany Manuel to New York to help with the boycott and wondered why Manuel had not let him know that he was leaving.

Chavez looked at his son. "I guess you know we don't pay people to strike," he said in a flat voice.

"I know," the boy said uneasily. "I wanted to go anyway." He met his father's gaze.

"Well, it's never too late, I guess," Chavez said. He turned back to his mother.

Fernando glanced at me and smiled; the smile made no comment. I asked him about his golf, and he told me that he shared a bag of clubs with a friend and that he had once broken seventy.

Chavez spoke with his mother for all but a few minutes of the hour or so we spent in his parents' house; the pleasure he took in her company was a pleasure to see, and I doubt if her eyes left him once during the visit. His father sat quietly on a chair by the door. Chavez speaks warmly of his father, from whom he learned his contempt for that special kind of male self-consciousness that Mexicans call *machismo*; unlike most Mexi-

can-Americans, Mr. Chavez never considered it unmanly to bathe his children or take them to the toilet or do small menial jobs around the house.

Before we left, Chavez took his mother's fragile hands in his and said goodbye. On the way to the road, he knelt to talk with his small nephews, giving them ten cents each. He asked the older child his name, and the boy said he was Aguilar Chavez Junior the Third. Everybody burst out laughing except Aguilar Junior the Third, who merely looked pleased. The boys said goodbye to "Tio Cesar," and he left them grinning broadly. "You see?" he told me. "Money talks."

In the car, I told Chavez that I thought Fernando had seemed sincere about going to New York, and he nodded. Apparently, Manuel had mentioned before leaving that Fernando wished to go along, but Cesar had not taken it seriously. Now he did, however, and for a while, as we drove south, he spoke proudly of Fernando. "We'll make a good organizer out of him yet," he said in a delighted tone. But then he caught himself and laughed. "I know," he said. "This time I'll let him come on his own decision, with no pressure. That will be best."

From San Jose, we continued south on U.S. 101, following El Camino Real—the Royal Way—which once connected the old Franciscan missions of California. Since Chavez had given up any idea of getting to the union meeting, he decided to visit one of the most beautiful of all the missions, which was only a few miles off our route. "Our time is our own for the rest of the evening," he said. "We can spend it as we like."

Along both sides of the road were pretty orchards, but Chavez took no pleasure in them. Belted in, shrunk down in his seat, he peered out at them through a corner of his window. "Oh, I picked a lot of prune, a lot," he said. "I hated it." Farther on, the orchards gave way to the soft, flowing golden hills of the small Santa Clara Mountains, and here and there, like islets in the stream of golden grass, stood old, dark, sturdy oak trees. The oaks made him sit up again; he called my attention to the more beautiful ones as we rode along, and said that oaks—*los robles*—were his favorite trees. With disgust, he pointed out a place where giant oaks had been hacked down to make way for a big raw-metal cistern.

At Gilroy, it was late in the summer day, though the light was still warm on the round crests of the low hills. On one of these hills, to the south, the Mission San Juan Bautista was founded, in 1797. Its hill overlooks a small valley and is overlooked, in turn, by higher hills. The mission is of white adobe, roofed with tiles of fine old reds, and the church, with the portico of its monastery, forms one side of one of the oldest Spanish plazas in California. The plaza is fronted on two other sides by high adobe and frame buildings of the nineteenth-century West—the Golden West, to judge from the nugget color of their paint. The columns of the portico are three feet thick, and they reminded Chavez of the walls of the adobe farmhouse in the Gila River Valley. He laid his small brown hand on the old surfaces. "You can always tell when adobe walls are thick," he said. "Even from head on and far away. It's almost magical."

We walked the length of the empty portico. Dark was coming, but the light was so clear—we were far from the cities—that different reds could still be made out on old tiles of different ages. All was softened by ancient evergreens and crusting lichens, and under the eaves violet-green swallows flitted out and returned. Chavez pointed out the old floor of the portico, which was a broken, weathered mix of stone, adobe, ancient brick, and concrete—anything that had come to hand over the years. He said that he longed to have such a floor in the buildings at the Forty Acres, the new union headquarters

outside Delano, but that the members would never tolerate it. "They're real Americans," he said affectionately. "They want everything to look slick and expensive, to show the world that their union is a success." He laughed. "Well, we're going to put a wall around the Forty Acres, to make it a kind of cloister, like this mission, and the beautiful side will be facing *in*, so that the people who built it can enjoy it. If outsiders wish to come in and look, they'll be very welcome."

Our shoes whispered on old stones. Slowly, we walked around the mission in the gathering dusk. Chavez said that he liked to think his adobe buildings at the Forty Acres would weather as well as the old missions, but the state had demanded steel reinforcements; he said this as if steel, lacking the right spirit, might prove to be the weakest link.

"I can't remember when my interest in the missions started," he said. "It must have been very deep. When I got married, Helen didn't know very much about missions, so on our honeymoon we visited just about all of them, from San Diego north to Sonoma. What appeals to me is their ability to withstand the ages. Some are two hundred years old, you know. And this is for me a sort of symbol of what happens to people with the right attitudes. Everywhere else, they slaughtered the hell out of the Indians, all across the country, but in the missions it was different. Everywhere else, the Indians were exploited—whatever religion they had was taken away from them and they were made Christians. Of course, the missions used them, too, but the whole spirit was different. The Mexican government perceived this, and that's why they wanted to destroy the missions. Oh, they were animals, some of those Mexican governors! They were *animals*! You see, it was really a Dark Age in terms of human life, but the missions gave sanctuary to the Indians, and it was a whole new approach to human beings. The Franciscans came and they said, 'These are human beings.' And the missions reflect this spirit—not just the architecture but the way they have lasted." He looked around him, and continued, "They are beautiful. They are peaceful. And I think that comes from a kind of crusading spirit, completely opposed to what was happening in the country before and afterward. There were few Indian uprisings here, very few. The big fight was between the Franciscans and the governments—first Spain and then Mexico—to keep the soldiers from rape and looting. Those Spanish soldiers were terrible. Hopeless. They were always at odds with the Franciscans, because the priests wouldn't give in on moral grounds. 'You can't abuse Indians,' they said. 'You can't abuse women.' The Franciscans made the soldiers respect the Indians. There were abuses on their side, too, but in general the moral force was great. Their history was long and most of the records have been lost, so the abuses by the Franciscans have been exaggerated. Most people don't realize what these priests did for the Indians—in South American and Mexico as well as here, and at great cost. They neutralized the governments. If the Church had been active in the United States at the time the Negroes were coming in, with the same kind of moral force, the present mess would never have developed. And it wouldn't have happened with the Indians—the mass slaughters, wiping them out." He sighed "Bartholomé de Las Casas—he was a great Dominican missionary, and he fought the Crown, and finally he made them understand. Today, the Franciscans have only about four of the old missions. There's one mission that has been fully restored by the government—La Purísima Concepción, near Lompoc, on the coast. They made the tiles exactly the way the tiles were made by the Indians, and it's beautiful, but it's empty. It's cold. If the Church is not there—the people—it loses its life. It dies."

He recalled one Sunday when his wife

succeeded in getting him to accompany the family on a picnic. There were so many workers coming to see him on their day off that he planned to leave very early in the morning to avoid refusing them. But a few arrived before he could get away and had to be left unattended to, and Chavez felt so miserable all day that he ruined the picnic for everybody. That evening, he told his wife that he was being pulled apart, that he had to give his full time to the people and just do the best he could with his own family. "It's lucky I have Helen there, because I'm never really home," he said. "I was home when two of the children were born and away for all the rest." He closed his eyes and massaged them with the fingers of one hand—a characteristic gesture of distress. "You know, I always felt that because I really wanted to do something for people this would be all right. But we talk about sacrificing ourselves and often we are sacrificing others. By the time Birdie came, Helen was pretty much used to it, I guess, but . . ." He stopped speaking for a minute, then opened his eyes, and when he spoke again his voice was harsher. "You cannot have it both ways. Either you concentrate your attention on the people who have claims on you or you say, 'No, I have to help many more at their expense.' You don't exclude them totally, and they get more attention than anybody else, but they aren't going to get enough. You can't have it both ways. You cannot! Anybody who uses the family as an excuse not to do what he has to do . . ." He stopped again, then resumed, in a quieter voice, "I haven't been home in four nights. Sometimes I'm away for ten nights, maybe more. It hurts me not to be home with my family, you know—I feel it. The whole thing is rough on the children. I know that. They don't like living in poverty, especially when they know that it's intentional on my part. And things get harder as they get older—it's harder to get nice hand-me-down clothes and everything. But they are great, they are just great!" He smiled. "I told them that they were better off than the migrants, that at least they had a purpose in their lives, and they understood this—they really did. Of course, they think I'm pretty old-fashioned. I tease Sylvia about always fixing her hair—the waste of time, you know. I told her that women are prettier the way they are made, that they should leave their hair the way it came. And I make a lot of fun of people who give their spare time to mowing the lawn, or washing their cars, or playing golf. To me, it's such a waste of time. How can you justify doing that sort of things as long as all these other things are going on—the suffering?"

I said nothing, and a moment later, very quietly, he went on. "There's a saying in Spanish, 'Lo que no puedes ver en tu casa, lo has de tener'—'That which you don't like you wind up having at home. Sylvia finished high school, and I've asked her several times about registering for college, but she won't go. And Fernando . . ." He nodded. "My son is a good golfer. He is a *real* Mexican-American." This was the first truly bitter remark I had ever heard him make. He caught himself immediately. "Well, that isn't fair," he said. "By 'real Mexican-American' I mean someone who is just interested in material things. But Fernando isn't that way at all. He had a hell of a time in school, you know—we finally had to take him out. One fight after another. There was one grower's son who was really out to get him. Here I was, dedicated to non-violence, and my son fighting right and left." He managed a smile. "He always won. I think they finally had a great big fight that was supposed to settle things once and for all, and Fernando knocked him out." Chavez frowned a little, evidently to repress a small note of pride. "By that time, anyway, he had already lost interest in the strike."

Chavez was quiet for a while, and then he said, "I never once took him fishing or to a ball game, or even to the movies." His tone in judging himself had the same harshness that he had leveled on his son. "I only took him to the office or out on the picket line. He'd be interested at first, but after a while he lost interest. He still doesn't know what he wants to do. He's out of a job, and he's not really in school, and he's liable to the draft." Chavez rubbed his eyes again.

"My family is deprived," he said flatly, after a time. "And we're going to stay deprived until we can get education. I can't get them to read. If I could just get one of them . . ." He paused. "Maybe Birdie." Nodding, he repeated, "Maybe Birdie."

Between the Oakland suburbs and San Jose, a countryside of small truck farms and farmhouses has not yet been sealed over with asphalt and concrete. Chavez remarked on how pretty these small farms were in comparison with the huge food factories in Delano. "They have life in them," he said. "People still live here." Seeing men and women stooping in the fields, he talked about the short-handled hoe, which he regards as a symbol of man's exploitation of man. "You have to caress a plant tenderly to make it grow, and the short hoe makes you bend over and work closer to the plant," he said. "But a good man can work just as well with a long hoe, without the exhaustion." Stoop labor with the short hoe is so painful that in speeches to workers an attack on the short hoe brings a wild cheer of anger and approval every time he uses it.

When the United States acquired California, the Indians who were inherited from the mission farms were paid half of what other workers got, and their objection to this treatment was a factor in a general massacre that took place between 1850 and 1852, when Indian numbers in California, already low, were reduced from perhaps eighty-five thousand to about thirty-one thousand. This free-enterprise solution to the Indian problem caused a temporary labor shortage, but the advantages of the discriminatory pay scale in keeping labor groups at odds with one another were obvious, and the device has been used effectively ever since. For example, when the Filipinos arrived in force, in the nineteen-twenties, they were paid even less than the Mexicans, who were already in a very poor bargaining position, since most of them had entered the United States illegally, as "wetbacks," and could be, and often were, deported before payday came around, or when they protested too strenuously about anything. Traditionally, Mexicans and Filipinos have competed for the available work—usually stoop labor, since preference in the tree jobs is given to the Anglos—and, despite Chavez's most earnest efforts, there is still noticeable distance in the union between the two groups that formed it in 1965.

"I hear more and more Mexicans talking about *la raza*—to build up their pride, you know," Chavez told me. "Some people don't look at it as racism, but when you say '*la raza*,' you are saying an anti-gringo thing, and it won't stop there. Today it's anti-gringo, tomorrow it will be anti-Negro, and the day after it will be anti-Filipino, anti-Puerto Rican. And then it will be anti-poor-Mexican, and anti-darker-skinned Mexican. We had a stupid guy who just wanted to play politics with the union, and he began to whip up *la raza* against the white volunteers, and even had some of the farm workers and the pickets and the organizers hung up on *la raza*. So I took him on. These things have to be met head on. On discrimination, I don't even give the members the privilege of a vote, and I'm not ashamed of it. No, the whole business of discrimination can't exist here. So often, these days, the leaders are afraid, and even though they feel strongly against racism, they will not speak out against it. If the leadership is united, then it can say, 'All

right, if you're going to do things that way, then you'll have to get rid of us.' You have to speak out immediately, the first time. Anyway, this guy was talking to people and saying he didn't like Filipinos taking over the union. So a small group came to me and said that a lot of people were very mad because the Filipinos were coming in. And I really reacted. I said a lot of people would be mad if Negroes came in in large numbers like that, and I said they were going to accept the Filipinos if I had to shove them down their throats." Chavez paused, as if surprised at his own violence. "I told them, 'That's the way I feel.' And so they left. A couple of days later, they said they wanted a big meeting. And I said, 'O.K., let's have a big meeting.' So at the big meeting they said they wanted to discuss discrimination—in other words, they wanted to take a vote to discriminate. And I said, 'Over my dead body. There will be no such vote taken here, and, furthermore, before you get rid of the Filipinos you'll have to get rid of me.' 'No vote?' they said, and I said, 'It can't be done. Those of you who don't like it, I suggest that you get out, because you're not doing anybody any good. Or, even better, I'll get out. I'll join the Filipinos, and we'll build a trade union.' Well, I'd say ninety-five per cent of the audience stood up and applauded. And this small group felt isolated. The employers, of course, have used this for years and years—one group set against the other. I explained this to the audience, and I told them that the Filipinos would be a tremendous asset—new people, new ideas. That's what a union is. *La raza* is a very dangerous concept. I speak very strongly against it among the *chicanos*. At this point in the struggle, they respect me enough so that they don't emphasize *la raza*, but as soon as this is over they'll be against me, because I make fun of it, and I knock down *machismo*, too. Oh, I heard a sick, sick speech by a Mexican the other day. I don't like to see any man discriminating. But when a Mexican discriminates—*oooh!*" He winced. "That really cuts me. As a Mexican-American, I expect more of them than of anybody else. I love them, and I guess I'd like them to be perfect."

Severe back pains that had been dragging Chavez down for months finally forced him to take some time off last autumn, and he went to St. Anthony's, a Franciscan seminary in Santa Barbara, where he could have daily therapy at a hospital. I found him flat on his back in bed. In crisp white pajamas, he looked small. He greeted me cheerfully but made no effort to sit up when he took my hand, his drawn face patched with gray from months of pain. Over his head, three rosaries hung from an extended bar, and with them a Jewish mezuzah on a silver chain, which he always puts on under his shirt when he goes out. "I'm sure Christ wore a mezuzah," he said, with a grin. "He certainly didn't wear a cross." On a wall of the room, as in his office in Delano, there was a Mexican straw crucifix. It was a small room, and the bed, a washstand, two stiff chairs, and a small bureau filled it. On the bureau was a borrowed tape recorder, with tapes of some flamenco music by Manitas de Plata and songs of Joan Baez. There was also a framed photograph of Gandhi.

There had been some bad news from Delano. Mack Lyons, the workers' representative at DiGiorgio, had found two groups of non-union pruners working in DiGiorgio's Arvin vineyards, and when the pruners were questioned they said that the vineyards had been sold. Since the union had been unable to obtain a so-called successor clause in the contract with DiGiorgio, guaranteeing that the contract would bind a new owner, this was a serious blow, and Chavez had called an emergency meeting to discuss how to handle the new threat. The next phase of the long battle was clearly going to be a difficult one, and Chavez would need all his strength for it. (In March of this year, Dr. Janet Travell, who treated President Ken-

nedy, concluded that Chavez's back trouble was not a degenerative-disc condition, as had been thought, but a muscle spasm caused by the fact that one of his legs is shorter than the other and one side of his pelvis is smaller—an imbalance to which, as he grows older and less resilient, his muscles can no longer adjust. Dr. Travell's treatment is the first that has given Chavez any real relief.)

Last fall in Santa Barbara, there was speculation that the long fast Chavez had made earlier in the year might have aggravated his back condition, and in the sun on a porch outside his room I talked with Helen Chavez about the fast. She told me that at the beginning he had kept it secret for about three days. At home, he would pretend that he had already eaten or that he wasn't hungry. Then one day Manuel said to her, "Is he still fasting?" After that, she offered Cesar all his favorite foods, and still he would not eat. Finally, she confronted him in his office, and when he admitted he was fasting she got very upset; she was sure he would harm himself. "The kids were already worried," she said. "And when I told them, they said, 'Dad looks awful. Will he be O.K.?' But after another day or so we got used to the idea and went along with him."

Not everyone went along. The fast, which lasted twenty-five days, split the union down the middle. Mrs. Chavez and Richard and Manuel knew that he had been fasting before he announced it, but even they were stunned by his intention of prolonging the fast indefinitely. So was LeRoy Chatfield, who still speaks with awe of the speech in which Chavez announced his decision. Chavez had called a special meeting for twelve noon on Monday, February 19, 1968, at a hall in Delano, and the strikers and the office staff as well as their families were there. Several acts of violence had been committed by union people, and he talked for an hour and a half about nonviolence. He discussed Vietnam, wondering aloud how so many of his listeners could deplore the violence in Asia and yet promote it in the United States. He said that the Mexican tradition of proving manliness—*machismo*—through violence was in error. *La Causa* must not risk a single life on either side, because it was a cause, not just a union, and had to deal with people not as membership cards or Social Security numbers but as human beings, one by one.

"Cesar took a very hard line," Chatfield told me. "He said we were falling back on violence in the strike because we weren't creative enough or imaginative enough to find another solution—because we didn't work hard enough. One of the things he said in the speech was that he felt we had lost our will to win—by which he meant that behaving violently or advocating violence, or even thinking that maybe violence isn't such a bad thing, is really losing your will to win, your commitment to win. This seems like a very idealistic position, but there's truth in it. Anarchy leads to chaos, and out of chaos rises the demagogue. That's one of the reasons he is so upset about *la raza*. The same Mexicans that ten years ago were talking about themselves as Spaniards are coming on real strong these days as Mexicans. Every one should be proud of what he is, of course, but race is only skin-deep. It's phony, and it comes out of frustration—the *la raza* people are not secure. They want to use Cesar as a symbol of their nationalism. But he doesn't want any part of it. He said to me just the other day, 'Can't they understand that that's just the way Hitler started?' A few months ago, a big foundation gave some money to a *la raza* group—they liked the outfit's sense of pride, or something—and Cesar really told them off. He feels that racism will destroy our union faster than anything else—that it plays right into the growers' hands if they can keep the minorities fighting, pitting one race against another, one group against another."

In his speech that day, Chavez discussed

the civil-rights movement and how, in its recourse to violence, it had made black people suffer; black homes, not white, were being burned, and black sons killed. The union, he said, had raised the hopes of many poor people. It had a responsibility to those people, whose hopes, along with all the union gains, would be destroyed after the first cheap victories of violence. Finally, he announced the fast. It was not a hunger strike, because its purpose was not strategic; it was an act of prayer and love for the union members, because, as their leader, he felt responsible for the acts of all of them. There would be no vote on the fast, which would continue for an indefinite period, and had, in fact, begun the week before. He was not going into seclusion, and would continue his work as best he could. He asked that the people in the room keep the news entirely to themselves. Since it was difficult to fast at home, and since the Forty Acres was the spiritual home of the union, he would walk there as soon as he had finished speaking, and remain there until the fast was done. "His act was intensely personal," Chatfield told me. "And the whole theme of his speech was love. In fact, his last words to us before he left the room and started that long walk to the Forty Acres were something like 'I am doing this because I love you.'"

Helen Chavez followed Cesar from the hall, and everyone sat for some time in silence. Then the meeting was taken over by Larry Iblong, the assistant director, who said straight out that Brother Chavez should be persuaded to come off the fast. Manuel Chavez then declared that Cesar was an Indian, and therefore stubborn, and that once he had made up his mind to do something, nothing anyone could say was going to stop him. Other members made many other comments. One man, for example, dismissed all the talk about striker violence as grower propaganda, and therefore saw no reason for the fast. Some of the Protestants and agnostics in the union, white and brown, still resented the Catholic aura of the Sacramento march of the year before, and now they felt offended all over again. They were supported by some Catholics, who felt that the Church was being exploited, and also by most of the white volunteers, the Jews especially, who disliked any religious overtone whatever. For the first week or so, almost the whole board of directors was against the fast. On the other hand, the membership, largely Catholic, accepted it in apprehensive faith. The people complied with Chavez's request that no one try a fast of sympathy on his own, but he learned later, from the candidly expressed annoyance of their wives, that three young men had taken a vow of chastity for the duration of the fast, and held to it. He speaks of this sacrifice with awe and regret, but it seemed to him a moving example of the farm workers' new spirit.

There were many misgivings and many doubts about what Chavez was trying to accomplish. "When we visited Cesar in his little room at the Forty Acres," Chatfield told me, "he would point at the wall and say, 'See that white wall? Well, imagine ten different-colored balls, all jumping up and down. One ball is called Religion, another Propaganda, another Organizing, another Law, and so forth. When people look at that wall and see those balls, different people look at different balls, and each person keeps his eye on his own ball. For each person, the balls mean different things, but for everyone they can mean something.' I began to see what he meant. My ball was Propaganda, and I kept my eye on that, I could therefore be perfectly comfortable, and understand the fast completely in those terms, and not negate the nine other balls—Organizing, say. And, as a matter of fact, we never organized so many people in such a short time, before or since. The fast gave the lie to the growers' claim that we had no following. Some people came every night to attend Mass at the Forty

Acres—came sixty-five, eighty-five miles every night. People stood in line for an hour, two hours, to talk with him. Cesar saw it as a fantastic opportunity to talk to one man, one family, at a time. When that person leaves, he goes away with something. He's no longer a member, he's an organizer. At the Sunday Mass, we had as many as two thousand people. That's what the growers don't understand—we're all over the state. In fact, there's nowhere in this state of anywhere in the Southwest where the people don't know about Cesar Chavez and the United Farm Workers. And they say, 'When is he coming? Are we next?'"

As the fast wore on through February and into March, many of the farm workers became worried, and a number of strikers came to Manuel and swore that they would never be violent again if he could just persuade Cesar to quit. Other union members were made increasingly uncomfortable by the religious implications of the fast, especially after the seventeenth day, when Chavez asked his brother Richard to construct a simple cross—the materials cost a dollar and a half, according to Richard—which was later burned by vandals. The cross was the ultimate affront to at least two volunteers. One dismissed the entire fast as "a cheap publicity stunt." The other, who had once been a priest, accused Chavez of having a Messiah complex. Both soon quit the United Farm Workers for good.

At a Mass of Thanksgiving that concluded the fast, Chavez was too weak to speak, and a brief speech was read for him, in English and in Spanish. After describing the purpose of the fast, he concluded as follows: "When we are really honest with ourselves, we must admit that our lives are all that really belongs to us. So it is how we use our lives that determines what kind of men we are. It is my deepest belief that only by giving our lives do we find life. I am convinced that the truest act of courage, the strongest act of manliness, is to sacrifice ourselves for others in a totally non-violent struggle for justice. To be a man is to suffer for others. God help us be men."

ALLOW VOLUNTARY PRAYER IN PUBLIC SCHOOLS

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. KUYKENDALL. Mr. Speaker, in his inaugural address, President Nixon said that the ills of the Nation must be cured by a new spirit as well as new laws. I do not believe that this spirit can be encouraged while prayer is banned in the public schools. For this reason, I have introduced an amendment in the House which would spell out in the Constitution the legality of voluntary prayer in any public building. It is the companion amendment to the one presented by the Honorable EVERETT DIRKSEN in the Senate. In placing it before you, I ask you earnestly to consider whether it is in the name of freedom and "equal justice under law" that schoolchildren are not given the opportunity to pray if they wish to do so. In my opinion, this is just as much a violation of our essential freedoms as forcing prayer on those who do not wish to pray. This is a matter of the individual's choice, but the choice must be available for him to make, not denied to him. No person should have to make an apology for what he believes, nor

should he be forced to hide his beliefs.

It is quite paradoxical that we conduct the Nation's business in this Chamber beneath a plaque bearing the words "In God We Trust." Are we not willing to acknowledge His presence in our public schools as well as in Congress?

STAND UP FOR FREEDOM

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. BOB WILSON. Mr. Speaker, under unanimous consent to extend my remarks in the RECORD, I wish to include a Fourth of July address given by my colleague, JAMES B. UTT before a meeting held jointly by the Kiwanis, Lions, Optimists, and Rotary Clubs of La Jolla, Calif.

The address teaches the origin of freedom and liberty, and stresses the importance of eternal vigilance. It points out the responsibility of the so-called silent majority to involve itself in the preservation of our great heritage.

The address follows:

STAND UP FOR FREEDOM

(Speech of Hon. JAMES B. UTT, of California, Before the Joint Meeting, July 3, 1969, La Jolla Kiwanis Club, Lions Club, Optimists Club and Rotary Club)

It is a high privilege to share and have a part in your series of patriotic programs, under the general theme of "Our Heritage of Freedom." My suggested assignment in this series is "Stand Up for Freedom." It is refreshing to be with an organization which does not consider patriotism "corny." It is also refreshing to associate with those who do not believe that the Constitution of the United States is an outdated agrarian document, with little or no current import.

It is sometimes difficult for people to realize that the moral and religious precepts set forth in the Declaration of Independence and our Constitution are as absolute today as when they were first set down to writing. These moral and religious postulates are under severe attack by many who want to change our form of government, by those who, for lack of character, have lost the self-discipline which is so necessary to self-government. Moral and religious absolutes did not begin with the United States Constitution. They were set forth in the Holy Scriptures, thousands of years before Columbus set foot in America.

The Declaration of Independence was not a result of unanimous thought. Only nine of the thirteen colonies approved the Declaration of Independence on July 1, 1776. New York and Pennsylvania and South Carolina considered it to be the most foolhardy thing for America to do. They could foresee nothing but disaster to the colonies. However, they were persuaded the next day, by the eloquence and the logic of John Adams, to throw their support to the declaration, which was finally adopted by the continental Congress on the evening of the 4th of July.

The signers of the Declaration were men of talent, dedication and substance. They had a lot to lose, but they were willing to risk it all, to preserve the greatest gift of God to man—liberty.

Following the signing of this great document, there were four long years of war, death, destruction, suffering, sorrow, everything that goes into the crucible to purify an ideal. There were reverses; there were battles won and there were battles lost; but

through it all there was a determination which won the victory. Few of us today would sacrifice what our forefathers did to preserve liberty.

What do you do with liberty after you win it? How do you preserve it? We were alone in a troubled world, bled white from the ravages of war, but still the great patriots gathered together to form a government that should endure.

This was no easy task. It is difficult enough to get two people to agree, let alone thirteen colonies ranging in size from Rhode Island to Virginia. Who was to control the power structure? The little States felt helpless. The big States were conciliatory, and so a Constitution was hammered out providing for a balance of power with checks and balances—with the main purpose being to preserve freedom. The bill of rights was soon added to the Constitution. A new nation was born, a nation which was to rely upon a divine providence, a nation which declared that each individual was endowed by his creator with unalienable rights of life, liberty and the pursuit of happiness. This was to be a nation founded upon the Puritan ethic, a Puritanism which came from England. The Puritan ethic produced a system of government morally superior to those around it.

The American Revolution was, and still stands, as the only true revolution in the last 500 years. It was a revolution which created a centripetal force, which drew the individual to the center and made him the core and center upon which our political, social and economic system revolves, thus giving the dignity to the individual that the Creator had intended. All other revolutions before and since have created a centrifugal force, throwing the individual to the outside and drawing the governing elite to the center.

The American constitution was considered by the great political minds of the world to be the greatest document delineating the rights, the privileges, the duties, and the immunities of the individual that had ever been set down to writing. There were problems, but the new country began to grow, to expand, to provide opportunities for those coming to our shores seeking opportunity, freedom and liberty.

Our strength had to be tested again when England began to seize our ships on the high seas and to impress our citizens into the Royal navy. The war of 1812 established our rights on the high seas to protect our American citizens. In my opinion, it is high time that our country protect its tunaboats on the high seas. There is no foundation for any sovereign country to extend its territorial waters to any arbitrary point it desires.

When Benjamin Franklin was asked what kind of a government the constitutional convention had given us, he replied, "A republic, if you can keep it." We did pretty well for the first 130 years, more or less.

The founding fathers were students of history and government. They were well aware of the fact that the tendency of men and of governments is to acquire a position of power and, from that position of power, the human tendency is to extend dominion and control over men and over nations. They knew that the forms of government range from anarchy, at one extreme, which is no government at all, to dictatorship, at the other extreme, which is total government. They reasoned that, in between anarchy and dictatorship, there must be a point of balance which would give freedom and liberty and still preserve a government of laws and of order, they created a Republican form of government and guaranteed that form to every state coming into the union. Beyond this, they created a legislative body representing the people and a senate representing the states, with a veto power to the chief executive, and a supreme court to rule upon constitutional issues. This concept has been

slightly eroded, but still it is the proper concept.

I feel that the most important job of a member of the House or a member of the Senate is to preserve that delicate balance between anarchy and dictatorship. If we do not, some exterior force will impose one or the other extreme upon us.

Before America had been in existence a half-century, the whole world was wondering what made this great country tick. It just was not a normal thing to happen, and so the great French historian, de Tocqueville, decided he would come to America and take a look-see. After his visit he wrote, in substance: "I looked for the greatness of America in her harbors, and I did not find it there. I looked for it in the great industrial cities and did not find it there. I looked for it in the rich farming valleys, and did not find it there. And not until I went into the churches of America and heard the stirring and patriotic sermons of those ministers, did I find it. America is great because she is good. When America ceases to be good she will cease to be great."

Love for our country and love for our children inspires within us a deep concern for the welfare of both. That concern is manifested by all those who are alarmed by the evidence of anarchy in our schools and in our cities. We all acknowledge that this is a loud and militant minority, and that the great majority are opposed to these actions and these attitudes. That may be true but, if the majority remains a silent majority, it will be completely overcome. Have you ever seen 99 good apples cure a rotten apple? The silent 99 apples will become rotten in a very few days. It is no different with people. If the majority of people do remain silent, we might just as well cash in our chips.

The cause of freedom is not advanced by the non-student leaders at Berkeley, who are taking over the so-called "People's Park." That may be a symbol, but it is a symbol of disaster. Here I quote from Governor Reagan's address to the Commonwealth Club in San Francisco on June 12, 1969:

"The real leaders, of course, were Goldberg and a number of others whose records include participation in the Oakland Induction Center riot, the seizure of Moses Hall, the Chicago riots and last summer's bloody riot in Berkeley when many of the same people demanded that Telegraph Avenue be closed off and turned over to them as a park—perhaps 'playpen' is a more appropriate word. The names are all on the police blotter: Mike Delacour, Stuart Edward Albert, Paul Glusman, William Miller, and Frank Bardacke—to name a few—none of them are students of the university."

Here are some dramatic examples of left wing socialization for which you, as taxpayers, are footing the bill. One of the courses in the experimental college at San Francisco State College was reported on March 15, 1968, as a "Seminar on Guerrilla Warfare: Theory and Tactic in Contemporary America." The Committee on Public Education of the Fire and Police Association of Los Angeles made the following comment in a report, "Public Higher Education in California: Some Causes of Student Revolt."

"This course is taught by Robert Kaffke, described as having served with guerrilla bands fighting against the Government in Nicaragua. The Berkeley Barb (UC Berkeley) proudly states that Kaffke told his classes, 'The revolution is coming very fast to Latin America and in another sense to the United States; if you don't believe that, I don't know what you are doing here.'

"The Barb also blandly states that Kaffke is teaching 'practical preparation for urban warfare.'"

During the spring of 1968, the students for an Independent left at UCSF held a student activities-approved seminar on revolution. Professor Herbert Marcuse and other left-

wing faculty appeared before the regularly scheduled classes of this student group. Comments about the seminar were printed in both campus and community newspapers.

The "Open Process," on November 17, 1967, while still an official publication of the associated students at San Francisco State College and under the supervision of the college's board of publications, presented the following information:

"How do you commit sabotage? Break war related laws: Draft, security, Federal trespassing. Damage war equipment. Join with your fellow workers in strikes, slowdowns, and 'botching the job' in key war industries: Steel, transportation, aerospace, electronics, etc. Publish state secrets you have access to, either in the press or as leaflets.

Messages that promote drug use appear to co-exist with leftist propaganda. The following citations are reported as being somewhat representative of this category of messages:

Item: the San Francisco State College "Daily Gater" ran a three part series on the cultivation, preparation, and uses of marijuana, beginning with the March 15, 1968, issue. In the series, the students are told precisely how to grow the weed in their apartments; how to trim it; the drying and processing of the plant to make a usable end product; how to roll marijuana cigarettes; and uses of pipes for consuming the drug. The February 14, 1968, issue of the paper contained an article entitled "prices and sources," and gave useful advice on the procurement of marijuana.

Item: John Gerassi, then an instructor in international relations, was quoted in the November 25, 1967, issue of the "Daily Gater" as stating that "protestors in this country would be put in concentration camps if the Vietnam war escalates into a world wide conflict." The article continued: "the bearded Gerassi, a former newspaper editor, has come into contact with many Latin American radicals. After having participated in last week's anti-draft demonstrations, he said, 'American radicals can bring about a change in the imperialistic US Vietnam policy. One man with a rifle can do more than 1,000 peaceful demonstrators.'"

Item: the February 18, 1968, issue of the "Daily Gater" carries the headline "Gerassi sees violence as a necessary tool of resistance," and quotes Gerassi as having told, by tape, the San Francisco State members of the resistance that "resistance to American policies must be carried out with violence at home." Significantly, Gerassi pointed out that terrorism in Paris was in part responsible for French withdrawal from Algeria. The inference for students, both those attending the presentation meeting, and those reading the school paper, is obvious.

The professor who prates that "human rights are higher than property rights" is either a skilled Communist or a dumb pedagogue. There is not a single human right that is not based upon a property right. Ergo, when you destroy a property right you destroy a human right. Only a small minority of people understand what constitutes a property right. They conceive it to be real estate, period. Such is not the case. I have a property right in my job. My human right is to fill that job and to enjoy the fruit of my labor. I have a property right in my life insurance. The human right is for my beneficiary to have the fruit of that policy. I have a property right in my bank account. My human right is to use that bank account for any purpose I desire. I have a property right in this suit of clothes. My human right is to wear it to this meeting. And so it goes on, ad infinitum. There is not a country that has destroyed property rights which still recognizes any human right. It is simply a phrase that sounds good and is repeated thoughtlessly, over and over again.

Government is not charity. It is plain, brute force. And it must either be controlled by the people, or it will control the people. Many of those who demonstrate against constituted authority are naive and misled by the dedicated hard core of international Communist conspirators. Many of them are "flower children," who do not want war. But the world is run by force, and those who are not strong enough to preserve their freedom will be taken over by aggressors. Many of these people believe they are working for freedom by urging socialism, Marxism and communism, when in truth they are asking for the most oppressive form of dictatorship known to man. They forget that Hitler, the dictator, killed six million Jews without batting an eye. They forget that Stalin murdered twenty million of his own countrymen because they disagreed with him. Don't say "it can't happen here."

If we are to preserve freedom, we must learn that the principal responsibility is on the individual and not on society. It is time we quit blaming society for all of our evils. Society can create a climate where each individual can develop his talents to the highest degree of excellence that his desire dictates. Motivation is the greatest driving power known to man, and yet not one of our welfare programs is geared to promote motivation.

The cause of freedom is not advanced by violating the rights of others. Personal freedom ends where it invades the rights of others.

Two of the great commandments are "thou shalt not steal" and "thou shalt not covet." Most of the law-abiding citizens recognize and obey these two commandments as individuals, but sophistry has injected itself in the form of collectivism. Let me explain. You, as an individual, would not enter upon my ranch and steal my cow, either for your own benefit or for the benefit of a neighbor. But it is considered to be all right if you are part of a large group which has decided to take my cow and give it to a needy person. The theory is that the end justifies the means, and so, under the guise of collectivism, we have set up a system of laws which permits a group of individuals to take something from other individuals and give it to a third party who, in the judgment of the takers, is more deserving than the original owner. This is what I call the Robin Hood doctrine, but it cannot be justified.

If I were to steal money from a bank, and then put it in the collection plate at church, such action would not justify or sanctify the evil deed.

We move in the same atmosphere under the doctrine of "non-violence." Non-violence in no way can justify the performance of an illegal act. It is classical mummery and dialectical materialism. Rape is rape, whether it is committed violently or non-violently. Murder is murder, even though the murderer is singing a hymn while he sticks the knife in your back. It just cannot be justified.

It is impossible to give a talk on freedom, liberty, or patriotism, without quoting from the great heroes of the past, as I have done before and, at this point, do again. Lincoln said, "If danger ever reaches us it must spring up amongst us: It cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher. As a nation of freemen, we must live through all time or die by suicide."

Gus Hall, chairman of the Communist party of the U.S.A., does not advance the cause of freedom when he attends the International Communist Convention in Moscow, and returns to the United States with the resolutions of the international Communist conspiracy and proceeds to implement their deadly course in this country.

George Washington said that "religion and morality are essential to political success." Any person or group of persons who makes a

target of either religion or morality, to destroy it, is not standing up for freedom.

The National Council of Churches and the World Council of Churches are not advancing the cause of freedom when they advocate law breaking and violent revolution, as they have done, and give their financial support to the militant revolutionaries of our country.

The non-student militants at Berkeley, in their drive to take over private property, have listed thirteen demands in a manifesto. Let me read some of these to you:

"Young people leaving their parents will be welcome with full status as members of our community."

"We will turn the schools into training grounds for liberation."

"We will shatter the myth that U.C. is a sacred institution with a special right to exist."

"Through rent strikes, direct seizures of property and other resistance campaigns, the large landlords, banks and developers who are gouging will be driven out."

"Space will be opened up and living communes and revolutionary families will be encouraged."

"We will demand a direct contribution from business, including Berkeley's biggest business—the University, to the community until a nationwide assault on big business is successful."

"The people of Berkeley must arm themselves and learn the basic skills and tactics of self defense and street fighting."

"We shall attempt to bring the real criminals to trial; where this is impossible, we shall implement revolutionary justice."

"We will create a soulful socialism in Berkeley."

"We will unite with other movements throughout the world to destroy the racist-capitalist-imperialist system."

"We will create an international liberation school in Berkeley as a training center for revolutionaries."

"We will protect and expand our drug culture."

Individually, or collectively, these demands are the battle cry of anarchy, and again I say the silent majority must not remain silent, if it is to survive, in this convulsive and fermenting society.

If I may paraphrase Daniel Webster, I was born an American, I expect to die an American, and in between the dignity of birth and the glory of death, I shall make every effort to live as an American.

I now look back on three-score years and ten, and as I approach the judgment seat of God, the more convinced I am that he rules in the affairs of men. I am persuaded that he will preserve freedom to those who wait on the Lord. The darkest night is always followed by the dawn. I subscribe to the theology of hope and discard the doctrine of despair.

My hope is that we can preserve the freedom and liberty which has been woven into the tapestry of our American life.

"This is my country, land of my birth;
This is my country, grandest on earth.
I pledge thee my allegiance, America, the bold,

For this is my country, to have and to hold!"

And, by the grace of God, so may it ever be!

AID AND COMFORT TO THE ENEMY

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. THOMPSON of Georgia. Mr. Speaker, recently we witnessed the spectacle of having the names of casualties

of the Vietnam war read on the steps of the Capitol by antiwar protesters. While this may appear to be an effective way of drawing public attention to their protest, this action was deeply offensive to many people, most particularly to the parents of battlefield victims.

A few days ago, I received from the mother of one of the victims, whose name was among those read on the steps of the Capitol, a letter expressing her sincere feelings opposing the use of her son's name in such a protest. Although his death in the service of his country is a matter of public record, this mother feels that the indiscriminate utilization of her son's name without permission in such a protest is an invasion of privacy and is offensive to her since the protesters are in her judgment giving "aid and comfort" to the very enemies who killed her son.

I asked her permission to enter the text of her letter today in the RECORD as a means of expressing in her behalf, and in the behalf of other parents of war dead, their resentment over the use by antiwar demonstrators of the names of victims in any demonstration of this type. One particular sentence of her letter sums up her feelings:

Since these demonstrators could not give full support to our men while they were on the battlefield, they have no right to use their names now to further a cause of their own.

Mr. Speaker, with the permission of the Chair, I will enter the full text of her letter into the RECORD, as follows:

JUNE 17, 1969.

HON. FLETCHER THOMPSON,
House of Representatives,
Washington, D.C.

DEAR SIR: I am enclosing a copy of a letter which will speak for itself. I barely had time to send it out when the news reports out of Washington, D.C., tell of the antiwar demonstration which took place yesterday in the Pentagon in which the demonstrators used the names of the war dead.

My letter to you is not a letter of petition as I know neither you nor government agencies have control over the lists of the war dead getting into the hands of irresponsible people and used by them in an irresponsible manner. However, as one of your constituents I just want to go on record about how I feel about a matter that is vital to me even if it may seem insignificant to others.

My son did not ask anyone to fight his battles while he lived; he did not ask anyone to take his place where his military obligation was concerned. All he asked was the support and prayers of his fellow countrymen. Through the efforts of antiwar demonstrators much aid and comfort has been given to the opposing forces, a fact which no doubt has been important in the list of reasons why the opposition has not been and is not ready to negotiate for peace. Since these demonstrators could not give full support to our men while they were on the battlefield, they have no right to use their names now to further a cause of their own. The names of these war dead are to be honored, not abused.

Let anyone believe I am a warmonger or whatever it is called; I, too, hate war. How I hate war; I have every reason to hate it. But I do feel that as soon as even one of our men is sent to the battlefield, he has the right to expect and receive full support of all his fellow countrymen. (I believe those in power and influence, especially legislators and/or politicians who have heaped

abuse on the military while our men are facing danger on the battlefield, have much to answer for concerning the number of casualties and the length of the war.) The time to debate the right or wrong of why men were sent should be postponed until they are brought home. When a child falls into a pool, one does not stand around and argue who's to blame. All effort is made to save the victim, and only then is time taken to pinpoint the blame or cause, and measures taken to be sure it doesn't happen again. I do not feel these anti-war demonstrations help the cause of peace, nor do they contribute to the safety of our men in combat.

As I have said, I know there is nothing you can do about these demonstrators but when the time comes when it is to be argued about whether THEIR rights are being violated, I'd like for my representatives in government to know how I feel about this matter. I will not deny anyone the right to free speech but I think these people should be made to realize that using the names of the war dead without consent is also a violation of someone's right.

Thank you for your attention.

Sincerely,

MARTHA M. FOX.

U.S. PRISONERS OF WAR IN NORTH VIETNAM

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, July 10, 1969

Mr. THURMOND. Mr. President, it is encouraging that President Nixon's administration is taking a long overdue and aggressive approach to secure the release of our military personnel who are prisoners of war of North Vietnam. The two previous administrations were afraid to take steadfast and forceful action because of fear of retaliatory mistreatment of our boys by the Communists. It is obvious to the world that the uncivilized treatment of our servicemen has not diminished under the previous policy.

Mr. President, I am hopeful that this administration's policy of bringing maximum and continuous pressure on the Communists to abide by the Geneva Convention on prisoner-of-war treatment and to effect their release will be successful. This Nation must leave no stone unturned in its perseverance to obtain humane treatment and release of our servicemen. Our military who are prisoners of war and enduring brutal torment and inhuman indignities deserve our country's complete moral and diplomatic strength, and other measures as necessary in their behalf.

Mr. President, I congratulate the editor of the State newspaper in Columbia, S.C., for his commentary editorial on this administration's policy on prisoner-of-war treatment. The editor made an astute evaluation of the failure of past policies. His assessment of the Communists' negative response to achieve relief for our boys characterizes the typical attitude of the Communists toward weakness.

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

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

DEALING FROM A NEW DECK

The Defense Department has confirmed a shift in policy toward the mistreatment of GIs held captive by the Communists. In the past, which is to say during the Kennedy and Johnson years, Washington said as little as possible on the subject. The feeling was that, if we complained, the enemy might retaliate by brutalizing captive GIs even more.

It was a senseless policy. Far from discouraging maltreatment, Washington's silence simply convinced the Communists that the United States was prepared to suffer the most outrageous atrocities without so much as a grumble. Even that mover of mountains, world opinion, was not to be enlisted in behalf of civilized treatment of military prisoners. Mistreatment, as a consequence continued undiminished.

The new policy began to surface last May, when Defense Secretary Laird called a press conference for the purpose of demanding that Hanoi abide by the Geneva Conventions on prisoner-of-war treatment. North Vietnam claims to treat U.S. prisoners humanely, the secretary said. "I am distressed," he added, "by the fact that there is clear evidence that this is not the case."

But the new administration did not stop with a single press conference—or even a dozen press conferences. In addition to making public statements, both Pentagon and State Department officials have met privately with the families of captured servicemen to remind them of Washington's concern. More important still, Secretary Laird has briefed the U.S. ambassadors to England and Belgium and asked them to solicit support from European governments.

Hanoi may resist these pressures, but at least some pressure is being applied. This alone should accomplish something. For one thing, the brutality of the enemy is laid bare; and for another, Washington has begun to discharge its moral obligation to its servicemen in Vietnam—those already captured and those asked to run the risk.

That isn't all. It is possible to detect in the new approach to the prisoner problem an underlying shift in Washington's method of dealing with the Communists. Those were the governments of England and Belgium, friendly nations, whose interest Secretary Laird sought to enlist.

Previously it had been Washington's practice to slip notes to the Russian ambassador when some unruly Communist got out of hand. Top Johnson administration officials, bemused by the boss' talk of building bridges eastward, halfway expected the Kremlin to bail us out of Vietnam—so they hinted—until well after the Czech invasion.

All this has changed. Secretary Laird talks tough on prisoner mistreatment. Two Soviet correspondents are ordered out of the country in a tit-for-tat response to Soviet expulsion of two American Newsmen. Nixon wants—actually wants—the Safeguard ABM system as a defense against the Russians, not the safe-to-hate Chinese (McNamara's excuse). If this keeps up, we may get a prisoner exchange and the Communists may learn to treat the United States with new respect.

HUBERT F. LEE

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Thursday, July 10, 1969

Mr. TALMADGE. Mr. President, Dixie Business, a magazine published in De-

catur, Ga., is celebrating its 40th anniversary this year. During this time, it has had but one editor, the Honorable Hubert F. Lee. His achievement was recognized in Atlanta, where he appeared on a television news program. In answer to a question regarding which article he thought best of all the ones he had printed, Mr. Lee chose one from 1930, dealing with the Georgia Power Co. and demonstrating remarkable foresight.

Mr. Lee has had a remarkable life, as a column from the Atlanta Times indicates. It deals with a trip Mr. Lee once took down Peachtree Street in Atlanta with "Buffalo Bill" Cody.

I ask unanimous consent that Mr. Lee's article on Georgia Power and Frank Veale's column be printed in the Extensions of Remarks.

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

[From Dixie Business, March 1930]

GEORGIA POWER CO.

(By Hubert F. Lee)

A majority of Georgians know that the Georgia Power Company provides electrical service in approximately 300 Georgia communities and operates street railway systems in several of the larger cities. They likewise are aware that in the larger cities, as well as in some 60 odd others, the Company maintains retail stores for the sale of a wide variety of electrical appliances; and that a rapidly growing network of rural power lines is being extended into agricultural areas of the state.

But one of the most beneficial services rendered to the state as a whole by the Company remains unknown to a large proportion of even those citizens living in the territory served by the Company's lines.

This is the activity of the industrial department of the organization, which is maintained solely for the purpose of attracting large industries to Georgia. New industries have brought to Georgia in recent years new capital investments running into millions of dollars, have provided employment for thousands of persons, have created spot markets for Georgia products, and have increased general prosperity, and the Georgia Power Company's advertising in national publications and its personal solicitation of industrial prospects are generally recognized as having been a factor in bringing this to pass.

The Company is quite candid in stating that its efforts to aid in stimulating industrial development of the state are primarily for the purpose of increasing its own business, both in additional revenues received from the new industries for electrical service and in added business resulting from the increase in general prosperity. The Company can grow and branch plants in other sections, supplies them with accurate detailed information about Georgia's advantages and about specific industrial sites in the state, and answers a large number of inquiries resulting from the Company's advertising.

This advertising has been published regularly for the past several years in national publications selected as the best mediums through which to present Georgia's story to the nation's big executives. The advertising is devoted to interesting facts and figures about Georgia's attractions to industries and it mentions the Company and its services incidentally. In addition, booklets and other literature about Georgia are published by the Company and sent to a selected list.

Under the direction of the Atlanta office, inspections and engineering surveys have been made of many industrial sites in the

state and these are cross-indexed with every possible bit of information bearing on the desirability of particular sections and sites. Whether it be potentially for the dairy industry, or the location of a textile mill, tire-fabric concern or road material organization, expert information pertinent to the peculiar accessibility and availability is gathered, filed and furnished to the New York office, which acts as "contact" bureau for the Company, interviewing executives of leading industries, supplying prompt information requested and arranging for personal tours of inspection of the sites recommended.

To the inquiring industrial executive in the North or East, the department's representatives do not merely point out that this section or that site would be a suitable location for a contemplated plant. Their information includes all the facts about localities which already have been investigated thoroughly and indexed, the mineral content of the water supply, the educational facilities, availability of labor, cost of construction, availability and cost of raw materials, nearness of markets, rail and port facilities, average rainfall—even the expected number of days of sun-shiny weather during a year.

Yet no effort is made to publicize Georgia beyond its natural and developed resources. El Dorado yarns are not spun to entice industries to come to the state merely to clog its confines with numbers. Permanence of establishment is sought, with an eye to the greatest advantages to be derived by the industries which place their faith in the Empire State of the South.

These activities have elicited widespread comment by editors, advertising executives and industrial groups.

"The Georgia Power Company," says the Tri-County Advertiser of Clarksville, Ga., in a recent editorial, "is rendering a service to this state that cannot be measured in dollars and cents. It is taking a burden off the shoulders of hundreds of communities who 'would like to invite' industry to their particular localities, but these communities, lacking the concerted effort of their citizens and often because the failure of civic organizations to prepare data and properly distribute it, take no action toward the upbuilding of their town or county."

That excerpt is typical of more than a score of recently published editorials in various newspapers in the state commenting on the work of the industrial department of the company.

In 1928 capital investment in the section of Georgia served by the Georgia Power Company as represented by the establishment in the state of outside industries and expansion of others amounted to \$12,190,000. Figures compiled in January of the present year show that during 1929 fourteen new industries were established or announcement of intention to establish in the territory served by the Georgia Power Company was made. These fourteen industries represented a capital investment of \$11,950,000 and, in addition, six large industries already located in the territory spent \$7,200,000 in expansion programs during the year, bringing the total of new capital investment to \$19,150,000 for 1929. With location of these new industries, employment will be provided for 7,925 workers, with a total annual payroll aggregating \$6,010,000.

[From the Atlanta Times, July 14, 1964]
ATLANTAN REMEMBERS HIS RIDE WITH BUFFALO BILL IN 1911
 (By Frank Veale)

When Buffalo Bill swaggered into Atlanta and paraded his prancing horses down Peachtree Street in 1911, Hubert Lee, editor of Dixie Business here, got the "greatest thrill in his life."

"I will never forget that day," recalled Mr.

Lee. "Buffalo Bill came to town and there was a wonderful parade with horses, cowboys and Indians, stagecoaches and wild steers."

"I went up to Buffalo Bill at the start of the parade and shook hands with him and asked Buffalo Bill if he would let me ride with him."

"He let me—and never have I been so thrilled as I was during that Buffalo Bill parade down Peachtree Street."

Mr. Lee remembers that a wildly enthusiastic crowd turned out that great day in Atlanta, comparable to the crowds that welcomed Lindbergh back from his trans-Atlantic flight to Paris.

"Buffalo Bill got a hero's welcome," the Dixie Business editor recalled. What impressed the boy of 11 years back then was his kindness. "He was as enthusiastic about asking me to ride with him as I was about riding."

"I rode all the way down Peachtree and out Whitehall right next to Buffalo Bill. He looked like the Wild West in person. He looked like a Kentucky colonel, the best of the West."

Buffalo Bill even let the happy youngsters hold the reins to the horses. "I'll never forget that day," Mr. Lee reminisced. "And for years to come I basked in the reflected glory of Buffalo Bill."

Right next to the memory of Buffalo Bill in Mr. Lee's mind are the days when he used to meet a train with a load of watermelons.

"I would unload them for a quarter—and all the watermelons I could eat."

- (a) 0 percent ----- 24
- (b) 25 percent ----- 24
- (c) 50 percent ----- 40
- (d) 100 percent ----- 12

4. (a) Should the surtax be continued for one year beyond June 30th in order to balance the budget, or

- Yes ----- 43
- No ----- 57

(b) should the surtax be discontinued and cutbacks be made in Federal programs to cover the loss from the surtax?

- Yes ----- 85
- No ----- 15

5. Do you agree with the administration's decision to enforce the law to terminate financial assistance to college students found guilty of disrupting school activities?

- Yes ----- 96
- No ----- 4

6. Do you favor the abolition of the electoral college and the election of the President and Vice President by popular vote?

- Yes ----- 85
- No ----- 15

7. Should the voting age be lowered to 18 years?

- Yes ----- 33
- No ----- 67

8. Would you favor a constitutional amendment which would give the Congress the authority, by a two-third vote, to override a Supreme Court decision?

- Yes ----- 70
- No ----- 30

9. As a part of a general revision of our tax laws, would you favor my proposal to increase the income tax exempt per individual from \$600 to \$1,000?

- Yes ----- 93
- No ----- 7

10. Would you favor a constitutional amendment making presidential primaries mandatory in all 50 States?

- Yes ----- 74
- No ----- 26

11. Do you approve of the administration's decision to close certain Job Corps centers and to transfer jurisdiction over the remaining centers to the Department of Labor?

- Yes ----- 73
- No ----- 27

12. Are you satisfied or dissatisfied with the manner in which Mr. Nixon has executed the office of President during his first 3 months?

- Satisfied ----- 77
- Dissatisfied ----- 23

CURRENT NATIONAL ISSUES
 QUESTIONNAIRE

HON. DELBERT L. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. LATTA. Mr. Speaker, every year I send a questionnaire to my constituents wherein I solicit their views on current national issues. I have found that most of the people in the district like this method of expressing themselves and not only do they complete the questionnaire but they use the back side to comment on other matters not specifically listed. I have just finished tabulating this year's returns and I would like to call them to the attention of the Members of the House. They are as follows:

[Results in percent]

1. Should President Nixon fall in his present efforts to bring peace to South Vietnam through negotiations—

(a) Should the United States pull its troops out of South Vietnam regardless of the consequences?

- Yes ----- 48
- No ----- 52

(b) Should additional military pressure be brought to bear on North Vietnam in an effort to force a military victory?

- Yes ----- 80
- No ----- 20

2. Do you approve of President Nixon's decision to build a limited anti-ballistic-missile defense system to protect our own missile sites?

- Yes ----- 65
- No ----- 35

3. The space program is now costing \$3,-877,520,000 per year. In view of our many domestic needs, should this program be cut back by (check one):

SENATOR GORE ON MCGEE
 REPORT

HON. ALBERT GORE

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Thursday, July 10, 1969

Mr. GORE. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks the text of an interview conducted by Mr. Frank McGee, of NBC.

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

Mr. MCGEE. What in your opinion are the factors that have led to the doubting and mistrust of the military?

Senator GORE. Like most of our problems, this one has crept up on us; and once we've opened our eyes to it we're surprised at how large it is and why we were not concerned about it before. I believe three major factors have conspired to cause the people to open their eyes, maybe several but three come to mind. One, the misassessment, the miscalculations, the false predictions of the Vietnam War, and the frustration and disappointment of the people involved in that. Number two there has been a rash of very small items which even small children can grasp, uh, like a fuse that the ordinary citizen can buy for nineteen cents, costing two dollars and seventy-five cents in military procurement. This is not an actual example but typical of a whole rash, hundreds of such items coming to light.

And, then, on the top of this has been the shocker of the A.B.M. issue, the question of Anti-ballistic missile deployment. Only a year ago, the Joint Chiefs of Staff were saying to the Congress and to the American people that it was absolutely necessary for the security of the country, that A.B.M.'s be deployed around our cities, that our big cities be defended. And then, suddenly, because of some political commotion around Boston and Chicago and Seattle, there was a decision that this was very unwise. Now the security of the country depended upon—depended absolutely upon—deployment of A.B.M.'s around two missile sites in Montana and North Dakota. Well, it seemed ridiculous.

And all of these things (plus I'm sure others that do not come readily to mind) have conspired to shock the people into opening their eyes and looking at this thing, and there they see this enormous problem, the great imbalance and political pressure, that culmination of industry, of Congressmen's political interests, of Senators' political interests and communities' economic interests, and the military with a big military combine and promotions and rank, cost-plus contracts, big profits, all of which go to make up this enormous problem of the industrial-military complex, and its great political influence, and the threat to the nation's economy, and to the nation's priorities.

Mr. McGEE. Now Senators, I've heard a lot of people question things like where they will have a mountain in Vietnam and then they'll kill fifty guys taking it, two days later abandon it. In the first instance they said it was—it had great strategic value, because it over-looked a valley used as an infiltration route. Two days later they said it doesn't have that value anymore.

Senator GORE. Well, people have been disturbed about what is called strategy one day and tactics another, or maybe two days later an objective that had no real military value. The hill which today must be taken because it over-looks a valley, is abandoned. A week later, the hill's still there, the valley's still there, only the dead have been removed. There seems to be sort of a sporting element involved. We take this hill; why? because Vietnamese boys are up there and we can kill 'em, and it'll be a great military victory, because we can kill more of them than they can kill of us. We have greater fire power. But one wonders, and the American people have come to wonder, is this a sound strategy? Is "search-and-destroy" the road to peace in Vietnam? Are the losses of lives worth the taking of these hills? Is such killing in itself a justifiable means to an end?

Mr. McGEE. And then, sir, the whole idea that somehow in the last decade people seem to perceive that world communism is no longer a monolith. And from this, perhaps, they conclude that communism doesn't pose as grave a threat as it once did to us, do you think there's any validity in citing that as a reason?

Senator GORE. Communism has been an abiding, deep, emotional, political motivation in our country for a long, long time. It's, it's something which all of us instinctively dislike. (I say nearly all of us—perhaps ninety-nine and nine-tenths percent of us.) And yet, it has caused us to become obsessed—our fear of it, our dislike of it, our reaction to its threat. Now we see that Communism is deeply split, the two great populous Communist powers denouncing each other with vehemence. We see revisionism within the Communists. It's no longer a monolithic, solid, anti-democratic bloc. And then, when we see on television, hear on the radio, and see in the newspapers day after day that so many hundred Communists were killed in Vietnam, many thoughtful people, who realize that the overwhelming proportion of these Vietnamese present youths are illiterate, wonder if they are actual Communists. Karl Marx; *Das Kapital* is a rather complicated, technical book; indeed, Communism is a sophisticated political doctrine. How many of these illiterate Vietnamese that we've killed have made an intellectual commitment to Communism? Perhaps they know which side they're on, they know which side they're fighting on, at least, but are they in fact Communists, as we are told from day to day, and many people have asked me that, and wondered; and they wonder if Tito, whom we've been aiding, is the threat to democracy that any Communist is regarded by—was regarded, say by the Joe McCarthy school. If so, why do we aid him? So this has created a great amount of questioning in the public mind, and they wonder.

Mr. McGEE. What role, if any, has the student-campus movement abreast, upheaval, played in the developing doubts about the military?

Senator GORE. I have been, for the past three years, on the lecture circuit of American colleges and universities a great deal. My son is a senior in college this year. So, I've been very close to the student body, as close as one of my generation could be, I think. I have sensed the alienation, I've sensed the rejection of the body politic, I've heard them question—I've had them question me about our values. They seem to feel that we've gone to seed on materialism, that we somehow lost our way and have come to give premium for brawn over brain. This has had a big effect, and though the country has been exasperated at violence on our campuses, nonetheless don't forget that these millions of college youths who have not been rioting go home on Easter, go home at Christmas, and they take home to their parents the questions and the doubts which my son has brought to me. And in the homes of millions and millions of people, have been planted sincere questions and doubts about our priorities, about our values, about our policies. This has had, I think, a very deep effect upon America.

Mr. McGEE. What role do you think critics such as yourself, Senator Fulbright, Senator Proxmire, Kennedy (you know the group that I'm talking of), in your actions in the Senate, in the debates that you've had there and the issues you've raised, what role do you think you may have played in bringing this question to the fore?

Senator GORE. The Senate has been playing more nearly its Constitutional role in the last four years than, I think, has been the case for a long time. You may recall when we started the deb—the hearings on the Vietnam War issue, I made a statement, which appeared to many people brash, on the very first day of that hearing. I said that we had been unable to reach President Johnson, that we were undertaking to go over the head of the President to the American people, in order to reach the President. Well, the President, as you know, has, um, many uh, um, all Presidents, in recent years, have had a habit of going over the heads of the Congress to the people. This was the first

time that the Congress had attempted to go over the head of the President to the American people. We did so, in the Committee's hearing on the Vietnam war issue. I will leave to the American people to determine the profoundness of the effect, the educational value, the influence on policy, the influence upon Presidential politics, the intensive influence upon President Johnson himself, of those hearings.

Now let me give you another example: The A.B.M. issue. I have been involved in this for more than two years as chairman of the Disarmament Sub-committee. Because it involved so many secrets, I held the first hearing in secret. There was very little public debate. We lost the issue on the floor with not very much public attention. Here it was changed, and came this time even larger. So I decided, and my committee agreed with me, that we should involve the public in this issue. After all, it is their country, it is their money, and we are a democracy. So we got together experts, scholars, men of unquestioned integrity on both sides of the issue and proceeded to have public hearings. Television found them interesting, the public found them engrossing, and we have had now a wide-spread national debate into every living room and around every coffee table about the A.B.M. issue. It's been of tremendous educational value. The outcome is uncertain, but the people know more about it and they've been involved in an issue. And I think this is a milestone in our democracy. No longer will we run from public debate or public hearings on a technical question because of its technicality, because of its complexity. We have taken one of the most difficult of all and have aroused the public and involved the public in this debate.

Mr. McGEE. One further question on this general area, Senator. I wonder what effect, if any, you think the campaign for Presidential nomination of Senators Kennedy, and McGovern, and McCarthy may have had in contributing to this, uh, casting doubt on the omnipotence of the—of the—military.

Senator GORE. The Presidential campaigns of last year for the Presidential nominations as well as for the office itself, stirred the American people deeply. The debate brought to light serious questions of policy, fundamental contests of views. Senator McCarthy, in his campaign in New Hampshire, alerted the entire country to the existence of unrest and frustration of the Vietnam war issue. The late Senator Kennedy's campaign showed that this unrest went to the working class, to the students. The campaign between Mr. Nixon and Mr. Humphrey was a divisive one. Though President Nixon did not take specific—many very specific positions on issues, the fact that he could run this kind of a floater type, gumshoe campaign and win made many people wonder if something wasn't basically in error in our democracy. Why could a man win without taking affirmative positions? The answer many people came up with is this is negativism, this is nihilism, this is doubt; this is not confidence, this is fear. And we're groping for answers to that right now.

Mr. McGEE. Now I'd like to get into the second large area of questioning. And I realize this is asking you to crystal ball a little bit, but we must raise it. And that is how do you think this issue will be resolved? Will the supporters of the military establishment win or will the opponents, or say the critics of it, win? How do you think it will be resolved? Who will win it?

Senator GORE. The issue on the size, the magnitude, the danger to the American system of government, of the industrial-military complex has been joined. The ABM issue has been the touchstone. The ABM issue in and of itself is important, but it has a symbolic value far greater. If those of us who oppose what we regard as an unsound, unwise, unnecessary expensive weapons system win in

this instance, then we will have won a historic battle. It will be but the first one. If we win this one, we will win again and again and again. And the contractors, the military, the manufacturers, the people who have an interest, economic, political, career-wise, and the people who have sympathies with this group, know that this is a showdown battle. They, too, know that if they lose on this one, they will lose again and again and again. Because, actually, the contest is between the greed and the ambition, however sincere it may be in many instances, and the aspirations of this, the many components of the industrial-military complex, on the one hand, and the many needs of the people on the other.

In other words, there is at issue here a choice of priorities. What is more important in our society, better education or better missiles?

Mr. MCGEE. Now lets—let's suppose that the supporters of the military lose, in the context we are talking about. There are many who have issued warnings that this will have a very grave effect on our national security. I'd like for you to comment on that point, if you would. What effect would it have on national security, should they lose?

Senator GORE. The security of our country is paramount with all of us. I think it's been a little too fashionable in certain circles this year to assume that only the President or perhaps the Secretary of Defense had primary responsibility for the security of our country. This is the primary responsibility of every Congressman, every Senator, as well as the President. What is security? How do we vouch it safe?

I don't think that it can be measured alone in weaponry, in military might. Some people say that might makes right. But on the other hand, right makes might. We can be no stronger in the world than we are at home. Our militarism, our excessive missilery, our excessive reliance upon force as the arbiter of issues, both at home and abroad, will, if continued, threaten to destroy us within. We need to be sound, progressive, liberal, tolerant, educated, humane and compassionate at home, in order to be strong and influential abroad. This is real security.

Mr. MCGEE. By the same token, the same people are worried about the effect it would have on our allies. Could you comment on that?

Senator GORE. The United States has allies. I'm not sure that we have as many genuine allies now as we have had heretofore. But leadership in the world is composed of two things: power and affinity, affinity of views, of interests, of ideals. We have the power, economic and military. And if we lacked a weapons system, the world will know that American industry, American ingenuity, American technology and American resources could soon produce to meet the need of any material matter.

The thing in greatest question now is that of an affinity with our spirit, with our idealism, with the goodness which we feel we have, but which many of them have come to doubt.

Mr. MCGEE. They also say that this would represent a retreat from our responsibilities around the world and that we would have to radically reorder our foreign policy.

Senator GORE. A reduction in armaments, a reduction in number of men in uniform, a reduction in Air Force, a reduction in naval might, would in fact cause us to thin out our presence. It creates problems. But with the inability to be everywhere with enough to solve by force all problems, whatever they are, wherever they are, whenever they arise, forces us to choose. We must choose on the basis of priorities. What are the things most important? I think things of the spirit, the things less material than more of material. This does not mean that we must not have

force. It must be a mobile force. It must be a force that can be brought to bear whenever our vital security interests are involved, but only when our vital security interests are involved should we use force. Otherwise, we should help the people help themselves with our aid programs; we should encourage them with cultural exchange, with educational aids. We should lead them by spirit and precept and principle, not try to use our force to bring about the changes which we think may be right.

Mr. MCGEE. And actually one of the biggest questions of all is if it is severely cut back, what effect would it have on our domestic policies and problems?

Senator GORE. A large cutback in economic spending for the military, for armaments, would have a large effect upon our economy. It might have a very beneficial effect upon our economy if we act wisely. For instance, during the last several months, the number of new homes started has been dropping, dropping, dropping. Meanwhile, the number of new family formations has been going up and up and up. Unless somehow we begin to start more new home construction, we face in the near future a severe housing shortage. Of course, other countries, such as Russia, has an enormous housing shortage. Such a shortage is not known in America. It may become known in America unless we can organize our economy and our policies so that funds and materials and labor will be available to build homes. This is but one example.

We have so many postponed needs in our national life that if at the same time we reduce our expenditures for the military, we give priority to those pentup demands, the solution of those problems that cry out for solution, community facilities, schools, hospitals, roads, water systems, recreation areas, better health, education and welfare, more homes, both private enterprise and public enterprise, I think that we could have a healthier economy, indeed a booming economy, if we would but use our resources on things that we need at home, rather than to go excessively to military expenditures.

Mr. MCGEE. Senator, do you sense the mood of the country as being one that would support the kind of approach you just outlined?

Senator GORE. The sentiment in the country might very well oppose large programs of economic—large economic expenditures to solve our problems at home. This is a—this is a political battle which we would have to fight. But America is accustomed to fighting political battles. And I would think in the end that the needs of the people would be met.

Mr. MCGEE. One final question on this area. Some have expressed concern that, should the military lose this contest, it would have a very deleterious affect on the morale of the professional military soldier and officer. Could you comment on that for me?

Senator GORE. I am not an authority on the military morale. By the very nature of the professional—of the training of professional military officer, his morale is perhaps higher when there is a military challenge, when there is a mission to accomplish. In other words, when he has fighting to do. That's what we train them for. And I wouldn't—I'm rather proud of—of their willingness to serve, their courage, their valor. But we can't be foolhardy in order to keep their morale up. We must have wise policies, and their purpose, their duty, is to serve that policy, not to make it.

Mr. MCGEE. Now one final question, Senator. Let's suppose that the military does not win in this and the country elects to go in a different direction than it has gone in the past, what kind of a judgment do you think that history would make of such a decision on the part of this country at this time?

Senator GORE. I think this country faces a

grave threat, a threat that goes to the very heart of our society. Our priorities have become unbalanced, our values warped. If we persist in the solution of all problems, both at home and abroad, by force, by the use of force, then we may very well face fundamental destruction of our values and our sense of values at home.

Mr. MCGEE. And if we elect to go the other way, sir?

Senator GORE. If we are able to right our course, to place emphasis upon first things first, then I can see for America a broadened horizon, where life and liberty and the pursuit of happiness is more equitably available for all. This is the goal for which our forefathers sought. I think it is a goal for which we should search now.

FORMER NEW YORK STATE SUPREME COURT JUSTICE EMIL N. BAAR

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. BRASCO. Mr. Speaker, in these days of tension and strife, I believe it is fitting to call attention to a citizen who, after a half century of active communal services, continues his good deeds to mankind. I would like to take this opportunity to salute him as a true example of a good substantial American.

I refer to former New York State Supreme Court Justice Emil N. Baar, of Kings County.

Justice Baar was recently honored by the Rabbinical Council of America "in appreciation of his dedicated efforts and warm help" in securing \$100,000 from a trust fund established by the late Jacob Schiff, philanthropist, for use as pension funds to care for orthodox rabbis upon their retirement.

Mr. Schiff provided a \$100,000 fund to the Union of American Hebrew Congregations in 1918 for distribution among various religious groups for rabbinical pensions. The trust funds have since increased to about \$250,000. The fund was to be divided equally among the reform, conservative, and orthodox groups.

In 1944, the portion held for the reform rabbis was paid over to the rabbinical pension board, the pension arm of the Union of American Hebrew Congregations and of the Union of American Hebrew Congregations and CCAR.

In 1947, the Rabbinical Assembly of America established a pension plan for rabbis of the conservative group. One-half of the balance of the so-called Schiff fund was distributed to that pension plan.

In 1948, the Rabbinical Council of America, representing the orthodox group established a pension plan for its rabbis. However, it was not until 1966 that a request was made for its share of the Schiff fund.

Justice Baar, who is honorary life chairman of the American Hebrew Congregations, and chairman of the governing body of the World Union for Progressive Judaism, was called upon to aid in the distribution of the funds. Through his efforts, the Rabbinical Council of

America recently received \$100,000 of the funds for its pension program.

LEGISLATION TO PERMIT THE ISSUANCE OF TEMPORARY VISAS TO IMMIGRANTS

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. REID of New York. Mr. Speaker, I am today introducing legislation that will amend the Immigration and Nationality Act of 1965 to permit the issuance of temporary visas to nonimmigrants who wish to enter the United States temporarily under a contract of employment to perform services or labor.

The principal intention of this bill is to provide relief for the many American housewives who wish to secure the services of alien domestics in their homes, and who are finding that there are increasingly long delays before visa numbers are available for these women. The language of the bill is broad enough, however, to apply to other kinds of temporary employment as well.

I have long believed—and still do believe—that the major purpose of the Immigration and Nationality Act is to promote the reuniting of families. Accordingly, I think it is unwise to permit the use of visa numbers available under the law for persons who are coming to this country to work and who, in many, if not most cases, do not intend to become permanent residents. Thus, I would hope that a policy of temporary visas, unlimited in number and not chargeable to the annual worldwide total or to the annual limitation of any given country, would be a solution to this problem.

There is no question but that in some areas of the Nation there is a definite shortage of persons who are willing to work as live-in domestics. Often, such assistance is needed by working mothers with small children, or by motherless families, or for a variety of other reasons. The reasons are not really the business of the Government; the fact is that the need exists and that it frequently cannot be filled by day workers. Transportation in many suburban areas is such that it is simply not feasible for day workers to get to jobs located off main bus routes. Families requiring live-in domestics very often need the reliable services of a person known to and trusted by their children when the parents are not home in the evening.

Briefly, my bill provides for a new category K under section 101(a)(15) of the Immigration and Nationality Act. This category would define as a nonimmigrant "an alien having a residence in a foreign country which he has no intention of abandoning who is coming to the United States under a contract of employment to perform services or labor—other than services referred to in subparagraph (H) of this paragraph."

Such aliens would be subject to three conditions for the issuance of a temporary visa:

First, they must be in possession of a

contract for employment for a period not to exceed 1 year. Such contract would be renewable, for periods aggregating no more than 5 years. In other words, these temporary visas would be for no more than 5 years, and if the alien then wished to become a permanent resident, he would have to follow the procedures now established by law and regulations for adjustment of status, subject to the usual availability of visa numbers in the preference category for the country to which he is chargeable. The fact that he has been in this country on a temporary visa would not make a difference in any application for permanent residence.

Second, the alien would be strictly bound by the terms of the contract and could not perform services or labor not specified in the contract or work for another employer not named in the contract without the approval of the Secretary of Labor.

Third, the alien would have to obtain the labor clearance now required for all workers entering the United States under section 212(a)(14) of the law. Among other things, this certification indicates the finding of the Secretary of Labor that the alien's employment will not adversely affect similarly employed U.S. workers, and that there are not sufficient workers in the United States who are able, willing, qualified, and available to perform the work for which the alien seeks certification.

In my judgment, this legislation would meet the objections that the Department of Labor has frequently raised to any proposals of temporary visas. First, the Department frequently contends that household workers are permanent, not temporary, and that if the Congress wishes to admit more permanent workers, the law should be amended to provide for a greater number of visas. My continued contact with housewives who wish to employ aliens seems to indicate that the need for live-in domestics is a permanent one but that any given alien who comes to this country to perform domestic work is only temporarily in this country and has little intention of becoming a permanent resident. I think that this point is made most cogently by a housewife in my district who has employed aliens in her home for 16 years. Mrs. Walter Stein of Scarsdale, in a recent letter to me, said:

It is precisely because the need for domestic employees is permanent that it cannot be solved by permanent immigrants. Most of the girls entering the States as bona fide domestics have no intention or desire to remain here. I speak with experience. In the course of the years, I have employed 21 European live-in domestics and governesses (all of whom, without exception, stayed with me the contracted time or longer). Of these, 17 returned permanently to their native countries, only 4 remained here.

Mrs. Stein—whose comments apply to alien domestics from any country—goes on to point out that a permanent immigrant does not want to remain a domestic for very long. She leaves to seek an office position, for example, and her employer then must find another alien domestic to take her place.

A second argument that the Department of Labor makes against temporary

visas for this purpose is that household domestic service workers usually have little experience in the field and then move on to other employment shortly after coming to the United States. I believe that my bill would answer this point by making visa issuance contingent upon a contract for a specific job with a specific employer and requiring that any change in employment be approved by the Secretary of Labor. Thus, it would not be possible for aliens admitted as temporary domestics to leave their employment and engage in other work unless the Secretary of Labor found that such a change was justified and would not jeopardize the employment of U.S. workers.

In fact, the issuance of permanent visas for domestics seems to encourage precisely the effect that the Department so deprecates. A permanent visa places no restrictions on the kind of employment in which the alien may engage; thus, if a particular girl—one admitted for permanent residence—tires of her domestic work and finds a position in another occupation, there is no control whatsoever on the impact of her new position on American workers also seeking employment. Further, her former household employer is still in need of domestic help and will simply have to file again for another domestic, and, eventually, another visa number will be allotted, possibly to result in this same situation.

I wish to make it quite clear that I have no interest whatsoever in depriving Americans of every possible opportunity to find productive and meaningful employment. I think that my long record and many public statements in support of job training programs and concerted employment action by the public and private sectors attests to this. But I think it is essential that we in Congress and the Department of Labor face the realities of this situation and recognize that it is becoming increasingly difficult to find American workers who are willing and able to fill the available positions as domestics.

I wish that this were not the case, but unless and until the circumstances change, I do not believe that it is within the purview of the U.S. Government to tell its citizens what kind of household help they may employ and under what conditions. I do not question the need for the labor certification under section 212(a)(14) of the law in order to insure that American workers are not displaced by aliens, but I do not think that, in an effort to reduce the number of permanent visas issued to domestics, the Department of Labor should be in the business of establishing criteria which entitle one to be able to employ an alien at wages specified by the Government.

For example, Floyd Sherrod, Jr., Special Assistant to former Secretary Wirtz, stated in a letter to me dated December 13, 1968, that—

The needs of employers and the recruitment of workers can be met by large increases in the number of child day care centers, household service companies, and numerous other arrangements.

I know of no change in this policy in the present administration, and, quite

frankly, I do not think that any agency of the Federal Government has the right to tell an American citizen how to run his household, as this statement implies.

I believe that the legislation I am proposing will obviate the necessity for many of the complex and demanding regulations that the Department has adopted. I hasten to add that it will not eliminate all the delay and it will not eliminate the necessity for employers and aliens to comply with certain standards and requirements. But I believe that this bill will result in a more sensible policy on a question that now succeeds in alienating many Americans from their Government and that demands far too much time and resources on the part of the Labor Department.

The administration of this system would be no more complex than that now involved in a labor certification and would, I hope, free the Department for its more important task of improving the employment status of those Americans who are underemployed and unemployed.

THE TROOPS RETURNED FROM VIETNAM

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, July 10, 1969

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an editorial entitled "Stand Tall and Be Proud," published in the Washington Daily News of today, July 10, 1969.

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

STAND TALL AND BE PROUD

When the first troops withdrawn by President Nixon from Vietnam arrived at McCord Air Force Base Tuesday afternoon it was somehow different from the homecomings of American fighting men in other wars.

There were cheering friends and relatives and a brass band, of course. And their former commander, Gen. William C. Westmoreland, now Army Chief of Staff, was there to talk to them. But about it all, judging from the televised scenes and the written descriptions, there was a reservation unlike the wild excitement of past wars. The returning soldiers were solemnly quiet.

Undoubtedly it was a reflection of the puzzlement and frustration many Americans feel about the Vietnam war. This one that we got into more or less by accident and have never been able to justify fully to ourselves and the world, in spite of the certainty that without our participation the spread of communism thruout Southeast Asia would have proceeded like wildfire.

But we need to remember that the men who are and have been in Vietnam—and those who are still going—didn't choose the duty as a glorious, exciting adventure. They were and are fulfilling an obligation, doing what they are required to do.

Of the men who served and still are serving in Vietnam, we can be proud. They are the best. They deserve the best from us. We should see that they get it enthusiastically. As Gen. Westmoreland told them:

"You men . . . have demonstrated your sense of responsibility—the responsibility of an American citizen to serve his country.

"You can stand tall and be proud. You can look any man in the eye knowing that you served your country when you were called."

WAR IN VIETNAM IS DIFFICULT TO ASSESS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. ZWACH. Mr. Speaker, pressure is mounting for the United States to withdraw its troops from Vietnam. Never before in our history has our country engaged in such a "no-win" conflict.

No one seems to know what is the best policy to pursue. Our highest Government officials, as well as the man in the streets, seem to be groping for an answer.

The Brainerd Daily Dispatch recently printed an editorial on this strange sort of war which I would like to share with my colleagues:

WAR IN VIETNAM IS DIFFICULT TO ASSESS

It's a strange sort of war.

The above may be the understatement of the year and one which has been used many times during the decade that the Vietnam war has been in progress.

It is a war like all wars in that men are killing and being killed. But it is not a war like the one against Germany and Japan more than 25 years ago when this nation and others were mobilized to go all out with men and firepower to gain a smashing victory.

Instead, in this war, bombs are not dropped on certain areas, particularly the enemy's homeland and there are certain points beyond which our troops do not advance.

When the wars with Germany and Japan were over, the nation rejoiced when its soldier boys returned home in victory. There were parades and festivals of jubilation as they came marching home again—that is, the ones who lived to march home.

Now some American soldiers are again being returned from a battlefield as the result of a recent decision by President Nixon and in the homes of their families and loved ones, there is jubilation.

But it is not the same across this land as when those other soldiers came back home.

These men are not returning from a clear-cut victory which helped cement their nation as one of the major powers of the world. Actually they have won a number of battles—they have fought, bled and died valiantly on the field, but there has been no real victory. The war is as much on now as it ever has been, even though the talks drone on and on at the Paris conference table.

The homefront to which these soldiers are returning is also different. During World War II, this nation united almost like one huge family in its effort to smash the temporary strangle hold of the Nazis and the Japanese.

There is no unification at home on the Vietnam war. Debate on the conflict has raged from the Senate floor to the beer joint on the corner.

Many say we have no business there and all of our troops should be pulled out. Some say this is the place to halt Communist advances and we should fight on.

Others, many of them veterans of the last major conflict, say that if we are going to

fight at all, let's get in there and smash them good, once and for all.

And so it goes. The soldiers fight, bleed and die. The politicians argue and harangue. The people debate and complain.

What is the answer?

We don't know. It's a strange sort of war.

NATIONAL PRIORITIES

HON. ALAN CRANSTON

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Thursday, July 10, 1969

Mr. CRANSTON. Mr. President, the American Institute of Architects recently published their excellent resolution concerning national priorities.

In the hope that all of my colleagues will heed its plea, I ask unanimous consent that the statement along with my letter to the institute be printed in the Extensions of Remarks.

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

RESOLUTION OF AMERICAN INSTITUTE OF ARCHITECTS

It has become clear in both moral and economic terms that our nation can no longer afford or pretend to intervene in the political and military affairs of nations throughout the world, maintain a military and weapons establishment of unlimited size, explore the moon and, at the same time, rebuild our decaying cities, provide an adequate supply of housing, and finance domestic programs needed to solve pressing social problems.

Therefore, be it resolved by the Architects of America that:

One. We call upon the President and the Congress to assume responsibility for a comprehensive reexamination and reordering of our national priorities, recognizing that we have neither unlimited wealth nor wisdom, and that we cannot sensibly hope to instruct other nations in the paths they should follow when we are increasingly unable to demonstrate that we know how to maintain a viable society at home.

Two. We call upon our leaders, at all levels of government, to recognize that an efficient and humane environment is basic to the maintenance of a harmonious and prosperous society and that the skills to produce it are well within our grasp. At the same time, we wish to remind our representatives that neither hope, time, nor technology will solve the problems that presently make urban life a dirty, difficult and dangerous experience. Only a wholehearted commitment of will and money will enable us to apply the skills needed to erase the shame of urban America.

Approved and adopted by The American Institute of Architects at its annual convention in Chicago, Illinois, June 26th, 1969.

JULY 9, 1969.

THE AMERICAN INSTITUTE OF ARCHITECTS,
Washington, D.C.

GENTLEMEN: Congratulations on your full-page statement carried in the Washington Post this morning.

You have eloquently expressed the sentiments of millions of Americans, and I want to commend you for this forthright position. You can be sure that I, along with many of my colleagues, will be working hard toward those goals which we all share.

Best wishes.

Very sincerely,

ALAN CRANSTON.

LONDON SHOUTS "NO" AT NOISE

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, "the city of London is at war. The enemy is noise." So begins a story appearing in the Christian Science Monitor of July 10, 1969, a story that points out one detrimental result of technological and industrial progress.

As the United States moves closer and closer to becoming a completely urban society, the problem of noise disturbances will be brought home to more and more citizens. Recognition of the seriousness of the situation is now generally limited to communities located adjacent to large airports. Undoubtedly, jet aircraft noise is presently the principal target of noise abatement advocates and from firsthand experience I can testify that the effects of such noise are quite unfortunate. However, my colleagues would be well advised to note that even though their districts are safe from the din created by arriving and departing aircraft, the problem of noise abatement will ultimately be their problem too. Cars, buses, and trucks honking their horns, grinding their gears, and blasting their radios on snarled city streets, pneumatic drills chewing up worn-out concrete, piledrivers banging away at the steel reinforcements of the building being built next door, the arguments of your neighbors, or the sound of a baby crying or a dog barking coming through the paper-thin walls that have become a trademark of new apartment houses, all these sources of noise are increasing as cities expand and as populations rise.

The problems already exist for some. We recognize it and are working to see the implementation of controls that will alleviate the burdens that have come into being. I am presently preparing a bill that will provide the needed revenue to subsidize the aviation manufacturing industry in order to encourage design changes needed to bring about lower levels of sound generated by jet aircraft. This legislation will insure that the revenue shall be raised from those who benefit from jet flight most, the airlines and the passengers and will not require additional Federal Government outlays.

But passage of my proposed legislation will not solve the problem. Congress is presently considering various bills aimed at establishing environmental committees, commissions, panels, and so forth, to prevent man from destroying his environment. Preemptive measures must be taken in the battles against air pollution, water pollution, and noise pollution. We must change from our usual stance of reacting to already existent problems and act to prevent them from arising. Members of Congress should realize that urbanity is becoming the common denominator of the United States. The problems of Los Angeles, New York, and Chicago will eventually be the problems of every community in the land unless we work together now to solve them and prevent their future spread. My call for

controls over our environment is not the introduction of a new idea. Many of my colleagues have voiced their concern. My call for noise abatement legislation is not made just for my constituents or only for the people living next to airports throughout the country. While it is an attempt on my part to bring relief to my district, it is also an effort to make the Congress cognizant of the larger problem of noise pollution that will affect, if it has not already done so, their constituents and their congressional districts. My call is for action now rather than reaction later.

The Christian Science Monitor article follows:

LONDON SHOUTS "No" AT NOISE

(By David P. Shaw)

LONDON.—The City of London is at war. The enemy is noise.

That one square mile of finance houses, stone-walled banks, and high-rise blocks of steel-and-glass offices populated by 400,000 businessmen is bombarded by noise—constantly.

But what sort of noise is it? Airliners circling overhead seeking a place in line for Heathrow Airport?

Lorries and buses snarled up in narrow city streets?

Pneumatic drills chewing up the roadway?

SPECIAL STUDY TIMELY

The City of London Corporation says the compact, unique character of the city is ripe for a special study of noise.

To this end the corporation has arranged a special "keep the city quiet" campaign. It was launched by Lord Mayor Charles Trinder.

On the forecourt of the Royal Exchange, Sir Charles activated a noisometer. As traffic rumbles past or within earshot its lights flash and a reading shows on a thermometerlike vertical scale.

Afternoon traffic, when this correspondent passed by, registered around 80 decibels. That is said to be tolerable. Ninety decibels is said to be most unpleasant. Even a noisy lorry failed to activate the flashing lights that high on the scale.

CRICKET GETS FIRST LOOK

The noisometer intrigues passersby but holds their attention far less than the newscaster flashing the latest cricket scores.

Colored posters in the vicinity invite spectators to visit the special exhibition at nearby City of London Hall. There, manufacturers of noise control and measuring equipment, of muffled power tools, of double glazing for homes and offices, have their stalls. Others cooperating include the government's Ministry of Public Building and Works and the Noise Abatement Society.

PUBLIC A TARGET

In addition to the publicity leaflets and posters about the antinoise war, some 12,000 questionnaires have been sent to London firms and workers asking, "What noise annoys you most?"

Deputy medical officer for the City of London, Dr. Dilwyn Jones, explains the corporation is trying to educate the public. They can, he says, be less noisy themselves. They are affected by it and can, to some extent, prevent noise.

The campaign, says Dr. Jones, is a research project. His Health Department wants to know what the primary causes of noise annoyance are. Then when opinions are collated, the corporation will consider what can be done about the problem.

If the primary cause is aircraft noise, little can be done about it at present. On the other hand the information gathered may result in something positive being accomplished to aid the noise-afflicted office

workers and the city's resident population of just under 5,000 people.

What is plain is that man is harassed by noise. This is said to affect his work efficiency.

Thus, if a way can be found to win this noise war then business efficiency in the City of London must rise. Who knows, the capital's export business might even increase.

SDS SELLS ROTC

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. NICHOLS. Mr. Speaker, as a graduate of the Reserve Officer Training Corps program and as a strong supporter of ROTC, I am pleased to see that the program continues to grow in strength despite the attacks being made on it by leftwing student groups and other liberals. The Montgomery Advertiser recently ran an editorial which outlined the growing strength of ROTC, and credited the Students for a Democratic Society with the responsibility for that growth. While I do not want to go on record as congratulating the SDS for their help in selling ROTC to college students, I include the editorial in the RECORD for our colleagues to read:

SDS SELLS ROTC

The word from Washington is that the idiotic attacks on college ROTC may have been the best advertisement the reserve officer training program ever had.

Thanks in part to the SDS assaults on college "militarism and warmongering," many young men and their parents have apparently become educated to the attractive benefits of ROTC, including monetary. The result is that the number of ROTC units is increasing steadily and so is the number of graduates who get service commissions.

The Air Force has four student applications for every opening in its program; all three services have long waiting lists of colleges which have applied for programs. The Navy backlog, according to the Wall Street Journal, is 130 institutions long. When the Air Force tried to drop eight colleges recently because they weren't producing enough officers, the colleges raised the roof. Four were reinstated.

The outlook for September is a substantial climb in ROTC enrollment, all the services can possibly use, and would be far greater if all students and colleges wanting ROTC could be accommodated.

Last year, about 23,000 ROTC graduates were commissioned, up 1,700 from the previous year. These accounted for 50 per cent of the Army's new officers, 35 per cent of the Air Force's and 20 per cent of the Navy's.

Thus the threatened pull-out under fire of such Ivy League institutions as Harvard, Brown and Dartmouth is no real worry to the military. For one thing, it costs more to educate a young officer candidate at such schools than at many other institutions which turn out at least as good a product.

The fractured SDS plans more assaults on ROTC in the fall. This could have serious consequences, but not in the way the hysterical thugs plan it: it could increase the number of applicants and colleges begging to be admitted to the program.

The rejections may cause more ill will among more people than the SDS ever could in its mad-dog attacks on the one officer

training program which serves as a liberalizing antidote to the creation of a "military class system."

**ALEX C. COCKE RECEIVES SERVICE
PLAQUE**

HON. HALE BOGGS

OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 10, 1969

Mr. BOGGS. Mr. Speaker, New Orleans, as you know, is the Nation's second largest port. We are very proud of that title. The maritime industry is our largest employer, our greatest economic contributor, and indeed the keystone of our economy. It was as a seaport that New Orleans first came into being, and it has been as a seaport that it has achieved its record of progress and growth over the past 300 years. We in New Orleans are determined to maintain the kind of business climate in which the maritime industry can continue its historic role in our community life. We believe that a strong maritime industry is essential to the continued economic health of our city, our State, our region, and our Nation.

Recently, a prominent New Orleanian was honored as a man who has devoted his life to the maritime industry, Alex C. Cocke, Sr., was cited for his years of work in the field of arbitration for the industry by the American Arbitration Association. I would like to take this opportunity to give my personal commendation to Alex Cocke and to insert in the RECORD an article that appeared in the New Orleans Times-Picayune on Sunday, June 8, regarding this recognition he so richly deserves:

[From the New Orleans (La.) Times-Picayune, June 8, 1969]

CONSULTANT, ALEX C. COCKE RECEIVES SERVICE
PLAQUE—HONORED FOR CONTRIBUTION TO
COMMUNITY

(By Capt. Thomas L. Lewis U.S. Navy
(retired))

Donald B. Straus, president of the American Arbitration Association, has presented a plaque to maritime consultant Alex C. Cocke of New Orleans for his "service as arbitrator" and his "contribution to the administration of justice in your community."

An enviable tribute is indicated in Straus' letter of transmittal of the plaque to Cocke: "Voluntary arbitration could not exist but for the contribution of the arbitrator, who draws upon his wisdom, his public dedication and his impartiality to settle the controversies of his fellow citizens."

Indicating the standards the plaque reads: "American Arbitration Association—Economy, Justice, Speed." Pointing to it Cocke remarked "The scales of justice are always in the middle."

In bronze beneath is inscribed: "Service as Arbitrator Alex C. Cocke, 1968."

Congratulations to Cocke. His long career in the maritime industry has merited many a tribute of which this is but one. The origins, destinations and handling of traffic in foreign commerce have been (and still are for that matter) his main interests.

Many years ago he was asked why ships use "This Port" more than "That Port" in the world of maritime traffic. His answer was ships serve the ports where there is cargo

EXTENSIONS OF REMARKS

for lifting and where discharge of cargo is economically justified. In both cases it is the port, with its modern and adequate facilities and stable labor that are indispensable for attracting both export and import cargo."

**DR. MELVIN D. WOLFBERG OF
SELINGROVE, PA.**

HON. HERMAN T. SCHNEEBELI

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 10, 1969

Mr. SCHNEEBELI. Mr. Speaker, this Saturday, July 12, an outstanding citizen of Selingsrove, Pa., Dr. Melvin D. Wolfberg, will become president of the American Optometric Association.

I would like to publicly commend this young man for the many years of diligent work on behalf of his profession; effort which has brought him to the highest position of leadership possible among the nearly 20,000 optometrists licensed to practice in America today.

I am certain the citizens of Pennsylvania's 17th Congressional District share my pride in the knowledge that a vital and vibrant national professional organization will for the next year be guided by a gentleman from our own State who is known to his townspeople and to his profession as a dedicated and public-spirited individual.

I know of Dr. Wolfberg's willingness to exert the qualities of vigorous and well-informed leadership in civic affairs; his contributions of time, energy, and personal resources for the good of his profession are equally well known.

Dr. Wolfberg is vice chairman of the board of trustees of the Pennsylvania College of Optometry, one of the oldest and finest of the 10 optometric educational institutions in the country. In that capacity, he has demonstrated his sincere faith in the future of his profession, and in the young people who choose optometry as their way of making a very important contribution to the health of our Nation.

Dr. Melvin Wolfberg was born in Pennsylvania in 1926. Upon completion of his service in the U.S. Army, 80th Infantry Division, which won him the Silver Star, Bronze Star, and other military decorations in World War II, he took his 2 years of preprofessional education at Pennsylvania State University. He is a graduate of the Pennsylvania College of Optometry, having been awarded the doctor of optometry—O.D.—degree in 1951.

Dr. Wolfberg has served with distinction at every level of his State and national professional optometric organizations. To mention but a few, he has been a member of the board of directors of the Better Vision Institute; president of the Pennsylvania Optometric Association; and trustee, secretary-treasurer, vice president, and president-elect of the American Optometric Association.

We are justly proud of Dr. Melvin D. Wolfberg and the contributions he has made, personally and professionally, to advance the cause of better professional

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vision care for his fellow citizens. We wish him well during his tenure as president of the American Optometric Association.

**CONSORTIUM CREDIT TO THE RE-
PUBLIC OF SOUTH AFRICA**

HON. GLENN M. ANDERSON

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 10, 1969

Mr. ANDERSON of California. Mr. Speaker, I wish to bring to the attention of my fellow colleagues in the House of Representatives a recent action, taken May 24, 1969, by the executive and finance committee of the Episcopal Church's executive council, which has decided to end the council's involvement with those banks participating in the consortium credit to the Republic of South Africa.

The consortium is an arrangement involving 10 major American banks whereby \$40 million in revolving credit is extended to the South African Government. The council presently has over \$2 million in deposits, checking accounts and investments in three member banks of the consortium; all would be withdrawn should these banks continue in the consortium after the next annual renewal date early in 1970.

This action followed a full day of hearings from representatives of the three banks and South African opponents of the apartheid system. After the hearings, the executive and finance committee concluded that, because of the laws of South Africa, the involvement of the banks participating in the consortium was not a positive factor in helping to promote the general welfare and the breakup of the apartheid system.

The executive and finance committee's action was then taken in compliance with a resolution of the executive council in December 1968, which directed the committee to hold hearings and to terminate the council's involvement with participants in the consortium unless they felt that the consortium's efforts in South Africa were productive in terms of increasing the general welfare of all Africans.

I include at this point in the RECORD the full text of the resolution of the Executive Council of the Episcopal Church, and the subsequent resolution of the executive and finance committee of the same body:

RESOLUTIONS PERTAINING TO THE CHURCH'S
INVESTMENTS IN SOUTHERN AFRICA, AS
ADOPTED BY THE EXECUTIVE COUNCIL,
DECEMBER 11 and 12, 1968

I. Resolved, That the Executive and Finance Committee, on behalf of the Executive Council, examine and apply, in relation to the investments of the said Executive Council in companies and banks doing business in southern Africa, the following criteria:

(a) Is the bank or business making credit available to or doing business in southern Africa, especially including South Africa, South West Africa, Rhodesia, Angola and/or Mozambique?

(b) If so, how significant is this involve-

ment in the economy of the southern African country?

(c) If the involvement is significant, what is the effect in promoting such things as:

Education of Africans; Development of family life; Labor-management relations and the collective bargaining process; Increased skills of the African labor force and integration into higher levels of leadership; Equalization of wage scales, pension provisions and social security; Hospitalization and other benefits; Breaking down of the pass law system and other restrictions; and be it further

Resolved, That, wherever the answers to criteria (a) and (b) are positive, then decision as to whether the Council invest and/or deposit the Church's fund or continue to invest and/or deposit in such companies and banks be dependent on how positive is the answer to criterion (c); and be it further

Resolved, That, nonetheless, where feasible in promoting the welfare or education of all the people of southern Africa without regard to race, the Council consider investments in such companies or banks promoting such projects.

II. *Resolved*, That the Executive Council direct the Executive and Finance Committee to consult with the banks in which the said Council has deposits or investments, and which are members of the consortium extending credit to the government of South Africa; and that, unless the said Executive and Finance Committee concludes that the involvement of the said banks is positive in respect of helping to promote the activities listed in Section (C) of Resolution I, the Treasurer be directed to terminate the Council's involvement with such banks within a reasonable period of time.

III. *Resolved*, That the Executive Council report its action on the above Resolutions to the Committee on Trust Funds and request them to examine their investments and to take appropriate action along similar lines and request that the Committee report its actions to the Council as soon as possible.

IV. *Resolved*, That the Executive Council shall report its action on the above resolutions to the dioceses and parishes and request them to examine their own investments and to take appropriate action along similar lines. To accomplish this the Council shall send the resolutions to the dioceses along with appropriate background materials and request the dioceses to draw these actions and materials to the attention of the parishes and other groups in their jurisdictions in the implementation of the 1967 General Convention's "Resolution on Apartheid".

RESOLUTION OF THE EXECUTIVE AND FINANCE COMMITTEE OF THE EXECUTIVE COUNCIL OF THE EPISCOPAL CHURCH AS ADOPTED MAY 24, 1969

Resolved, That this Executive and Finance Committee does not conclude that the involvement of the banks participating in the Consortium Credit to the Republic of South Africa is positive in respect of helping to promote the activities listed below:

Education of Africans; Development of family life; Labor-Management relations and the collective bargaining process; Increased skills of the African labor force and integration into higher levels of leadership; Equalization of wage scales, pension provisions and social security; Hospitalization and other benefits; Breaking down of the pass law system and other restrictions.

And therefore directs the Treasurer of the Executive Council to terminate the involvement of this Council with the said banks (except overseas missionary accounts, and those only until other media of exchange can be found); and be it further

Resolved, that with respect to any bank participating in the Consortium, this action by the Executive and Finance Committee shall take effect immediately after the next annual renewal date of the line of credit in

question, provided that such bank shall continue its participation in such line of credit thereafter; and be it further

Resolved, That the Executive and Finance Committee offer all assistance in its power which may aid the banks to understand the significance of the proposed action in the eyes of this Church and the profound concern which led to it.

NATION'S CITIES MAGAZINE SUPPORTS PROGRAMS TO STRENGTHEN SMALLTOWN AMERICA

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. EVINS of Tennessee. Mr. Speaker, I am pleased to note that the magazine *Nation's Cities*, published by the National League of Cities, devotes its current issue to the importance of strengthening and improving our smaller cities—the heartland of America.

I am delighted to see this support develop as I have for many years urged in every possible forum that greater emphasis be placed on improving and developing our smaller cities as a part of the solution to our overall urban problems.

As chairman of the Subcommittee on Appropriations that recommends funding for the programs for all our cities, I have repeatedly urged an equitable balance in programs for large and small cities because the outmigration stemming from lack of jobs and opportunities in our smaller communities is continuing to intensify and aggravate the problems of our metropolitan areas.

Much progress has been made in the solution of these interrelated problems.

Under the Department of Housing and Urban Development's planning assistance program, 48 percent of the grants have been for planning in areas with populations under 50,000.

In HUD's public facilities loan program 98 percent of the projects and 80 percent of the loans go to communities under 50,000 in population.

In HUD's public works planning program some 85 percent of the projects and 67 percent of the advances for the engineering and design have been made to communities of under 50,000 and priority is given to communities under 10,000 where over 50 percent of all advances have been made.

More than 80 percent of the projects under HUD's water and sewer facilities grant program have been in communities under 50,000 in population and over 40 percent in communities under 10,000.

Of the approximately 2,000 projects under HUD's urban renewal program, 50 percent are in cities with populations under 50,000 and of these, 700 have populations under 25,000.

In HUD's low rent public housing program of the total of approximately 1 million low rent public housing units under reservation or in a more advanced state of development, over one-third are located in cities and towns with populations under 50,000.

In fiscal 1970 a total of \$43 billion is budgeted for aid and assistance to urban areas.

Our smaller communities have benefited greatly from such programs as urban renewal, public housing, grants for water and sewer facilities, grants for neighborhood facilities, grants for acquisition of open space for parks, loans to plan and construct public facilities among many others.

I am pleased to have had some small part in developing and funding these programs for progress.

Upon my recommendation an Office of Small Town Services was established in the Department of Housing and Urban Development.

HUD is to be commended for bringing government to the people with a successful, pioneering experiment in circuit riding which brought Federal officials face to face with local officials and leaders to discuss problems and programs.

Upon my recommendation the model cities program has been expanded to include smaller cities.

In this connection the Tennessee Valley Authority has initiated Operation Townlift to directly assist communities in preparing programs of progress. TVA is to be congratulated.

Upon my recommendation the House Small Business Committee, which I am honored to serve as chairman, held extensive hearings on the problems of small towns, and out of these hearings came a recommendation for legislation to provide tax incentives to encourage growth and progress in small town America.

I have introduced this legislation in three successive Congresses, and the matter is now before the Committee on Ways and Means as a part of its consideration of reforms and changes in our tax structure.

And so I am pleased to note that the magazine *Nation's Cities* has devoted its current issue to the problems of small towns.

In this connection, I place herewith in the RECORD an article from *Nation's Cities* by Mr. Samuel C. Jackson, Assistant Secretary for Metropolitan Development of HUD, concerning "HUD's Concern for the Small Town" because of the interest of my colleagues and the American people in this most important subject.

The article follows:

HUD'S CONCERN FOR THE SMALL TOWN—OFFICE OF SMALL TOWN SERVICES PROMOTES BETTER COMMUNITIES

(By Samuel C. Jackson)

The concern of the Department of Housing and Urban Development for the future of small towns is as old as the laws under which it and its predecessor agencies operate—dating back some six Presidents and 16 Congresses.

The 1965 law creating the department charged HUD with concern for all of the Nation's communities—"town, village, or other local governments." Specific provision was added by Congress to assure that nothing in the act be construed to deny or limit the benefits of any program, function or activity of HUD on the basis of population or corporate status except as may be expressly provided by law.

The funds appropriated by Congress must

flow to the local units on the basis of the merits of the local program and local need. When limits have been placed on a program by size of community, those limits have been upper population limits.

Thus, in response to the question posed to me around the country, "Has the federal government written off the small city?" I can answer unequivocally that HUD in rule and in practice, has written *in* the small city.

However, we are approaching the limits of what HUD can do alone. In this connection, I concur with Sec. George Romney when he said: "The role of Government is limited, but it is also vital. It involves taking the leadership in developing national policies, goals and priorities, and then in helping to mobilize resources to carry out those policies and meet those goals." In short, there is much that small towns can and should be doing by themselves to revitalize their environment.

HUD recognizes that all cities may have been created equal but that the smaller community faces certain disadvantages in terms of ability to identify problems and priorities, to ascertain where assistance is needed and to mobilize available resources to seek and qualify for such assistance.

The creation of the Office of Small Town Services within HUD's Office of Metropolitan Development underscores our concern toward ensuring that the small community point of view and condition are fully recognized in developing policy and program decisions.

Thus, the Office of Small Town Services serves as a central point in HUD for focusing on the problems of smaller communities. A balanced program of activities and projects is being undertaken to:

Facilitate and ensure that HUD resources are available to assist the nation's small towns in their community development process.

Familiarize the small towns of America with HUD programs designed for improved local development.

Ensure that smaller community needs and problems are recognized, analyzed, and reflected in departmental policy and program decisions.

Work closely with federal, state, and local agencies as well as appropriate private organizations to provide smaller communities with needed specialized information and advisory services support.

Coordination of various HUD programs with other federal and state programs which serve small town development will be stressed through conferences, seminars, local visits, surveys, and studies. The smaller community's lack of adequate information regarding federal programs and technical capability to cope with the growing perplexities of urbanization will be key areas of focus. A greater involvement and capability of HUD central and regional offices and the states to assist small towns will be emphasized.

A comprehensive study dealing with the "Identification of Small Community Needs as Related to HUD Programs" is being conducted with the Office of Small Town Services responsible for providing the technical direction and monitoring. This effort will lead to a more effective delivery of programs to small towns.

The chief concern of this office is the small community and its problems and needs. The staff will work closely with local officials, HUD program officials, other federal agencies, the states, and other public and private groups. Activities will be coordinated through state agencies, particularly those funded under various HUD grant programs. Expertise in the areas of housing, relocation, planning, public facilities, manpower, management assistance, equal opportunity, etc. (available elsewhere in HUD and outside) will be brought into play to achieve quick and effective results.

This coordinating role is implicit in the

grant and loan programs of HUD which are concerned with basic community needs and geared to aid communities in providing the kind of environment and services that business seeks for its employees, that citizens seek for a full and productive life.

Employer or employee, senior citizen or high school senior, shareholder or shareholder—all look for decent and available housing, modern health facilities, pleasant park and recreation areas, a plentiful supply of power and water, a good public library, and other municipal services.

An examination of many of the HUD program elements bearing on small communities will give you an idea of what HUD's approach is and how it may be related to any small city.

Let us look at a few of these in terms of assisting the small city to meet its needs:

More than 80 per cent of the cities in the public housing program are under 25,000 in population.

Almost two-thirds of the urban renewal projects have been in cities of under 50,000 population. Over 50 per cent of participating cities have, in fact, populations of less than 25,000.

Public facilities loans are almost totally restricted to communities under 50,000 population. Ninety-three per cent of the projects assisted have been in communities under 10,000.

More than 83 per cent of water and sewer facilities grants have been to communities under 50,000. In the last fiscal year, out of a total of \$175 million in grants, \$120 million went to communities under 50,000 and \$30 million went to communities under 10,000.

Thirty-six of the cities selected to receive planning grants under the Model Cities program are communities under 50,000 population.

The latest tools to be added to our arsenal were provided in the 1968 Housing and Urban Development Act.

Of key concern to rural America is a new category of assistance—grant funds of two-thirds to three-fourths—for multi-county planning in rural and other areas outside of metropolitan areas.

Its basic purpose is to help preserve and utilize our very great human and economic investment in small towns and rural areas. Collaborating with the Department of Agriculture, we are hopeful of funding several dozen of these multi-county plans this year.

HUD does not seek out favored recipients for our financial resources. We have depended and will continue to rely upon local responsibility and local initiative to work its way.

We feel this will not only prove the best way to solve many problems, but only in this way can we create for all Americans a rewarding and meaningful environment.

It is our conviction that one of the more effective ways of reducing innercity pressures is by enhancing the quality of life in the small towns. This would give those urban residents who might prefer living in smaller communities an option which, in many cases, is not now available to them. I should emphasize that it is not HUD's policy to stimulate this movement—we simply want to make available to core city residents the option of a rewarding life in our small towns.

To sum up, the federal government is not crossing out the small city. Every federal program is as relevant to the small city as to the large city; in every great domestic program, the strengthening of community life and an improved environment for its citizens can be traced.

We are doing everything possible to broaden the options for settlement—not to dictate distribution—but to enhance people's freedom of choice.

For, as President Nixon said: "We must assist small communities to develop an en-

vironment—of community services, recreational facilities, educational opportunities, better medical care, and job opportunities—that will alleviate poverty, that will hold out hope for a brighter future, and that will ease the pressures upon these citizens to join the march to the cities."

THE FORT JACKSON EIGHT: A TRAVESTY

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mrs. CHISHOLM. Mr. Speaker, tomorrow Pvt. Tommy Woodfin, a resident of my congressional district, will come before an administrative board in Fort Jackson, S.C., where he is being considered for removal from the Army with a possible undesirable discharge. Private Woodfin has been subjected to continual harassment because of his political views since his arrival at Fort Jackson. Because I believe his case is an example of the great suppression of dissent in the Army today, I think it is worth some comment.

Private Woodfin's case began early this year when he was arrested for collecting signatures on a petition concerning the war in Vietnam addressed to the commanding general at Fort Jackson. He was acquitted, largely due to the genius of his attorney, Mr. Howard Moore of Atlanta, Ga., but, as he put it:

Although acquitted, the fact remains that I was brought before a court for exercising a right guaranteed to me by the Constitution.

Then, on March 20, 2 days after his acquittal, Private Woodfin took part in a discussion on the war outside his barracks. There were about 20 GI's outside the barracks and about 200 others in the windows of the barracks listening to the discussion. There was nothing disorderly, just a "big rap session" about the war. They were exercising their constitutional rights of free speech and assembly. But on the following day, four GI's were put in the post stockade and four others, including Private Woodfin, were placed under barrack arrest.

The charges resulting from this "rap session" were later dropped against all of "the Fort Jackson eight," and there was no court-martial. But several days later Private Woodfin was again arrested. This time he was charged with AWOL and assault. Private Woodfin pled guilty to the AWOL charge and he was convicted; he did leave the base without a pass. But he had been there since January and had not received a single pass since that time. He had been, in effect, a prisoner in the Army. He felt that he simply had to leave, and he did. His conviction brought a 30-day sentence of restriction to the base.

Private Woodfin was acquitted of the assault charge, which had arisen from an argument in which he had thrown a cup of coffee at another person. This charge, once again due to the genius of Mr. Moore, could not be upheld.

And tomorrow, Private Woodfin must appear before a board which will consider giving him an undesirable discharge

from the Army. This type of discharge will exempt him from many veterans benefits and may hinder him in finding gainful employment in civilian life.

Mr. Speaker, I have been appalled by the manner in which the Army has used its regulations to prohibit the exercise of free speech and other constitutionally guaranteed rights of citizens of the United States. The Fort Jackson episodes, of which Private Woodfin was a part, and the Presidio "mutiny" trials in California are only two of what I am sure are many examples.

Soldiers are citizens, too, and they should be afforded all the rights and privileges of civilians. Authoritarian repression cannot and must not be tolerated in any area of a democratic society, including its armed forces.

I urge my colleagues in this Congress to take appropriate steps to insure that cases similar to Private Woodfin's do not recur in this Nation's Armed Forces. Moreover, I believe that the entire system of military "justice" should be revamped to guarantee that soldiers receive just and fair treatment while in the Armed Forces.

BORDER COMMUTER PROBLEMS— HEARINGS ON H.R. 12667

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. THOMPSON of New Jersey. Mr. Speaker, I would like to call attention to hearings scheduled next Wednesday and Thursday, July 16 and 17, by the Special Subcommittee on Labor of the House Education and Labor Committee on my bill H.R. 12667, introduced on Tuesday, July 8, and explained by my remarks of that day as appearing in the RECORD at page 18728 of the Extensions of Remarks.

The distinguished junior Senator from Minnesota (Mr. MONDALE) has introduced an identical bill in the Senate—S. 2658—and provides additional explanation of its provisions and objectives in alleviating the border commuter labor problem at page 18573 of the July 8 RECORD. Senator MONDALE'S Subcommittee on Migratory Labor has held hearings in May on the so-called green card admission of aliens to work in the United States.

Mr. Speaker, I hope that other Members of this body who are concerned with the problem of low-wage imported workers and runaway plants south of the border will take note of our hearings. Members are invited to testify or submit statements to express their views on my bill, the text of which is contained at the conclusion of my remarks:

H.R. 12667

A bill to amend the National Labor Relations Act, as amended, so as to make it an unfair labor practice to employ aliens whose principal dwelling places are in a foreign country during a labor dispute

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8(a) and section 10(1) of the National

Labor Relations Act, as amended, are amended as follows:

Add a new paragraph to section 8(a) to read as follows:

"(6) to employ any alien unlawfully present in the United States; or to hire during a labor dispute as replacements for a person or persons ordinarily employed by such employer any alien lawfully admitted to the United States for permanent residence whose principal, actual dwelling place is in a foreign country contiguous to the United States: *Provided*, That this section 8(a) (6) shall apply to any employer, whether or not he employs 'employees' as defined in section 2(3)."

SEC. 2. Amend the first sentence of section 10(1) of the National Labor Relations Act by adding the words "or section 8(a) (6)," after "or section 8(b) (7)."

MOORER REAPPOINTMENT

HON. GEORGE W. ANDREWS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. ANDREWS of Alabama. Mr. Speaker, although Alabama's Adm. Thomas H. Moorer belongs to the Nation, we are especially proud to claim this native son. Upon his graduation from the Naval Academy in 1933, he began a distinguished career in naval service; as a flier during World War II, commander in chief of the Pacific Fleet, commander of the U.S. 7th Fleet in the Far East, Supreme Allied Commander in the Atlantic, commander in chief in the Atlantic Fleet, and for the past 2 years as Chief of Naval Operations. Because of his outstanding performance in this post, it came as no surprise that he was requested to remain for another 2-year term.

Our country is blessed to have men of his caliber and dedication as they have served to keep our Nation strong and free. I would like to use this means to express appreciation for a job well done, as well as to extend best wishes for the tasks ahead.

As I felt the following editorial from the July 16 issue of Navy Times would be of interest to my colleagues and the readers of the RECORD, I insert it here-with:

MOORER REAPPOINTMENT

Adm. Thomas Hinman Moorer has been tapped for a second two-year term as Chief of Naval Operations beginning August 1. His first tour saw the Navy tested in the most grueling, unremitting tempo of Fleet operations that ever prevailed in our Navy in peace time. War in Vietnam, confrontation with Russian sea power on the other side of the world in the Mediterranean and the Pueblo and EC-121 plane incidents in between.

Most of the Navy's ships were old at the start of his tour, and they have got no younger with the passing months. Turn-around time has been shorter, hours longer and the strain on men and ships has become greater.

Thanks to Moorer and the dedication of the men and officers he leads, the Navy has met its grinding commitments.

While the list of problems in these two years has been formidable and the difficulties many, there's progress to report too. Most glamorous, perhaps, is development of river warfare in Vietnam. Less spectacular are the sound achievements in procurement of ships under multi-year contracts, shifting to dis-

tillate fuels, and the advent of LHA amphibious assault ships, the F14 (first new fighter plane since the mid-fifties!) and rocket-assisted projectiles.

With Moorer at the helm for another term, the nation can be assured the Navy will continue to move ahead and to meet its commitments no matter how heavy.

ECOLOGY—PESTICIDE INTO PEST

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. DINGELL. Mr. Speaker, the July 11, 1969, issue of Time magazine carried an excellent article setting forth the dangers of persistent pesticides such as DDT. So that my colleagues may be assured of an opportunity to read this article, I submit the article for inclusion in the CONGRESSIONAL RECORD, as follows:

ECOLOGY—PESTICIDE INTO PEST

Few chemicals concocted by man have been so widely used and so thoroughly applauded as dichlorodiphenyl-trichloroethane, more commonly known as DDT. It has proved its unmatched power in the worldwide battle against those pestborne killers, typhus, encephalitis and, particularly, malaria. Its mastery over the mosquitoes that carry malaria has undoubtedly spared millions of people from death and debilitating infection. Equally potent in saving crops, it has almost doubled the yield from U.S. cotton fields in the past two decades by controlling the boll weevil. Even the Swedes, who have decided to ban the chemical, readily acknowledge its effectiveness. In 1948 they awarded the Nobel Prize for chemistry to Swiss Chemist Paul Müller for his discovery of its "miraculous" capacity for destroying insects.

Now, growing numbers of scientists and politicians are convinced that Müller's miracle is more curse than cure. Long after exterminating the bugs at which it is aimed, DDT goes on performing its lethal work, washing from fields into rivers, lingering on the leaves of trees, floating about in the atmosphere for years—and contaminating everything it touches. There are some scientists who estimate that as much as two-thirds of the 1.5 million tons of DDT produced by man may still be adrift.

POISONOUS BROTH

More widespread than radioactive fallout, DDT it found in every kind of aquatic life and in almost every animal. Even mother's milk exhibits traces of DDT two or three times as high as the maximum standard for cow's milk set by the Food and Drug Administration. In any other container, a current quip has it, mother's milk would be prohibited from crossing state lines.

It is also in trouble within the states. Arizona has already banned DDT spraying. Michigan recently imposed a similar ban after the FDA condemned some 700,000 coho salmon from Lake Michigan because they had unacceptably high concentrations of DDT. Stringent controls are now being considered in the states of Massachusetts, New York and Wisconsin.

Europeans have taken even more decisive action. Following discovery of the chemicals in their herring catch, the Swedes ordered a two-year ban on DDT, as well as the related pesticides lindane, aldrin and dieldrin. The Netherlands decided to stop using DDT. So did Denmark. West Germany limits spraying so severely that only 192 tons of the substance were used throughout the country last year. France and Britain are keeping a watch on pesticide levels within their borders. The Russians, too, are concerned, as Premier Aleksei Kosygin indicated when he

offered to join with the Swedes in cleaning up what Europeans call the "poisonous broth" conditions in the Baltic Sea.

THE DEADLY SEVEN

That will be no easy task, considering DDT's extraordinary durability and mobility. The chemical belongs to a family of organochlorine pesticides—the "deadly seven" as ecologists call them.* Like the other organochlorines, DDT does not dissolve in water. Thus it accumulates in rivers, lakes and seas for years after the original contamination. Moreover, its unusually long half-life of ten to 15 years means that it retains 50% of its effectiveness for more than a decade after it is first used.

Despite its resistance to water, DDT is easily soluble in fats and highly susceptible to "biological magnification" as it makes its way up the food chain. A typical case of this kind of metabolic mayhem occurred in Long Island Sound. After some mosquito-infested marshes were sprayed, the DDT was found in the nearby water in a "safe" concentration of .000003 parts per million. Nonetheless, the DDT quickly accumulated in more concentrated form in the Sound's tiny Zooplankton (.04 ppm), then built up further in the fatty tissue of plankton-eating fish (.5 ppm). These small fish, in turn, were devoured by larger fish with yet another increase in DDT concentration (2.0 ppm). By the time the chemical had passed into the bodies of such fish-eating birds as cormorants, mergansers and ospreys its concentration (25 ppm) had increased an astounding 10 million times over the original amount.

DDT also interferes with the reproductive cycle. Adult fish, for example, are able to tolerate relatively high levels of DDT. The fish embryo, on the other hand, dies almost immediately when it begins to absorb the pesticide through the fatty yolk sac. In birds, DDT kills off the young by interfering with the female's egg-laying process. Though the exact chemistry is still obscure, the pesticide apparently sends the mother birds' liver into a frenzy of enzyme production. The excess enzymes break down such steroids as estrogen that are essential to the manufacture of calcium. Lacking adequate calcium, the bird's eggs emerge thin-shelled and flaky, offering scant protection for the embryo. In at least one instance, reports the National Audubon Society, which has just joined the public crusade against DDT, a bald-eagle egg was found on the shores of Lake Superior with no shell at all—just a fragile membrane. According to University of Wisconsin Ecologist Joseph Hickey, DDT has caused a disastrous decline in the population of the bald eagle, which is the U.S. national symbol—and the emblem of next week's Apollo 11 flight. Other predators, such as the osprey and peregrine falcon, are gradually vanishing, as are the brown pelican and the extremely rare Bermuda petrel.

AIRBORNE CATS

Beyond the danger to fish and birds lies DDT's threat to the whole ecological system. Concentrations of DDT no larger than a few parts per billion in plankton, says Biologist Charles F. Wurster, Jr., chief scientific adviser to a New York conservationist group called the Environmental Defense Fund, can substantially hinder the photosynthesis process. On a larger scale, such interference could have a devastating effect, since phytoplankton produces 70% of the earth's oxygen.

A bizarre case of ecological damage from DDT occurred in Borneo after the World Health Organization sprayed huge amounts of the pesticide. The area's geckos, or lizards, feasted on the houseflies that had been killed by DDT. The geckos, in turn, were devoured by local cats. Unhappily, the cats perished

* The others: dieldrin, aldrin, endrin, heptachlor, chlordane and lindane. They are also sometimes called chlorinated hydrocarbons.

in such large numbers from DDT poisoning that the rats they once kept in check began overrunning whole villages. Alarmed by the threat of plague, WHO officials were forced to replenish Borneo's supply of cats by parachute.

Since DDT's effects are so severe in nature, many scientists think that it will inevitably exact a toll of man. The National Cancer Institute in Bethesda, Md., has produced evidence incriminating DDT and related pesticides as the cause of tumors of the liver and lungs in mice. When men are consistently exposed to such chemicals, adds the University of Colorado's Dr. David R. Metcalf, there is deterioration of memory and reaction time.

IMPAIRED EFFECTIVENESS

The pesticide's defenders consider the dangers vastly exaggerated, although DDT poisoning can cause tremors and convulsion in man. "There isn't anything that doesn't have some toxic effect," insists Vanderbilt University Toxicologist Wayland J. Hayes, a former Public Health Service official and DDT's stoutest supporter. "The toxic effect of mashed potatoes," he adds rather irrelevantly, "is obesity." As proof of DDT's innocence, Hayes and others often point to studies of workers at the Montrose Chemical Corp., the world's largest DDT producer, and federal prisoners who voluntarily accepted daily doses of DDT in Atlanta. In both cases, they say, there was no damage. But other scientists, including Stanford Molecular Biologist Joshua Lederberg, a Nobel laureate, explain that far too little is known about how DDT reacts with other body chemicals to acquit the pesticide so readily.

In spite of its defenders, the use of DDT has already declined sharply. In 1962, when Rachel Carson published *Silent Spring*, the U.S. produced 167 million lbs. Last year production slipped to 138 million lbs., nearly 80% of which was exported. Not only has adverse publicity curtailed the chemical's use; its efficiency has been impaired by the resistance developed by many strains of insects. One scientist estimates that 150 pests formerly controlled by DDT are now immune to it. Nor do scientists expect to produce a new all-purpose bug killer. Instead they are emphasizing more subtle and selective methods of pest control—among them, the breeding of new insect-resistant crops, trapping pests with light and sound, and eliminating insects through sterilization. None of these methods pose anything like the dangers of DDT. The problem is that neither do they promise anything like its effectiveness.

ISRAEL AND RHODESIA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. RARICK. Mr. Speaker an interesting editorial appearing in last night's Washington Evening Star pointed out the double standard of ideals and hypocrisy of the United States and U.S.S.R. and the sham of the United Nations Organization in the role of peacemaker.

I include the editorial:

ISRAEL AND RHODESIA

Once again Israel has been unanimously censured by the United Nations Security Council. This time the censure has been voted to express the U.N.'s disapproval, "in the strongest terms," of new moves by Prime Minister Golda Meir's government to annex Jerusalem as a permanent, integral part of the Jewish state. The Israelis, however, apparently have no intention whatever of giving up their present hold on the city, which

is uniquely holy for Jews, Arabs and Christians alike.

There is a great deal to be said—as it has been and will continue to be said—against Israel's position on this matter. Morally, spiritually, politically, their takeover of the place is gravely questionable. But the fact remains that they are there with physical force too strong to be challenged by the Arabs without resulting in a new Mideast crisis that could explode into a general war involving an American-Soviet confrontation.

This is one of the reasons why the latest U.N. censure of Israel amounts to little more than rhetoric. It carefully avoids any reference to economic or other sanctions, although it does speak of another meeting to consider further action if Israel remains obdurate. It is quite toothless, in short, and perhaps wisely so, because neither Moscow nor Washington wants to bring the Jerusalem issue to a boil at this time, if ever. This is a state of affairs, however, which contrasts ironically, if not ridiculously, with the American, Soviet and other votes in the U.N. calling for unlimited sanctions against Rhodesia.

These sanctions, which are supposed to correct alleged racial grievances, are based on the claim that the situation in Rhodesia is a threat to peace. Surely the situation in Jerusalem is a far greater threat.

EASTON, PA., MANUFACTURER PIONEERS IN PLASTICS

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, one of the finest testimonials to the American free enterprise system can be found in the success story of one of my constituents and very good friend, Mr. Morton Sobel.

Mort Sobel is president of Sobel Industries, Inc., of West Easton, Pa. Originally a metal stamping plant, Sobel Industries today is a busy firm which gambled successfully on the potential of plastics.

Since he purchased his first plastic molding machine in 1959, Mort Sobel has expanded his plastic molding production to a point where today he has 16 molding machines, has three more on order and expects to expand to 40 machines within a few years.

His story of success is not restricted to personal achievement. Mort Sobel, while guiding his industry to remarkable heights, has shown real concern for the unemployed and the unemployable. As a result, all of his personnel are individuals who have received their training "on the job"—as operators, machine people, maintenance and electrical technicians, machinists, toolmakers, and mold makers—without relying on Federal assistance of any kind.

The May issue of American Machinist magazine relates the story of Mort Sobel and Sobel Industries, Inc. I include the article in the RECORD at this point, because I believe it will be of interest to my colleagues:

GET READY FOR PLASTIC MOLDING

(By Rupert Le Grand)

(NOTE.—Molded plastic parts are making big inroads in the domain of metalformed parts. Here are the reasons why, and a look at

a onetime metal stamper who has switched to plastics.)

If you don't have plastics molding machines now, there's a good chance that you will soon. Proof? Just look at the number of machines in use by various metalworking industries today—upwards of 25,000 injection and compression units—and most of them under ten years old (see Table on page 123).

That's a trend in any industry, and it's a trend that can affect your business from the standpoint of competition if nothing else.

How come this comparatively sudden popularity? Take a look at how the pros outweigh the cons:

Advantage 1: Molding machines have been developed to a high state of control—you can set up a job, run it off and use the cycle data two months or more later to produce a second batch.

Advantage 2: Comparing plastics molding with machining, scrap reduction is 90%, handling reduction 80%, reduction in finishing costs often 100%.

Advantage 3: Developments in mold design have reduced the size of runners to the point where they can be removed with the greatest of ease. This excess material and any defective parts are merely ground up (if made from heat-softening thermoplastics) and put back into the plastic-feed hopper of the injection molding machine.

Advantage 4: Operation is cleaner than when working with metals.

Advantage 5: Relatively unskilled personnel (women, usually) can be used.

On the other hand:

Disadvantage 1: Molding machines are big machines. Plenty of floorspace is needed not only for the machines themselves, but for inspection stations, packaging conveyors, cartons, and access by lift truck.

Disadvantage 2: A great deal of cooling water is needed.

Disadvantage 3: Power consumption is high.

Disadvantage 4: A lot of storage space may be needed for palletized plastics awaiting molding, and for finished moldings packed for shipment.

Disadvantage 5: Area surrounding the machines must be swept constantly because contamination cannot be tolerated. Oils, greases and dirt must be removed from floors.

THE BIG SWITCH

Sobel Industries, West Easton, Pa., is an outfit that has gambled on the future of plastics in a big way. This onetime metal stamping plant, organized in 1953, bought its first plastics molding machine in 1959, now has 16 of them, has three more on order, and hopes to get up to 40 machines within two or three years.

The shift from metal to plastics at Sobel is probably more complete than in most shops that have made the transition. This is because of the peculiarities of the firm's business and the pioneering instincts of owner Morton Sobel.

When he started the company in 1953, Sobel began making stamped and wireformed parts for women's undergarments. He soon recognized the potential advantages of plastics in this field. Delrin acetal resin has the mechanical and physical properties required to compete with metal in these applications and Sobel today uses more than 600,000 pounds of Delrin a year, expects to up that figure to 1,000,000 pounds next year.

How come? Well, five billion (yes, billion) brassiere buckles, plus garter grips, plus all-plastic corset stays, and similar parts add up to a lot of plastic.

Today, however, the garment industry accounts for only 25% of Sobel's plastic consumption. Dixie Cup holders for American Can Co., bag expanders for Playtex nursing bottles, marking-pen assemblies, pharmaceutical containers and caps, water-color sets, etc., now consume the bulk of the plastic material used—about 20 kinds. Principal plas-

tics used are Zytel nylon resin, styrene and polypropylene, in addition to Delrin.

PRIOR KNOWLEDGE PAYS OFF

Prior training in the metalworking field pays off handsomely in setting up and maintaining a molding plant. For example, Adolf Pfund, chief engineer at Sobel for 16 years, is an expert toolmaker, methods man, tool designer and process innovator. If a molding machine breaks down and the builder cannot supply spare parts for 12 weeks, Pfund welds the plastic feed barrel, polishes it and has the machine running again in a few days.

In another instance, a machine rebuilder may quote two months. However, Pfund can rebuild all the toggles, replace the old steel bushings with Ampco bronze bushings, make new pins for the toggles, and replace fiber bushings with Ampco bushings in a much shorter time. New gibs are made, fiber wear plates are replaced with bronze. Sobel estimates that inplant rebuilding costs one-third as much as an outside job, and that the machine will last twice as long.

In other words, operator skill need not be of a high level but good tooling capability is absolutely essential in a plastics molding plant to make real profits. Planning of methods and tooling, especially in the assembly area, is the key to effective labor saving.

SELECTION OF MACHINES

Many metal stampers attempt to use a mechanical press rated at or near the tonnage estimated for the die which is to be used. The experts can quickly point out the fallacies of this idea and the cost of press repairs.

With an injection molding machine, hydraulics are involved. Theoretically, if the clamping pressure and injection pressure are adequate, and the extrusion temperature is correct, the job should run at maximum possible production rate and with little or no scrap. This doesn't prove true in practice. Nobody can be 100 per cent certain as to how a given plastic part will mold. It is best to use the largest injection molding machine available (consistent with machine hourly rate), as this test case will show. The production story for three sizes of injection molding machine on a specific part can be summarized:

Machine size (tons)	Daily output (dozen gross)	Bad pieces (percent)
175	1,500	20
225	2,200	10
350	3,200	

In the last case, bad parts produced were nil and output was twice that of the smallest machine.

Of course, the machine hour rates involved are different, but it is not difficult to figure out just which injection molding machine will produce a part at the least cost.

Practical observations such as this one make Sobel think in terms of larger machines, perhaps a 2700-ton monster costing \$250,000 will be among the next 20 units that he expects to buy.

MOLDS FIT LARGER MACHINES

All molds are built to go into any size of machine equal to or larger than the one originally selected. This is possible because of SPI (Society of the Plastics Industry) tooling standards. Average times to change molds, depending on their degree of complication, are:

Machine size (tons)	Change-over time (hours)
50	1 1/2 - 2
250	2 1/2 - 3 1/2
450	4 - 5 1/2

Because of new-mold tryouts, mold changes and maintenance, the number of molding machines installed should be about 20% greater than the number of machines actually needed to carry out production.

MACHINE MODIFICATIONS

Various changes have been made in Sobel's molding equipment. The first machine was an F. J. Stokes Model 701-3, originally a plunger-type machine rated at 2 oz per shot. But lingerie buckles are Delrin, which becomes plastic at 423 F and literally explodes into a gas at 15° over plasticizing temperature. Therefore, Sobel designed and built its own screw feed with precise temperature control to three points on the barrel: the starting end, the middle and the nozzle.

The screw feed and the heating elements provide uniform plasticizing of the Delrin and keep it under control. Production is also increased because the modified machine is now capable of injecting 3 oz per shot, or 32 buckles plus runners.

Since installation and modification of the first machine, Sobel has installed equipment to run 64-cavity molds for the garment trade. Other modifications are:

For safety and maintenance of production, when any machine goes down for any reason, the appropriate control station shows a red button, and a flashing light and an alarm bell on top of the machine draw attention.

Special pyrometers are connected to thermocouples at the front, middle and nozzle of the injection-screw barrel to maintain the plastic at the designed temperature. This additional equipment makes it possible to run nylons and other engineering plastics.

One machine is devoted to proving out experimental single-cavity molds for product design, mold design, material response, and so on.

INSTALLATION OF MACHINES

Because of uneven floors, Sobel builds a concrete platform about 8 in. high at the desired location for a new machine. Nearby, electric supply and water connections are provided for this machine and only this machine. When the machine is placed on its platform, or raised concrete bed, the electric and water connections are made in two to three days, instead of weeks or months. For example, the latest Natco 350-ton machine arrived Thursday morning and was in production on the following Monday morning.

LOADING OF PLASTICS

So far the storage hoppers of the plastic molding machines are replenished by hand, except in four or five cases.

Because of the large number of colors that Sobel runs (pens—11 colors; bra buckles more than 150 colors) and with only 100 to 150 lb per color, the firm has developed a technique for making colored plastic in small lots. These small lots are loaded into hoppers by hand.

For bigger lots, Gaylor palletized containers, holding 1500 lb of plastic, and vacuum loaders are used. Within a year continuous production runs on certain larger machines will require the installation of outdoor silos containing a carload of plastic each—say 50,000 to 100,000 pounds.

MUCH WATER NEEDED

Plastic molders usually locate where there is a cheap source of abundant water. They quickly get into trouble if there is a drought for any length of time, and they can't afford to buy city water if there is any other potential supply. Morton Sobel knows this, and one of his reasons for purchasing the plant site was the existence of springs that produce 900 gallons of cold potable water per minute. You might say that that amount is an awful lot, but it is really not enough by itself.

Sobel pumps 2 million gallons in a 3-shift

day, seven days a week. Normally, about 14 out of the 16 machines will be running at any one time. So on the average each of these machines, ranging from 75 to 500 tons clamping pressure, will require about 160 gallons per minute and the operating group of machines needs about 2000 gallons per minute.

Obviously, a natural flow of 900 gallons per minute will not take care of mold cooling needs. So a 90-foot-diameter cooling pond with an aerating-cooling fountain has been built. With this amount of cooling capacity, it is seldom necessary to use water chillers in summer.

MOLD PROCUREMENT

When Sobel operated exclusively as a stamping plant, its tool procurement policy was based on these premises:

(1) The firm's engineers produced the die drawings, which incorporated features learned from many years of experience.

(2) These drawings were sent out to contract shops with the proviso that the tools be made exactly to print. If they did not work properly, Sobel's people were responsible for rework.

(3) Diemakers at Sobel were expected to handle the required alterations and any repairs. They also did development work for new product lines but they did not make the general run of tooling for the plant.

By following these practices, Sobel got what it wanted and did not have problems with die shop efficiency.

With the shift to plastics manufacture, tool procurement had to be handled differently. It became necessary to purchase outside skills for mold design as well as mold making. Therefore, for several years the services of Stokes-Trenton of Trenton, N.J., were used. Finally, late in 1968, the mold supplier became a division of Sobel Industries. Plans were laid to double the employment and output of the 45-man shop and to add mold-makers to the Easton establishment so that repairs and any necessary modifications could be undertaken on the spot.

Meanwhile, diemakers continue on the job to develop and service progressive die tooling for three Henry & Wright dieing machines still in service, several OBI presses, several wire forming machines, and any other metal-works tooling that the management desires to have made.

In addition to supplying its own tooling needs, Sobel will design and build molds for others. In fact, this service will be extended to supplying an injection molding machine with mold (completely debugged) to new molders or to those manufacturers who are not equipped to set up new work economically.

AUTOMATIC MOLDS

One of the prime reasons for Sobel's productivity is the use of automatic molds for every job. That was not true in the early days, because at one time more than 80% of the molds in use were of the semi-automatic type, wherein the operator must open a door, reach in and remove the molded part.

With the automatic mold, the two halves close and are clamped, the plastic is injected, the mold opens and hydraulic core pulls and ejectors permit the part to fall free. After this occurs, the mold closes again and the cycle is repeated. With the semi-automatic mold, the operator paces the machine, whereas with the automatic mold, the machine paces the inspector or packer.

It is reported that the trade usually limits large automatic molds to four cavities. But this shop has one of the biggest six-cavity molds in the business. This mold makes a clear polystyrene plastic holder for 5-oz Dixie Cups. The mold itself weighs 4500 lb and consumes 2200 lb of plastic per day, making a part that requires 285 lb per 1000 pieces. Sobel says he won't be surprised if automatic molds with 8 to 12 cavities are soon made and put into production.

SIXTEEN WEEKS TO BUILD MOLD

As reported in *DME News*, published by the D-M-E Corp, Madison Heights, Mich, suppliers of mold bases, the Sobel six-cavity mold is 35½ in. long, 20¾ in. wide and 20¾ in. high. Sixteen weeks were required to build the tool at Stokes-Trenton.

A hot runner mold was decided upon, in keeping with Sobel's preference. This construction permits better flow of plastic directly into the mold cavity and virtually eliminates the use of runners. Not only that, the molding cycle is shortened, because with a three-plate design extra time would have been needed to open the mold at the runner plate and then remove the runner.

In the six-cavity mold, on the other hand, the inline cavities are split to form the outside of the Dixie Cup holder and the inside is formed by retractable cores.

As the mold opens (see drawing on page 89) the rear half (A) of the split cavities moves away from the front half (B), and the cores (C) retract. Next, large plate cams (not shown) on the outside of the mold actuate a slide (D) which holds the mounted cores (C), partially stripping the molded parts from the cores. This action is possible without disturbing the parts because the dispensers are restrained by a flange, half of which is still embedded in the mold cavity.

As the mold continues to open, the plate cam trips latches (not shown) so that the gib plate (E) can be pulled away from the rear half of the mold. Two large guide pins insure alignment. Now the parts can fall freely and pass over tubes attached to the ends of the cores. These tubes guide the plastic parts into nests below the mold.

PART GUIDANCE IS IMPORTANT

Ordinary ejection would have resulted in breakage or scratching of the large crystal-clear polystyrene parts. (They are 3½ in. in diameter x 7¾ in. long and weigh 4½ oz.) Guidance of the ejected parts is the key to automatic molding in this case, to avoid contact with each other and the machine.

MOLD PRODUCTION

This six-cavity mold outperforms two four-cavity molds by 20%. At each cycle, the mold opens automatically and drops the styrene Dixie Cup holders into a cushion-lined box under the machine. Then, when the operator engages an air switch, the box is pulled out from under the machine so that she can pick out the workpieces, inspect them, remove a small runner and pack good pieces in a carton. Defectives are put into a nearby chopper and ground up for reuse.

This mold was built by Stokes-Trenton under the direction of Charles C. Davis, Jr., chief engineer, and is used in a 450-ton Reed-Prentice screw-type injection molding machine. In two years of continuous operation, except for a few repolishings, this mold has produced over 10,000,000 dispensers.

DESIGN PROBLEMS

With respect to design of hot-runner molds, Davis has this to say:

'The development of hot runner molds, both of the insulated and the heated runner types, has brought economies to the molding of some thermoplastic materials. When a hot runner mold is properly designed, substantial savings can be made in molding costs because of the faster operating cycles and the absence of regrinding costs and material wastage. Another benefit is the better quality of the moldings, resulting from filling the mold cavity with material at optimum temperature and consequent lower pressure, resulting in lower residual stresses.

PART SUITABILITY

'Not every part is suitable for production in hot runner molds. A part may be unsuitable because of the mold construction required, because of the type of material, because of thick sections, low production requirements, and the like.

'Hot runner molds have been built for most thermoplastics. There have been some satisfactory results on practically all these materials. However, some materials are critical in their molding characteristics and present hot runner designs do not adequately cope with them. Also, the cost of the rather elaborate designs required for some of these critical materials frequently makes them impractical.

'After a piece has been determined to be suitable for molding in a hot runner mold, the success of the molding depends upon the design of the runner block, sometimes called a manifold. There are several types of hot runner blocks, ranging from the insulated runner to the fully heated block, and many variations of design between these two. There are many complicating factors which must be taken into consideration in deciding which combination to use.

HEAT CONTROL IS VITAL

'Once the major design features of the runner block are set, then heat control becomes the major consideration. The objectives are to keep the heat where it is needed and away from those areas where it would be detrimental, and to maintain the heat previously put into the softened plastic while in the injection cylinder. To help us in accomplishing these things, we can select for specific uses any one of a group of metals which have heat conduction rates varying through a range of 25:1, from pure copper to highly alloyed stainless steel. We can also design in heat barriers through the use of air gaps, polished surfaces, metal discontinuities, the insulating property of the plastic itself, and combinations of these means.

'So far we believe that most of the molds constructed have had heat supplied by the use of electric resistance heaters. Control of these heaters has been mostly by powerstats, or voltage control, rather than thermostats. With the voltage control units, the heat supply can be modulated and evened out. This has helped to prevent hot spots in the runner block and also extends heater life. We foresee that heat supply may soon be accomplished by the use of hot fluids, particularly in hot runner blocks for such heat-sensitive materials as the acetals and the nylons.

'One of the disadvantages of hot runner molds is well on its way to being overcome. This is the problem of the gate projections they generally leave on the parts. The development of valves that positively shut off the gate is an answer to this problem. There are numerous molds running today with various types of these valves, but it is too soon to determine whether they have a suitable molding life.'

OTHER MOLDS, OTHER PRODUCTS

Here are details on other jobs now running at Sobel Industries:

For a smaller cup holder in ivory-colored plastic, the operator of a Natco machine checks the pieces as produced, removes any burr or flash and puts them on a conveyor belt. By this means, the holders are delivered to the operator of a supersonic welder. She inserts a spider into a circular recess in the bottom of the part and uses a supersonic welder to push the spider home and weld it in place. The assembly was formerly done by 14 girls, using glue, and working two shifts. Now one girl, working one shift, welds the parts and the assembly is cleaner and more reliable.

HIGH-SPEED MACHINE

A sixteen-cavity mold produces Delrin corset stays from 2 to 9 in. long in increments of ¼ in., without taking mold out of the machine. Sub-molds slide in and out of the master mold. Two end segments form the stay tips. Nine different top pieces and three center pieces accommodate the lengths. This work is done on a Natco No. 350 E injection molding machine with a very fast closing speed—1200 ipm. This machine has hydrau-

lic ejection for closer control of the molding cycle. For thin-wall items the cycle can be as short as five seconds. Mold sweep aids ejection of parts. (See color cover.)

MOLD HEATING

To maintain desired mold temperatures, Sobel uses the auxiliary pyrometers mentioned and circulates water in the molds at controlled temperatures. The mold water may be heated to warm the cavity plate to get a good fill, or cooled if the temperature of the mold goes above the desired value, or cooled to shrink the piece onto a core when the mold opens in order to get proper stripping.

Cold water circulation is also used to shorten the cycle.

Water is circulated by small portable auxiliary pumps fitted with electric heating elements, and water chillers are also supplied near the machines, if needed.

MACHINE LAYOUT

Machines are spaced 12 ft apart with the tail end of one opposite the head end of another. This arrangement allows one operator to watch two machines. Adequate room is left for packing cartons.

CONSTANT METHODS IMPROVEMENT

The Playtex bag expander is an excellent example of how product improvements made by the supplier also affect his own shop procedure. This expander has two plastic end plates, seven stainless steel fingers, a spring and a stud. By making the fingers out of Delrin, Sobel realized a 17% cost saving, and by making the stud from plastic, an additional 11% saving will result.

It is necessary that one end of each metal finger be etched for gripping purposes. When the piece was made of stainless steel, tumbled, cleaned and sand etched, these parts were sand etched by hand at a cost of 3¢ per piece, and 14 people were needed 7 days a week. But then an ICM "Superblast" machine was installed, along with a chain conveyor fitted with fixtures to hold the fingers.

These fixtures conveyed the stainless steel items into the cabinet where jets of fine abrasive were directed onto controlled areas. This setup, operated for eight hours a week by two girls, kept up with assembly demands. Now even this time-saving setup is being retired because of the change from a metal finger to a plastic one. The finger will be etched in the mold.

TRAINING OF PERSONNEL

Many of the shop workers have been retrained from the former group of punchpress operators, and strenuous efforts are being made to hire dropouts and disadvantaged people. These people make good, loyal employees if properly trained by plant supervisors. And since fringe benefits exceed those paid by much larger concerns in the area, labor problems are at a minimum.

WOMAN FOR U.S. SUPREME COURT

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following telegram:

JULY 10, 1969.

HON. RICHARD M. NIXON,
President of the United States,
The White House, Washington, D.C.:

It is a real pleasure and an honor to recommend for your serious consideration the appointment of U.S. Representative Charlotte

Reid of Illinois to the United States Supreme Court.

Charlotte Reid is competent, experienced in government, active and energetic, and would certainly add to the balance of the Court.

With my high regard, as usual,
Congressman JIM FULTON,
Member of Congress, Pennsylvania.

THE CHANGING NATURE OF TITLE I

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. PEPPER. Mr. Speaker, a dedicated and forceful American, Mr. Clifton E. Mitchell, the advisor for Federal Relations to the Dade County school system, has given some enlightening information on "The Changing Nature of 'Title I'" of the Education Act in the June, 1969, issue of Quest. Quest is a publication of the Dade County Public Schools. Mr. Mitchell has dedicated his adult life to the service of his country, both as an educator and as a member of our Armed Forces. He is an individual who can give all of us great inspiration. I would now like to share with you the article written by Mr. Mitchell:

Both national and state commissioners of education have asked county superintendents to close ranks on the Title I effort throughout the nation.

U.S. Commissioner of Education James E. Allen, Jr. has called for Title I projects "of such dimension as to give definite promise of substantial progress toward meeting the needs of educationally deprived children."

Commissioner Allen adds that he is giving emphasis to the term *substantial progress*.

Florida Commissioner Floyd T. Christian was even more emphatic when he said that in the past Title I has spread too thin to give the intensive service needed. He has called for a concentration of focus and intensity of effort.

In Dade County, the Title I effort is well over three years old. School personnel and parents involved agree that it has been a good thing for the boys and girls. A lot of experience has been gained; and most of the people concerned feel that the Dade County schools are now in an excellent position to zero in for definite objectives and specific goals with a smaller number of boys and girls, progress which the evaluation teams can measure, sustain and publish.

In the new plans, at the elementary level, the grade levels of the children involved will be different. Instead of including pupils in the poverty target areas from grades one through six, only first and second graders will benefit from the federally funded efforts.

In the new concentrated plan, the old Title I components, PLATS and Visiting Teacher-Counselors, will no longer operate as separate programs, but elements will be meshed into a "Primary Language Arts Development Program" and directed by district planning, because of recommendation from teachers, services to grades 1-6 as before.

The present planning for the grade one and two primary language development is a district level responsibility involving elementary principals, teachers, and, where requested, the different Task Forces.

To understand the new elementary Title I program, it is important to note that the planning process provides an opportunity for

schools to include those items that the instructional personnel feel may make a difference and which may not have been provided for fully in the past. This might include, for instance, educational field trips, staff development activities, and more home visitations.

This planning is being effected with the clear understanding that no general aid to the school for all students at the school is possible, and that language development must be the focus within the first two grades.

For example, if a visiting teacher-counselor is included, he must now work with identified first- and second-grade youngsters, and then only to see that each child's personal adjustment and better attendance are achieved, so that his language development can be enhanced. Any use of the funds for total school aid is not legal.

In Dade County, a Primary Language Development Task Force has been organized. The members of this group were available to work with the districts, if requested, in the basic planning. The Primary Language Development Task Force consists of: Miss Helen M. Stolte (Chairman), Mrs. Mattie Blake, Mrs. Lillian Battle, Robert Anderson, Mrs. Marjorie McGranahan, Paul Joseph, Dr. Kay DiMeo and Leonard Frischman.

At the district level, a project manager each for the South Central, North Central, and South districts primary language development project has been appointed. These managers also will be responsible for efforts in the Southwest and Northwest districts.

District planning for primary language development and curriculum-guidance, called for Coordinator Tee S. Greer, Jr., of the Special Program Planning and Administration Office, be involved for budgetary coordination, it also called for Coordinator Horace Martin of the Evaluation unit be involved, so that evaluation would be built-in from the inception of the project.

At the secondary level, the familiar multiple-project situation will be reduced to a single curriculum-guidance thrust identifying and involving some 2,000 children in 15 secondary schools.

This project will focus instruction and guidance specialists on this smaller number of identified students and provide a concentrated thrust to help them, spending between \$300-\$400 per student.

Thus such former programs as the Junior High Learning Labs and the Federal Guidance Projects will give way to the "curriculum guidance project" though elements of each will be retained in the restructuring. A county-level project manager will be appointed, with one individual at each target school responsible for leadership there.

This school effort will have the cooperation of the principle and secondary director in order that it may operate successfully. Schedule changes will be necessary and these, of course, must have the complete support of the school principals.

Since monies will be allocated at the district level, it is likely that a district-wide staff developmental team may be appointed, consisting of people from various disciplines, to work with the development learning specialists at the school level. This district level team might consist of a school psychologist, a reading clinician and a language arts consultant. Such a team may perform discrete district services for identified children when not involved in staff development school activities.

It is planned that an evaluation specialist will be assigned to the three major districts for evaluation of district project efforts. This is highly important because of the necessity of evaluating to see if the instructional efforts are successful.

Some 5,000 first and second graders will be involved in the public schools in the language arts effort. The goal is to spend a minimum of an additional half of the current ex-

penditure per pupil on each of the students in the project.

At this time, the major emphasis is to identify the children carefully. This involves school personnel, including principals, teachers and, where feasible, parents. Pursuant to the Superintendent's continuing policy, school level thinking in terms of what it will take to get this changed job done is being encouraged.

In announcing the plans for the new concentrated Title I, Special Program Director Dr. Bert Kleiman paid tribute to Title I teachers: "It is felt that there are so many teachers who have performed satisfactory service in the different components of Title I in the years that it has been in progress, that these should be given first preference of job opportunities in the concentrated projects. Not to use their valuable experience would be unwise."

TELLING IT LIKE IT ISN'T

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. PELLY. Mr. Speaker, there has been considerable flap in the Nation's press regarding the near appointment of Dr. John H. Knowles as Assistant Health, Education, and Welfare Secretary for Health and Scientific Affairs.

But, Dr. Knowles' conduct over the past weekend and some of the quotes attributed to him have raised serious questions as to his selection. An excellent editorial reviews this matter, and it appeared in the July 8, 1969, edition of the Washington Star.

The editorial follows:

TELLING IT LIKE IT ISN'T

Dr. John H. Knowles, recently turned down by the President for the nation's top health post, says he "likes to speak out and tell it like it is."

He was talking in that context about Medicaid, which he called the "lousiest waste of taxpayers' money and the most ill-conceived program which ever came down the chute."

Being a medical man and a hospital administrator, Dr. Knowles may be qualified to pass judgment on Medicaid. But when he undertakes to diagnose the performance of the President, he not only fails to tell it like it is, he talks like a diagnostician who has never even seen a political medical school.

According to the Associated Press, Dr. Knowles told a Boston television audience on Sunday that the White House under President Nixon "is in the grip of the arch conservatives and progress is at a complete standstill." He went on to say that the influence of conservative pressure groups on the President is "absolutely catastrophic."

This doesn't sound like the pronouncement of a physician whose professional training should make him wary of hyperbole. Neither does it make any sense.

Let's take a look at the political record. Dr. Knowles says he sees Mr. Nixon as a man "who's got his finger on the pulse of 51 or 52 percent of the people involved in a conservative backlash—a swing to the right."

Last November the Nixon winning margin was about 43.4 percent of the total vote. If the latest Gallup poll is accurate, however, 63 percent of the people today approve of the way the President is handling his job. Only 16 percent disapprove, the others being listed among the "no opinions."

This massive expression of approval is hardly what one would expect in the case

of an administration which, in a little more than five months, turned in a performance which is "absolutely catastrophic." Nor do the extravagant comments by Dr. Knowles reflect any mature understanding of the fact that Nixon, in contrast to Hubert Humphrey, campaigned as a relatively conservative White House aspirant.

All of which leads us to something of a word-eating reflection: Politics aside, maybe the President was right in deciding that it was better to leave Dr. Knowles in charge of the Massachusetts General Hospital than to name him as Assistant HEW Secretary for Health and Scientific Affairs.

MILITARY WASTE MUST BE HALTED

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. EVINS of Tennessee. Mr. Speaker, all of us want a strong defense but, at the same time, I am sure we also want a defense that is not wasteful or spend-thrift.

With appropriations for the Department of Defense consuming half the entire national budget and growing increasingly larger, it is incumbent upon the Congress to take an even closer look at further proposals for military spending and military projects.

In this connection I have been pleased to sponsor H.R. 11950, a bill which would provide for an examination of any contract that exceeds by 10-percent the original price agreement by the General Accounting Office with a report to the Congress.

In other words this bill would automatically trigger the necessary machinery to keep the Congress informed and advised when a contract is increased or when a completion date is not met.

Our defenses must be strong, Mr. Speaker, but our defenses also must be economic and efficient to get a dollar's worth for a dollar of the taxpayers' money spent on military projects as well as on domestic programs. Our defenses do not have to involve waste to assure strength.

A number of instances of military waste have been disclosed recently and in this connection I place in the RECORD a sampling of newspaper articles concerning this most important subject, because of the interest of my colleagues and the American people in this matter.

The articles follow:

[From the New York Times, May 18, 1969]

DRIVE GROWS IN CONGRESS FOR ARMS SPENDING CUT

(By Neil Sheehan)

WASHINGTON, May 17.—A growing segment of Congress, propelled by the antimilitary climate generated by the war in Vietnam, is searching for some effective way to slash steadily rising military expenditures.

These legislators are, in effect, seeking to bypass the traditional routes of the Armed Services and Appropriations Committees, which, they contend, protect the defense establishment's multimillion-dollar weapons programs from public scrutiny.

A number of major military projects have already been selected for attack by one un-

official House-Senate group in a fashion modeled on the debate over the \$7.8-billion antiballistic missile system. They hope to provoke similar public wrangles over other military programs.

SEEK PERMANENT METHOD

Simultaneously, other influential Senators and House members, groping for some permanent mechanism to leash military spending, are considering such ideas as the establishment of an independent agency to provide Congress with a systematic analysis of military budget proposals in relation to such domestic needs as poverty, education, and pollution of the environment.

Another member of the group, Representative Henry S. Reuss of Wisconsin, will undertake a critical study of the so-called Sage system of radar defenses against Soviet bombers and the Air Force's plan to build a new advanced fighter called the F-15.

The Sage system is considered basically obsolete by many scientists and costs about \$1.34-billion a year to maintain. The Air Force has not disclosed the estimated total cost of the F-15 program, but it is known that billions are involved.

Representative Richard D. McCarthy of New York will focus on the controversial chemical and biological warfare projects, now running at about \$350-million a year.

Representative George E. Brown of California will look into the manned orbiting laboratory, a \$3-billion Air Force project to explore the development of space weaponry and intelligence gathering.

Other members of the group—such as Representatives Bradford Morse of Massachusetts; Jeffery Cohelan of California, Gilbert Gude of Maryland and Senator Thomas F. Eagleton of Missouri—will concentrate on projects like the Army's trouble-ridden main battle tank program, on which \$228-million has already been spent or budgeted for research and development alone, the Navy's \$1-billion nuclear aircraft carrier construction project, military procurement practices in general and the deployment of multiple nuclear warheads, referred to as MIRV for multiple independent re-entry vehicle, in intercontinental ballistic missiles. A number of scientists and nuclear strategists maintain that deployment of MIRV will immensely escalate the nuclear arms race.

"We'll probably get clobbered on all of these amendments this year," one staff aide said, "but it's a beginning and next year we may get somewhere."

EXCHANGES OF IDEAS

Elsewhere in Congress, the reach for a means of attacking military spending and to balance it against civilian needs is much more informal. It consists mainly of exchanges of ideas between such Senators as John Sherman Cooper of Kentucky; the majority leader, Mike Mansfield; Edward F. Kennedy; and Philip A. Hart of Michigan * * *. There also are discussions between their staffs and informal consultations with outside sources of information like Mr. Schultze.

Although somewhat chaotic, the search appears to be steadily gaining impetus in the political climate of disillusionment with the military establishment created by the Vietnam war, of concern and unrest over the crisis in the cities and the ensuing inflation and higher taxes.

"What we'd like to be able to do," one staff aide said, "is not just to attack a military program on its own deficiencies, but to be able to say how many schools and hospitals the money would buy."

SMALL GROUP GROWS

One indication of the Congressional interest in such questions was the substantial sponsorship of a two-day conference here at the end of March to discuss military spending and domestic needs. The number of sponsors grew from a small group of Senators

and Congressmen to 38 Representatives and 12 Senators.

A remark at the conference by the freshman Republican Senator from Ohio, William A. Saxbe, was another bit of litmus paper showing the kind of public pressures some new members of Congress feel.

"We come to the Senate with the attitude that Nixon was elected because of the war—that the war wrecked Johnson and that it will wreck Nixon unless he responds," he said * * * It is hopeful that we will beat the ABM and will go ahead with that foothold to attack the whole complex."

It was apparent from the context of his remarks that the complex he referred to is that which is popularly known as the military-industrial complex.

The conferees were 16 scientists, scholars, economists and former Government officials, such as Mr. Schultze, Prof. John Kenneth Galbraith of Harvard, Prof. George Kistia-kowsky of Harvard, Prof. Hans Morgenthau of the University of Chicago and Dr. Marcus Raskin, co-director of the Institute for Policy Studies in Washington.

Mr. Schultze warned that unless military spending was curbed, currently approved and proposed weapons systems, unrelated to the Vietnam conflict, would, by fiscal 1974, consume whatever savings might result from an end to the war.

RECOMMENDATIONS AT CONFERENCE

The conference's recommendations ranged from establishing an independent agency to analyze military spending proposals for Congress to imposing a ceiling on the military budget, to a proposal by Dr. Raskin for a grass-roots campaign to dismantle the current structure of America society.

He described American society as "a national security state" controlled by an interlocking complex of defense industries, labor unions, military services, related civilian bureaucracies and their Congressional allies.

Theoretically, the Armed Services and Appropriations Committees in both Houses subject the military budget to meaningful scrutiny in their hearings before bringing the bills to the floor.

But those legislators who want to choke off the rise in military spending contend that these committees are dominated by Southern Democrats and Republican conservatives whose sense of national priorities has consistently nurtured the military and militated against funding for domestic social problems.

The committee hearings are almost always held in closed session, on the ground that military secrets must be protected. This has the effect, however, of shielding the details of weapons programs from public exposure.

The testimony is usually not published until a few days before the bills reach the floor. It then emerges in several heavily censored volumes. Last year's Senate defense appropriations hearings ran to five volumes of 2,809 pages.

The result, those opposed to heavy military spending argue, is that the middle group of Senators and Congressmen, who constitute the pivotal vote in both houses, normally do what the committee chairman wants because they know little about the bills and he tells them the national security or the lives of the troops in Vietnam are at stake.

"If George McGovern says the military budget ought to be cut by 10 per cent and Richard B. Russell says every cent's necessary for the survival of the country, who are you going to believe!" One Senator said asked rhetorically, "If you're ignorant about the bill, you believe Richard Russell."

Senator Russell of Georgia formerly headed the Armed Services Committee and now chairs the Appropriations Committee.

While the Congressional Committee often take the Pentagon's word on military needs, there recently has been developing a slightly more critical view, particularly in the Senate Appropriations Committee.

For example, Senator Russell last year cut out more than \$300-million that had been requested for fast deployment logistics ships.

The Appropriations committees have traditionally issued their reports shortly before they are voted on. Some long familiar with Congress have expressed doubts about how successful any move to bypass this procedure could be.

But the ABM debate has, for the first time, breached the protective wall of the committee system and forced the defense establishment and its Congressional allies to defend a major weapons program under the spotlight.

The opposition has been able to marshal its own scientists and nuclear strategists and to challenge the proposal on the multiple grounds of technical feasibility, cost and the effect on the nuclear arms race.

"The ABM debate is a prototype of what we want to do in the future," a staff aide of one Senator prominent in the opposition forces said.

[From the Christian Science Monitor, May 19, 1969]

MILITARY SPENDING TOO HIGH?

(By Joseph C. Harsch)

WASHINGTON.—The world scene continues to give evidence of the limits on the usefulness of military power. And this in turn is being reflected in the United States in a "taxpayers revolt" against spending so much for so little.

Does a similar revolt exist beneath the official surface of Russian life?

If Western statesmen knew the answer to that question about the Soviet Union they would be able to calculate more effectively the chances for success in the "Nixon round" of Soviet-American negotiations now getting under way.

The revolt in the United States is of course the most open, and for all the world to see.

It has taken the overt form of solid resistance in the Senate to President Nixon's plan for the limited deployment of anti-ballistic missiles. At the present moment it is still doubtful that the administration will be able to overcome the reluctance of several Republican senators to go along with the program.

The real argument of course is not over the technical merits of the ABM plan. That is merely the surface froth. Behind it lies a reluctance in Congress to spend more money on military power when lying all over the face of the earth today is continuing evidence of how ineffective it can be as an instrument of foreign-policy purpose.

Vietnam provides the case in point most painfully felt in Washington.

Except in the original American Revolution the United States has not before applied military power to a national purpose for so long.

And never has the United States applied as much military power.

But this effort, which is unusual in its length of effort and unprecedented in its weight, has failed to achieve the purpose. It was supposed to have forced Hanoi leaders to beg for mercy and come to the conference table in exhaustion. It was usually phrased as "bombing them to the conference table."

It did not work. They finally came to the conference table when, and only when, the effort to force them there by military pressure had been abandoned.

American military pressure still is being applied powerfully in South Vietnam against the Viet Cong forces. But over the last fortnight the Viet Cong has continued to lob shells and rockets more or less at will into any city of their choice throughout South Vietnam.

The rocketing and shelling is not an offense. It is merely an advertisement of the fact that the Viet Cong still can operate around, and sting at, all cities in South Viet-

nam. Viet Cong troops have not been repressed or eliminated or annihilated. They are still a force in being and hence a factor which cannot be ignored in the Paris talks.

President Nixon recognized this in his speech on the war last week. He accepted the idea of the National Liberation Front being in a future South Vietnam government, even by name.

If American military power had been decisive in South Vietnam there would be no need ever to let the NLF into a future government. It probably will happen some day because all the power at the disposal of Gen. Creighton Abrams is not wiping out the Viet Cong even with the North Vietnam main units still in rest camps outside of South Vietnam.

SOVIETS IN SAME BOAT

In other words, over five years of use of American military power in Vietnam has done little more than underline the lesson of the Korean War. American land power is severely limited in its capacity to influence political events on the mainland of Asia.

If this is painful for Washington, recent events in other parts of the world provide an even more painful lesson for Moscow.

The Soviet Union is the world's second military power—and is moving toward effective parity with the United States. But the application of this power to Czechoslovakia still has not converted the Czechs into silent servants of Moscow's will.

Nor has the threat of use of that power caused Romania to return to Moscow discipline or humbled Marshal Tito of Yugoslavia. Nor has the existence of that Soviet Power awed or influenced the men of Peking.

They have gone their own way in defiance of Moscow, even when their own enormous army was almost wholly preoccupied with the "great cultural revolution" at home. Communist China's vast army has become the single remaining force for stability and central authority in China.

In terms of sheer efficiency Israel is today the world's first military power. Seldom in the history of warfare has lean and limited force been used with such decisive effect against far larger enemy forces.

The six-day war recalls such events as the victories small British armies won over huge Indian armies in India in the 18th century. Those victories were effective—for some 200 years.

But Israel's stunning victories have scarcely changed the state of affairs in the Middle East at all. On the contrary, Israel is in more danger now than before.

KREMLIN VIEWS WATCHED

The usefulness of military power in these times is severely limited. So what is to be done about it?

That question is the most debated of the day in Washington. It is out of White House control. Judged objectively, the Safeguard ABM system is modest and limited. But so general is the new questioning of the usefulness of even more military power that it may fail in the Senate.

Do the men of the Kremlin read the signs of the times the same way? If they do, which some Western Kremlinologists think is the case, then there is reason to think that Richard Nixon will preside over the first successful reconciliation between the West and the Soviet Union since the 1917 Revolution in that country.

Do they?

They certainly ought to know by now not only that their military power has limited use. They also should realize that communism is an even weaker instrument of their foreign purposes.

It is merely a fact that Moscow today enjoys easier and more profitable relations with non-Communist countries than with the Communist ones. Moscow is getting along quite happily now with Turkey, Iran, and Finland. But Moscow has had to redevelop strong military power against China

while imposing a military lid on the Communist countries of Eastern Europe.

The export of communism has become a disadvantage to Moscow, not an advantage. The worst Soviet enemies are Communists now. Moscow's only sincere semifriends are non-Communist states.

"If the two lessons have been learned in the Kremlin, Mr. Nixon's "negotiations" have a promising future.

[From the Washington Post, June 11, 1969]

A \$4 BILLION OVERRUN ON MISSILES CITED

(By Bernard D. Nossiter)

A former Air Force management consultant yesterday estimated that costs have skyrocketed by nearly \$4 billion on the Minuteman II missile.

The disclosure of the overrun, twice the size of that attributed to the C-5A, was made by C. Merton Tyrrell, vice president of Performance Technology Corp. His firm spent three and one-half years studying Minuteman contractors for the Air Force until it was taken off the job.

An Air Force spokesman last night indicated, however, that the overrun may have been \$2 billion—or half of Tyrrell's figure.

Tyrrell's testimony before a Joint Economic Subcommittee highlighted a day in which Capitol Hill was the scene of other attacks on military spending practices.

Defense Secretary Melvin Laird asserted that the services and their suppliers were guilty of "chronic overoptimism" in estimating costs in order to sell their programs and get new business. He said he would soon name a "blue ribbon panel" of persons outside the Pentagon to review procurement and promised his own stance would be "realistic and sometimes pessimistic."

Sen. Ralph Yarborough (D. Tex.) charged the Budget Bureau with being "subservient" to the military and with reviewing Pentagon requests "hat in hand." Phillip Hughes, the Bureau's deputy director, retorted that "it seems to me Congress has the last say" on how much the Pentagon spends.

Seventy-six liberal Democratic Congressmen announced they would attempt to put their Party on record in favor of a resolution urging, "an immediate and searching re-examination of all military commitments and expenditures." They said they were concerned about the evidence of "the waste of billions of tax dollars."

Rep. Bertram Podell (D-N.Y.) announced that 139 Congressmen, including 34 Republicans, had signed as co-sponsors of his bill requiring the General Accounting Office to report annually on every contract over \$100,000 which ran 10 per cent above its agreed cost or was more than six months late.

Sen. William Proxmire (D-Wis.) agreed with Sen. Barry Goldwater (R-Ariz.) and Sen. Len Jordan (R-Idaho) that former Defense Secretary Robert S. McNamara should again be invited before Proxmire's Joint Economic Subcommittee to testify about runaway costs during his regime. Proxmire said that he had already asked McNamara to come but that the World Bank President had declined.

The testimony about Minuteman II, an improved version of the solid-fuel intercontinental ballistic missile, came before Proxmire's subcommittee. It was delivered in a low-keyed monotone by Tyrrell, a 34-year old spade-bearded industrial engineer from Novato, Calif.

Six weeks ago, still another Congressional committee heard testimony that Tyrrell's Performance Technology Corp. had been broken by slow payments from the Air Force because the firm was embarrassing too many officials with its findings.

Tyrrell said that the Air Force, in the spring of 1962, calculated that 500 Minuteman II missiles would cost \$3.268 billion. Today, he said, the service has lumped together

the costs of its Minuteman II and Minuteman III missiles, the latter being a newer version that can be converted into a weapon firing several warheads at different targets.

Tyrrell said he has learned that the Defense Department now figures the bill for both varieties at \$9 billion. He estimated that \$7 billion of this should be attributed to Minuteman II, a gain in costs of \$3.7 billion.

Tyrrell's firm was hired in July, 1963, to examine the management of four of the eight major contractors on the project, North American, Boeing, Aerojet and Sylvania.

Almost at once, he told the Proxmire group, his company found "a severe cost problem" for climbing overhead expenses, delayed delivery of components and too-rapid breakdown of key parts. His PTC, he said, made several recommendations, "including a definitive cost-reduction program." However, he went on, everything involving cost-cutting was "deleted" by the Air Force.

PTC, he said, continued its surveys, but Air Force officers and North American's Autometrics Division were holding back "necessary information."

By 1965, Tyrrell testified, the contrast between promise and performance led the Air Force to adopt PTC's cost-cutting program. However, he said, the program was not enforced.

Among other things, he recommended greater distance between military officers and their suppliers, punishment instead of promotion for officers who ignore costs and the withdrawal of business from wasteful contractors.

The Defense Department did not comment directly on Tyrrell's estimates. However, a spokesman for Laird noted that he had sliced this year's request for Minuteman by \$160 million to about \$1.04 billion. Laird testified on April that the cut was made to "minimize overruns" caused by producing missiles before completing the research.

The spokesman for the Air Force calculated that the total cost for Minuteman II was \$5.2 billion, or \$1.8 billion less than Tyrrell's figure. The Air Force could not supply a base from which a growth in costs could be measured.

Yesterday, Laird was before the Senate Defense Appropriations Subcommittee. There he said that both the services and the contractors have a vested interest in underestimating the costs of a new weapons system. As a result, this has "all too often resulted in gross failures to achieve performance, delivery and cost objectives."

[From the New York Times, June 11, 1969]

PENTAGON DROPS AIR FORCE PLANS FOR ORBITING LAB—CANCELLATION IS CALLED MAJOR STEP IN CUTTING THE BUDGET FOR MILITARY SPENDING—NASA EFFORT TO GO ON—PROJECT FOR MANNED STATION HAD COST \$1.3 BILLION—DUPLICATION CHARGED

(By John W. Finney)

WASHINGTON, June 10.—The Defense Department, after spending \$1.3-billion on the project, canceled today the Air Force's manned orbiting laboratory program as "a major step" toward reducing the military budget.

In a statement read by Deputy Defense Secretary David Packard at a Pentagon news conference, the Defense Department said the principal reason for canceling the Air Force's manned space flight program was the "urgency of reducing Federal defense spending."

The cancellation was announced shortly before the House, by a 328-to-52 rollcall vote, approved legislation authorizing a \$3.9-billion budget for the National Aeronautics and Space Administration in the coming fiscal year. About half of the money would go for manned space flight, including development of a manned orbiting laboratory similar to that being worked on independently by the Air Force.

AMENDMENT REJECTED

The bill authorizes \$250.8-million more than was requested by the Nixon Administration, with most of the increase going for manned space flight and the development of the Apollo spacecraft into an orbiting laboratory.

With the cancellation of the project, the Air Force has lost the major part of its role in space and is relegated to the operation of unmanned and unpublicized satellites.

After a brief, routine debate, the House rejected by a voice vote an amendment by Representative Edward I. Koch, Democrat of Manhattan, that would have removed \$205 million from NASA's manned space flight budget.

With no evident sympathy from the rest of the House, Mr. Koch argued that it was "at least unwise and at most outrageous" for Congress to be increasing spending for manned space flight "in the light of the urgent economic and social problems faced by people on earth."

Supporters of the Koch amendment noted regretfully that the House spent considerably more time and emotion considering and approving an amendment by Representative Richard L. Roudebush, Republican of Indiana, specifying that only the United States flag be placed on the moon by the Apollo astronauts.

The Air Force's manned orbiting laboratory program—or MOL, as it came to be called within the Pentagon—was designed to place a 15-ton, two-man spacecraft in earth orbit. The stated purpose was to test "the extent of man's utility in space for defense purposes," such as conducting reconnaissance of the earth or inspection of potentially hostile spacecraft.

DUPLICATION CHARGED

In recent years there have been rising complaints in Congress—and privately within some civilian space circles—that the MOL project duplicated and overlapped the space agency's manned space flight program.

Until now, these complaints have been rejected by the Pentagon and, at least publicly, by the space agency. Their basic rebuttal has been that the MOL program would carry out certain secret military projects that were not contemplated in the Apollo space program and the post-Apollo space station program now planned by the space agency.

As was tacitly admitted in the Pentagon announcement what brought the cancellation about was the rising pressure in Congress for a reduction in the Defense budget.

In explaining the cancellation, the Pentagon announcement said "we fully recognize" that the military budget was receiving "intense scrutiny" in Congress. One of the principal targets of the Congressional economists in the Senate was the MOL project.

"In keeping with the spirit and intent of these reviews, the MOL cancellation will be a major step in reducing the budget," the announcement said.

The cancellation, however, may have the unintended reverse effect of strengthening a widespread Congressional belief that through lack of direction and foresight there is considerable waste in the Pentagon's weapons development programs.

The \$1.3-billion spent on the MOL project will now be added to the \$9.3-billion—according to Pentagon figures—that has been spent since 1951 on major weapons programs that were later abandoned. According to an estimate made by Senator Stuart Symington, Democrat of Missouri, in the Senate, the total comes closer to \$23-billion.

One of the reasons given by the Pentagon for the cancellation of the program was the advances that have been made in recent years in automated, unmanned satellites for such purposes as navigation, communications and meteorology. Not mentioned by the Pentagon were the rapid strides that have

been made in using satellites for detailed photographic reconnaissance.

First conceived of by the Air Force in the early nineteen-sixties, the MOL project was the consolation prize given the Air Force after the civilian space agency was created and given the primary responsibility for conducting the nation's manned space flight program.

Initially, as its competitor to the space agency's manned space flight programs, the Air Force had the DynaSoar project to develop a manned "space glider." When the DynaSoar project was terminated in 1963 after an expenditure of \$405-million, Defense Secretary Robert S. McNamara gave the Air Force permission to proceed with the MOL.

The cancellation came as the project, after many delays, was approaching the flight test stage of unmanned components.

[From the Nashville Tennessean, June 12, 1969]

A 2,700 PERCENT HIKE CHARGED IN SUB RESCUE PROGRAM

WASHINGTON.—The Pentagon hardly had time yesterday to concede that the cost of its primary missile program had approximately doubled before being slapped with another charge—that a submarine rescue program is running about 2,700% above original price estimates.

Barry J. Shillito, assistant secretary of defense for installations and logistics, said Air Force figures tend to support the estimate that the Minuteman II intercontinental missile program has grown from \$3.27 billion to about \$7 billion.

Shillito testified before a House-Senate economic subcommittee holding hearings on the military budget and national priorities.

The subcommittee chairman, Sen. William Proxmire, D-Wis., confronted Shillito with evidence of new cost increases, this time in the Navy's Deep Submergible Rescue Vehicle (DSRV) program.

Proxmire said the cost estimate for each submarine rescue vehicle had increased from \$3 million to \$80 million.

He said the Navy originally planned to buy 12 of the deep-diving craft for \$36.5 million but has settled for 6 at \$480 million.

Shillito conceded the figures' accuracy, but said the program had been improved so much it is "almost totally different from the one we embarked on."

Earlier an Air Force efficiency expert said Defense Department employees are sometimes disciplined for trying to cut costs because the Pentagon wants to keep its contractors prosperous.

A. Ernest Fitzgerald told the subcommittee that employees who try to economize are subjected to undesirable transfers and other forms of retaliation.

He said in 20 or 30 of the biggest defense plants, the government permits prices to be higher than elsewhere.

"The government knowingly allows them to charge higher prices to keep their plants open," he said.

"This is done in the name of 'maintaining capability' which means to keep the contractor in business."

Later, talking to reporters, he said "sure" when asked if politics was a factor in such actions. Many defense plants are located in the home states of powerful congressmen who support big military budgets.

As a result of these policies, Pentagon employees learn not to question costs and "the most successful government project managers take a detached view of all financial matters once they make sure they have enough money to cover their contractors' requirements," Fitzgerald said.

He said contractors are permitted to keep unneeded engineers on some vague project just to have them on hand.

"It ought to be stopped," he said. "If

you're going to keep them there, you should keep them doing something."

Fitzgerald's testimony was contradicted by Shillito, who said "all" Defense Department officers and employees are "dedicated to rooting out waste and inefficiency wherever and whenever they appear."

Under questioning, however, Shillito conceded that there was an "over-optimism problem" in which the estimates given Congress of the costs of new weapons often turn out to be understated.

But he said he disagreed entirely with Gordon W. Rule, the Navy's director of procurement control, who told the subcommittee Tuesday all three services "play games" with Congress in estimating the cost of new weapons.

In another military cost dispute, the General Accounting Office reported that congressional critics have been correct in saying the C5A superjet transport program will cost \$5.2 billion, some \$1.8 billion above original estimates and \$2 billion above contract target prices.

The GAO, budgetary watchdog for Congress, also said in its report to the House Armed Services Committee that the Air Force could have predicted the large increases as early as December 1967.

Nevertheless the cost increases were not reflected in routine Air Force management reports six months later or revealed to Congress until last November, the GAO said.

Proxmire added further fuel to the debate over military expenditures, saying he has information that the Air Force's short range attack missile program has increased in cost during the past year from \$300 million to \$600 million.

The first indication of the \$3.7 billion increase for Minuteman II came in testimony Tuesday from a former Air Force consultant, C. Merton Tyrrell.

Shillito conceded there's been "roughly that kind of growth." He blamed it on cost "overoptimism that is most awkward in this area."

THE CRISIS IN THE MIDDLE EAST

HON. ALLARD K. LOWENSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. LOWENSTEIN. Mr. Speaker, for the past 10 years, the Honorable SEYMOUR HALPERN of New York has provided one of those rare voices of conscience that the Congress needs so badly. His tenacious devotion to high principle and to the public interest have brought him the admiration and gratitude of colleagues in both parties.

Recently Congressman HALPERN spoke about the crisis in the Middle East at one of the biweekly forums that we hold in the Fifth Congressional District of New York. His remarks deserve special attention in view of the deteriorating situation in the Middle East.

It has never been more important than it is now for Americans to insist that their Government press for direct face-to-face negotiations between Israel and the Arab nations. There can be no peace in the Middle East without direct negotiations, and without peace there will be no opportunity to resolve the problems that have bedeviled the people of this troubled area for so long.

Under unanimous consent I submit the statement for inclusion in the CONGRESSIONAL RECORD, as follows:

STATEMENT OF THE HONORABLE SEYMOUR HALPERN, JUNE 15, 1969

Mr. Chairman, let us look at the Israel-Arab situation as liberals. Let us apply the criteria we would use in judging a confrontation within the United States.

If we're going to tell it like it is in the Middle East, let's start with the relevant facts.

The Arabs, it seems, represent the establishment. They speak and think in terms of racism, religious chauvinism, militarism; they oppose change; they reject the right of a minority nation to exist.

Israel was born in the aftermath of World War II—a brutal conflict in which six million Jews were murdered.

Israel's "thing" is not war. It is survival. The state of Israel is based on a messianic concept of social justice and human redemption.

The Kibbutz philosophy, the idea of social democracy and sharing, inspired the world. Israel personified the striving of humanity. Affluent Jews assisted the culturally and emotionally deprived. The Arabs residing in Israel were accorded political rights and human dignity although Jews were brutally persecuted in the surrounding Arab states.

The underprivileged Jews of Morocco arrived in Israel and were educated and assisted with "Head Start" programs long before anyone conceived the United States' "New Frontier." An Israeli peace corps operated in underdeveloped nations of Africa and Asia in the 1950's when the brothers Kennedy were yet to capture the popular imagination.

Before Martin Luther King called out for justice, Ben Gurion, Chaim Weizmann, and Theodore Herzl had their dream. They dreamed of Jews and Arabs sharing the lands of their origin and heritage. They dreamed of cooperation. They dreamed of a region in which Jew and Arab would co-exist in human dignity and brotherhood and where the desert would be made to blossom. They dreamed of social justice and self-determination. They would have rejected imperialism and exploitation as a nightmare.

Today we find that all the idealistic dreams of the Zionist visionaries have become nightmares. We find that the Arabs have adopted the "Jim Crow" discrimination of the American southern white racists. The Arabs seemingly cannot accept the Jews as human beings entitled to a place in the sun.

The Arab line today is as rigid as that of the racists of Alabama or Mississippi of many years ago. They simply will not accord to the Israelis the right of existence as a free and equal people.

Today the Arab line of anti-Jewish hatred is spurred by Moscow. The communists have discovered a gimmick. The name of the game is "Anti-Imperialism." The Jews are branded "Imperialists." The game is so contrived that only the communists and Arabs can win. According to the game, Israel has to lose.

Moscow is using the Arabs. And the Arabs are using Moscow. The governments involved are not concerned about people. They are after power and pressure.

The Israel issue is being exploited by both Arab Imperialism and Soviet Imperialism. That is why the massive Soviet arms shipments were poured in. That is why the Arabs formed a massive lynch mob against Israel in May and June of 1967 to wipe out Israel and to finish Hitler's job. That is why the Arabs will not to this very day accept the idea of entering into peace talks with Israel.

Yes, in the Middle East the Arabs are the reactionaries. The Jews are the radicals—in the best sense of the word. That is why Israel has made one very reasonable and very non-negotiable demand. It is the demand for a face-to-face peace conference involving the personal participation of the parties to the conflict.

Israel cannot accept the imposition of a settlement by the obviously self-interested super-powers. All this amounts to is a bid by the big boys for Arab favor, one outbidding the other at Israel's expense. Israel will no more accept an American-Soviet decision on her fate than would American bankers accept a French-British decision on what the U.S. prime interest rate should be inside the United States.

With Israel, peace is more vital than interest rates or money or any material thing. The life of a nation is involved. Israel will live or perish as a result of her own conception of what nationhood involves.

Israel has made a non-negotiable demand in answer to the world's power structures. That demand is for peace and recognition of just and defensible boundaries as the pre-condition for withdrawal of troops from territories occupied as a result of the Six Day War.

The Six Day War has become a 666-Day War. But Israel will not be intimidated by bullies and bullets.

The El Fatah Racists, a sort of Ku Klux Klan or Minutemen of the Middle East, cannot deprive the Jews of a homeland. The victims of Arab terrorism are both Moslem and Jewish. I fall to see how anyone can renounce racism and terrorism in the United States and espouse the Arab terrorist cause abroad.

Soviet Foreign Minister Gromyko has just visited President Nasser in Egypt. The same old story. Reports of that meeting say the Arabs won't negotiate. Ironic isn't it—the parties to the war won't be the parties to the peace.

Israel is expected to make a unilateral and unconditional withdrawal from all territories. Then Israel will be set up like a patsy for the further onslaughts of the artillery and rockets, the bomb and the bullet of the terrorists as well as the regular Arab forces.

I am very pleased to observe that the administration in Washington has not given in to pressures for a so-called Big Four Peace settlement at Israel's expense. Indeed, it now appears that our government is standing firm. The Israelis are not under pressure from the top levels in Washington although the State Department policies often waiver from expediency to expediency.

It is my conviction that our administration has insisted to the Russians that peace must come only as a part of a package deal involving a real peace settlement between the Arabs and Jews—a settlement that Israel can accept.

Meanwhile, we have just witnessed the beginning of the third year in which Israel continues to occupy the cease-fire lines established in June, 1967. This is not an ideal arrangement. But, despite the bloodshed and unrelenting Arab pressures, life goes on.

Israel, if anything, is stronger. Israel is making the best of a bad situation. But as of now there is no alternative.

The United States is keeping its commitments to supply Israel with the necessary phantom jet fighter-bombers and certain other implements of defense. Hundreds of Israeli technicians and pilots have been trained in the United States and are training here.

For Israel there is no alternative to the current state of affairs. Nor is there a realistic choice for her friends. The task will not be easy. A tendency already exists for appeasement and surrender. Some well-intentioned persons say that "if only Israel will give in, if only Israel were less rigid, if only Israel were less arrogant, less belligerent, and so forth"—then, everything would be peaceful.

I am afraid, however, that it is not that simple. The "peace" that might emerge would be the "peace" one finds on a visit to the remains of the Dachau or Belsen concentration camps.

The Israelis are not ready to be liquidated because we are tired hearing about the shootings and the bombings.

Jews have survived only against all the odds of history. The Jews of Europe paid a terrible price. Israel is mindful, alert to the implications of racism and power politics. Israel is resolved not to become another Warsaw ghetto. If the Israelis can take it, her friends—if they really care—can do no less.

Israel remains a human cause of such merit that no true liberal can cop out.

George Washington spoke during the American Revolution of the summer soldiers and peacetime patriots. The going was tough and the fainthearted abandoned the cause. The cause of liberty, American or Israeli, is not yet out of date.

I do not think that a true liberal abandons a tough cause, at home or abroad. Justice for Israel is inseparable from justice in our cities and the universal quest for freedom.

SMUT PEDDLERS—PART III

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. DULSKI. Mr. Speaker, the fight against smut peddlers has wide support, but it is going to take even more vigorous effort on the local front. Public influence can be the greatest deterrent to the spread of pornography.

A former colleague in the House, the Honorable O. K. Armstrong, wrote an interesting article on smut peddlers for the February 1967 edition of Reader's Digest, as follows:

A VICTORY OVER THE SMUT PEDDLERS (By O. K. Armstrong)

Late in December 1965, while gathering information on obscene literature for a series of articles in The Reader's Digest, I interviewed publisher Ralph Ginzburg. He had been convicted by a federal court in Philadelphia on charges of selling *Eros*, a magazine which he described as "devoted to the subjects of love and sex," and two other publications that were also declared obscene by the court. He had been fined and sentenced to five years in prison. He had appealed the conviction to the U.S. Supreme Court.

From across his desk high in a New York office building, Ginzburg told me with emphatic self-assurance: "The Supreme Court will reverse my conviction! No one can define obscenity."

Ginzburg proudly admitted that his publications had proved very profitable. He told me that he had sent out about nine million pieces of advertising matter to promote *Eros* resulting in 150,000 subscriptions and three million dollars in gross revenues. When I reminded him that federal and state laws prohibit circulation of obscene materials, he exploded: "All such laws are unjust! The First Amendment to the Constitution guarantees complete freedom of speech and press, and that covers everything. In 20 years all laws against so-called obscenity will be wiped from the books!"

In decisions announced last March 21, the Supreme Court replied. In a five-to-four ruling, it affirmed Ginzburg's conviction and sentence. At the same time the conviction of Edward Mishkin, one of the country's more notorious distributors of pornography, was also upheld.

These two decisions greatly strengthen previous rulings. Heretofore, the test for obscenity had been based on the decision in

Roth v. U.S. in 1957. The Supreme Court then held that material is obscene if "to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest." In the Ginzburg decision, the Supreme Court went a step further, bringing into clear focus a principle long recognized by fighters for decency: *The material itself need not be the only consideration. How the material is advertised and promoted for sale to the public can be considered. If the obvious purpose of the publisher or seller is to appeal to lustful interest, he can be held accountable.* In effect, the court said, *motive may determine legality.*

In the ruling that confirmed Mishkin's conviction, Justice William J. Brennan took notice of the nature of the materials in this purveyor's magazines and books: fetishism, sex scenes between women, flagellation and other sadistic tortures to satisfy the perversions of sexually deviant groups. "The evidence fully establishes that these books were specifically conceived and marketed for such groups," he declared.

This decision clarified an important legal point: a pornographer can no longer plead that his offensive output was issued for a special group—such as artists, doctors or psychiatrists—if he offers his material to the general public.

The majority opinions in the Ginzburg and Mishkin cases were hailed by church leaders, public officials and news media alike. Francis Cardinal Spellman, Dr. Norman Vincent Peale and Rabbi Abraham B. Hecht, president of the Rabbinical Alliance of America, joined other religious spokesmen in a statement: "It is a matter of profound gratification to all God-loving people that the Court has served notice that panders of filth for profit will no longer be given a free hand in contaminating our society."

The *New York Times* commented in an editorial: "Mr. Justice Brennan and his majority colleagues have shown wisdom and moral courage in the subtle and arduous task of upholding the law against obscenity while still protecting liberty of expression. . . . The Court inescapably concluded that Ginzburg had no scholarly, literary, or scientific interests; he was strictly an entrepreneur in a disreputable business who took his chances on the borderline of the law and lost. He is no different from Edward Mishkin . . . who was convicted for hiring hack writers to produce books deliberately aimed at an audience of sexual deviates. . . . The public clearly has the right through the enforcement of laws to curb this 'sordid business of pandering.'"

Charles H. Keating, Jr., chairman of Citizens for Decent Literature—a national organization with more than 300 chapters—says, "The Supreme Court decisions of last March 21 make it a different ball game. . . . Any area that decides to rid itself of obscenity can do so by competent enforcement and vigorous prosecution. There is no excuse for pornographers to be in business after the Court's decision."

"The decisions provide a powerful weapon in our drive to ban pornography from the mails," says Henry B. Montague, chief of inspection of the Post Office Department.

Throughout the nation, evidence is clear that the new rulings are having a profound effect on the legal war against filth. A survey of recent trial-court decisions reveals that, in the five months following the *Ginzburg* and *Mishkin* judgments, 40 convictions in obscenity cases were rendered across the country. During the same period, 11 appellate-court decisions either affirmed lower-court convictions or reversed dismissals.

Increasingly, judges have cited the new Supreme Court opinions in their decisions. In considering one book, a New York judge noted that the *Ginzburg* case had "introduced a new factor in deciding what is obscene. The court will now examine the method of advertising and exploiting the book. If the

publisher or distributor sells his material as pornography . . . it will determine the result."

The judge also declared that "the *Mishkin* opinion has removed any doubt that the book in the instant case is obscene. The Supreme Court has now removed the outer limit that only "hard-core pornography" will be barred. The rule is now more elastic."

Last July 14, the Kansas supreme court reversed the ruling of a lower court that had dismissed charges of obscenity in a case which involved 11 books filled with lurid sex stories. In its decision, the highest court of Kansas declared, "If the obscene nature of these books be deemed doubtful, that doubt would certainly have to be resolved against them when we consider their packaging in the light of the positive judgments in *Ginzburg* and *Mishkin*."

The Supreme Court decisions may provide guidelines for determining obscenity in entertainment media as well. Within six weeks of the new rulings, a dozen movies were found obscene in decisions given in California, Missouri, Louisiana, Connecticut, and Tennessee.

Last September 27 a U.S. District Court in California declared that certain "nude" magazines and peep-show films sold or displayed by a Los Angeles defendant were "patently offensive and utterly without redeeming social importance," and continued with this statement: "The court concludes as a matter of law that the exhibits are clearly, unequivocally and incontrovertibly obscene . . . because they come within the reasonable purview and ambit of both of federal judicial definition of obscenity and hard-core pornography (*Roth v. U.S., Mishkin v. New York, Ginzburg v. U.S.*)"

Encouraged by these courtroom triumphs, prosecutors in numerous communities are drawing up new indictments against suspected pornography dealers and distributors. From April through July 1966, more than 25 complaints were filed in California alone—the state where much obscene literature originates—and scores of new charges have been filed in many other states.

Today, decent citizens can look forward to the time when the blight of pornography is swept from our newsstands, theaters and mail. As James J. Clancy of Los Angeles, chief counsel for Citizens for Decent Literature, declares, "The Supreme Court has charted the prosecutor's blueprint for success. The people's forum is the criminal court. The attack should be against those who willfully violate the community's standards of decency. In this fight, the people cannot lose."

THE BIAFRAN TRAGEDY

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. HALPERN. Mr. Speaker, this month marks the 3d year since the Biafran war in Africa started. In this period it is estimated some 1.5 million men, women, and especially children have died from hunger, pestilence, and the ravages of war.

The tragedy must end, and yet, we are now informed that the Nigerian Government has just instituted new regulations that will imperil the international relief operations that are airlifting food provisions for the secessionist state's 4 million surviving inhabitants.

These provisions are imperative, because reports indicate that without this

food, Biafra's residents will not have anything to eat until the fall harvest.

If the airlifts do not continue, the consequences will be tragic. The president of the International Red Cross Committee, Marcel Naville, says:

Within the next few days, hundreds of thousands of children in Biafra may die of starvation.

Today, a number of my colleagues joined in sponsoring with Americans for Biafran Relief a public appeal for President Nixon and the world community to intercede to end this human tragedy.

The text of the advertisement, sponsored by Americans for Biafran Relief, that appeared in the New York Times, July 10, 1969, reads as follows:

IF YOU HAVE TO KILL CHILDREN, IT'S NICER TO LET THEM STARVE THAN TO PUT THEM INTO A GAS OVEN

This is about the war on page 12 of your newspaper. Not Viet Nam. The war the world pretends doesn't exist. This is understandable.

The war in Biafra has brought out a "sophisticated" aspect of human nature that must make God sick. Horror, accompanied by good manners, is acceptable behavior.

To use the gas ovens or the H-Bomb to kill 1½ million women and children would be unthinkable. The word "Blockade" makes it all right. Starvation is approved military strategy—500,000 children under 5 years old died, before airlifts by the Joint Church Aid and the International Red Cross brought in food and medicine.

The planes flew in at night. They had just enough food (2 ounces per child, for 2 million children) to keep them alive until the next night.

On June 5th, Nigerian Migs started shooting the children's airlifts down.

To keep the children alive took 15 flights, every night. In the last 2 weeks of June, only 8 flights have made it in.

The arithmetic is right out of Dachau and Buchenwald.

That no one has called it "the final solution" and that the gas oven isn't needed has somehow made all this acceptable to the world.

And the airlift is not even the issue. The airlift is just a stopgap, the difference between starving and starving to death. The issue is that most of the people in the world have let some of the people in the world die.

Biafra is not in America's "sphere of influence." There is no political reason for America to interfere.

This noble war has killed more children than soldiers.

President Nixon is already trying to end one war. Asking that he do something about another may be asking the impossible. But he is the President of the most powerful country in the world. He is the only man there is to turn to.

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SOME TAX-FREE FOUNDATIONS REPORTED FUNDING EXTREMIST STUDENT GROUP ACTIVITIES

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. EVINS of Tennessee. Mr. Speaker, Director J. Edgar Hoover, of the Federal Bureau of Investigation, testified recently that some tax-free foundations are financing extremist student organizations, including the Students for a Democratic Society.

I am sure the Committee on Ways and Means will want to take cognizance of this type of activity as it prepares tax reform legislation.

I place herewith in the RECORD an article in the Nashville Tennessean concerning Director Hoover's testimony in this connection:

[From the Nashville Tennessean, July 8, 1969]

TAX-FREE FOUNDATIONS FUNDING SDS: HOOVER

WASHINGTON.—FBI Director J. Edgar Hoover says some wealthy individuals and tax-exempt foundations have made substantial financial contributions to "new left" groups such as Students for a Democratic Society. Hoover disclosed in testimony made public yesterday that the names of those giving large sums to SDS have been turned over to the Internal Revenue Service so that they cannot deduct the gifts from taxes as charitable contributions.

Testifying in private before the House Appropriations subcommittee on April 17, Hoover described the "new left" as "a firmly established subversive force dedicated to the complete destruction of our traditional democratic values and the principles of free government . . . a new spectre haunting the western world."

As for SDS, Hoover called it "a Communist-anarchist group."

Hoover added that "although the majority of gifts are in the \$10 to \$50 range, wealthy benefactors who have acquired their fortunes in the United States have contributed substantial amounts in support of the New Left movement and in support of the activities of the SDS in particular."

Without naming, he gave a rundown of such contributors.

"We referred to the internal revenue service all instances where foundations or individuals gave large sums of money to SDS," Hoover told the subcommittee.

Rep. Charles S. Joelson, D-N.J., told Hoover, "I remember at one time the Ku Klux Klan was soliciting contributions claiming them to be tax deductible. I wrote a letter to the Internal Revenue Service and that was stopped. I would imagine the same thing could be

done if there are any deductions being asked for contributions to SDS."

In other areas, Hoover said:

"Many presidents of universities and colleges need 'more guts' to expel violent campus militants . . . There are far too many bleeding hearts among them whose palliative attitude has served only to magnify the problem by encouraging the escalation of demands and further disorders."

SPECIAL TAX MESSAGE TO CONSTITUENTS, 22D CONGRESSIONAL DISTRICT, BRONX, N.Y.

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. GILBERT. Mr. Speaker, I wish to insert in the RECORD for the attention of my colleagues a special tax message which I am mailing this week to my constituents of the 22d Congressional District of New York. I have always felt it my responsibility to the people I represent to keep them informed of my activities in Congress and my views and position on major legislation.

My message follows:

SPECIAL TAX MESSAGE

(By Congressman JACOB H. GILBERT)

GILBERT OPPOSED SURTAX EXTENSION

I voted against the extension of the 10 per cent surtax, both in Committee and on the House Floor. I opposed its enactment a year ago and I think its failure to abate the ills of the economy proves that I was right. I believe that its continuation simply prolongs an evil, while diverting us from attention to the economy's real problems. It was promised last year that the surtax would halt inflation. The inflationary spiral has been soaring ever since. It was promised last year that the surtax would hold down interest rates. They have been skyrocketing ever since. There is reason to believe that the surtax will continue to fuel inflation if it is extended. The record supports this conclusion.

The inflation we suffer is not consumer-created. There is no shortage of supplies. There is no consumer over-indulgence. It was created by our involvement in Vietnam and by the mismanagement of our fiscal affairs. Neither of these factors can be cleared up as long as we resort to the lazy economics of the surtax.

TAX REFORM: LOOPHOLES SHOULD BE CLOSED

What Congress must do to fight inflation is to give priority to plugging existing tax loopholes. Too many Americans now pay nothing or too little in taxes. We should have meaningful tax reform in the areas of oil depletion allowance, capital gains, tax-exempt bonds, accelerated depreciation, and charitable gifts. I have called for a fairer distribution of the tax burden along these lines, and I am hopeful my Committee will soon complete work on a just and equitable bill. Certainly tax reform is long overdue, and I favor the closing of the loopholes through which billions escape the U.S. Treasury each year.

WE MUST GIVE TAX RELIEF TO LOW AND MIDDLE INCOME WAGE EARNERS

As a member of the Ways and Means Committee, which is responsible for writing all of Congress' tax legislation, I have had a unique opportunity to study our taxing system. I have been shocked at the presence of special privilege in tax-paying. I have

been appalled at how the hardest workers of our society—the low and middle income wage earners—carry proportionately more than their fair share of the tax burden.

During the extensive hearings of my Committee on overall tax reform, I have stressed the need to raise the personal income tax exemption from the present pitifully low \$600 per person to at least \$1000. The personal income tax exemption has not been revised since 1948, though the consumer price index has risen by almost fifty per cent since that time. I have also proposed legislation to exempt pensions and annuities of our senior citizens from income taxation, and I have called for the removal of the limitation on earnings of persons receiving Social Security benefits. These are some of the areas where tax relief is most needed.

It is clear to me from the mail I have received and from the talks I have had with the men and women I represent in my 22nd Congressional District that the financial squeeze is on—and that it has begun to hurt. Prices have been rising relentlessly, while wages have fallen significantly behind, and the people of low and moderate income are caught painfully in the middle. I intend to continue my fight in Congress for tax relief along with tax reform.

MIRV TESTING AND THE NUCLEAR WEAPONS TESTING MORATORIUM

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. BINGHAM. Mr. Speaker, the Foreign Affairs Committee's Subcommittee on National Security and Scientific Developments began hearings on July 8 on proposals to suspend testing of MIRV's. Those hearings, ably conducted by the gentleman from Wisconsin (Mr. ZABLOCKI) are of utmost importance. Over a hundred Members of the House and more than 40 Senators are convinced, as I am, that immediate suspension of MIRV testing is necessary if the proposed SALT talks are to have any chance of success.

In my testimony before the subcommittee, I stressed the fact that successful United States-Soviet arms control agreements have been preceded by periods of voluntary self-restraint by both sides. I gave as much historical evidence for that assertion as time would allow. I wish now to bolster the evidence by inserting into the RECORD an excellent research document, prepared by the staff of the U.S. Arms Control and Disarmament Agency. The document presents the history of nuclear testing moratoria between 1958 and 1963. It clearly indicates that negotiations for the Nuclear Test Ban Treaty of 1963 were facilitated by voluntary, independent cessation of nuclear testing by the United States and the Soviets. Once both sides proved their sincerity by stopping the objectionable activity, an agreement to formalize and perpetuate the moratorium was possible.

Because I think similar restraint is necessary if the SALT talks are to succeed, and so that my colleagues can study the model provided by the nuclear test moratorium, I include the attached document in the RECORD:

THE QUESTION OF A MORATORIUM ON NUCLEAR WEAPON TESTS, 1958-63

INTRODUCTION AND SUMMARY

As used in the test-ban negotiations, the term moratorium has two meanings: (1) informal undertakings by states to refrain from testing during treaty negotiations, and (2) a proposed arrangement to suspend sub-threshold underground tests during a seismic research program.

In March 1958, immediately after an intensive series of nuclear weapon tests, the Soviet Union unilaterally suspended its testing and invited the United States and the United Kingdom to take similar action. They refused to do so and carried out previously planned tests. The Soviet Union then resumed testing and continued its new series until November 3, 1958, shortly after the Geneva Conference on the Discontinuance of Nuclear Weapon Tests began its deliberations.

Meanwhile, the United States and the United Kingdom had announced in August their willingness to suspend tests for one year, starting on October 31, when the Geneva Conference convened. President Eisenhower stated on November 7 that the Soviet tests of November 1 and 3 had freed the United States from its pledge, but he added, "However, we shall continue suspension of such tests for the time being, and we understand that the United Kingdom will do likewise. We hope that the Soviet Union will also do so." No further Soviet tests were announced until 1961, when the Soviet Union openly resumed testing.

In August 1959 the United States declared that it would not test during the remainder of the year, and the United Kingdom stated that it would not test as long as useful discussions continued at Geneva. The Soviet Government pledged that it would not test unless the Western powers resumed testing.

On December 29 President Eisenhower stated that the "voluntary moratorium" would be allowed to expire on December 31 but that the United States would give advance notice if it decided to resume testing. Even after the Eisenhower statement, Premier Khrushchev repeated the previous Soviet pledge not to be the first to resume tests.

The French were opposed to a test-ban agreement not linked with nuclear disarmament and began testing in 1960. By April 1961 they had made four tests. The Soviet Union criticized the French tests and on May 15 the Soviet Government declared that the "continuance of nuclear weapon tests by France places the Soviet Union in a situation which may compel it to resume atomic and hydrogen bomb tests." There were no further French tests before the Soviet Union on August 30 announced that it was resuming testing.

This summary shows that the "moratorium" observed by the three negotiating nations during the period 1958-1961 was not a formal agreement but a *de facto* suspension of tests. It shows that the United States from the beginning of 1960 no longer considered itself bound by a pledge to refrain from testing but only by a promise to make an announcement if it decided to resume tests. It shows also that the Soviet Union was the first of the three negotiating nations actually to resume nuclear testing.

The subthreshold moratorium was proposed by the Soviet Union in March 1960, in response to an American proposal for a treaty covering underground tests only above a threshold of seismic magnitude 4.75. The United States and the United Kingdom accepted the moratorium in principle. They proposed, and the Soviet Union agreed, to initiate the moratorium by means of parallel declarations by the three governments. The declarations would not be part of the test-ban treaty itself, for the United States did not wish to make a treaty commitment not

to test in an environment where verification was not considered to be effective.

Linked with the subthreshold moratorium was a research program that the United States had proposed in order to increase the seismic capabilities of the control system so that the threshold could eventually be lowered or abolished. By the time the Soviet Union resumed testing in 1961, the positions of the two sides on the moratorium were as follows: The United States wanted the moratorium to last for three years, starting when the treaty was signed. During this period the research program would be conducted and its results evaluated. The United States also proposed a plan for an international scientific review of the technical capabilities of the control system, so that the treaty could be readily amended to lower or eliminate the threshold if facts warranted. But the United States was not willing to commit itself to continue the moratorium or to eliminate the threshold until the results of the research program were known. The Soviet Union, on the other hand, insisted that the moratorium should last four or five years and not be allowed to expire at the end of that time.

The subthreshold moratorium was little discussed after the Soviet Union resumed testing. On November 28, 1961, the Soviets radically changed their entire position and submitted a proposal that completely eliminated the threshold. The United States was now able to carry out its own seismic research program, and the program produced new scientific findings that made it possible to do away with the threshold. The United States offered to eliminate the threshold in March 1962, and the Anglo-American comprehensive draft treaty of August 27, 1962, had no threshold. After that the subthreshold moratorium was no longer an issue.

There have been various moves since the Soviet resumption of tests to suspend testing during negotiations, and the United States has opposed them all. At the 16th General Assembly the majority put through an Indian resolution calling for test suspension during renewed treaty negotiations. All the nuclear powers opposed this resolution. The Soviet Union, however, after completing its test series, called for a new moratorium on November 28, 1961. The United States promptly rejected this proposal on the grounds that the previous moratorium had been a failure. It also turned down an Indian proposal of April 12, 1962, which the Soviet Union had accepted. This proposal, made shortly before the United States resumed atmospheric testing, was favored by the new members of the Eighteen Nation Disarmament Committee.

The question of test suspension took a different turn in August 1962, when the United States and the United Kingdom tabled their draft treaty for a test ban in the atmosphere, underwater, and in outer space. The Soviet Union refused to accept the treaty unless the West agreed to an additional understanding that no underground tests would be conducted until a permanent agreement was reached. The United States regarded this proposal as another call for an unpoliced moratorium and quickly rejected it.

A General Assembly resolution of November 6, 1962, contained two key paragraphs on the suspension of testing. One, resulting from a previous Mexican proposal, called for a halt to tests by January 1, 1963. This paragraph was supported by the Soviet Union, which used it as an excuse for another appeal for an indefinite and informal suspension of tests. It was opposed by the United States because it might be construed as a new moratorium. Another paragraph urged the powers to conclude an interim arrangement with adequate verification if definitive agreement proved impossible. The Soviet Union opposed this paragraph, but this provision

won wide support from the Western powers and the eight new members of the Eighteen Nation Disarmament Committee. The Soviet Union rejected a Swedish proposal designed to implement this kind of interim arrangement, and the United States turned down a Soviet move for a new moratorium.

In an address of June 10, 1963, President Kennedy declared that the United States would not conduct nuclear tests in the atmosphere so long as other states did not engage in atmospheric tests. He added that the declaration was no substitute for a treaty, but hoped that it would facilitate conclusion of a treaty. The United States has for some time taken the position that existing methods of detection are adequate to monitor atmospheric testing.

DE FACTO SUSPENSION OF TESTS, 1958-61

The first state to suspend nuclear tests was the Soviet Union. On March 31, 1958, soon after the Soviet Union had carried out an intensive series of nuclear weapon tests, the Supreme Soviet passed a decree discontinuing tests and calling on other states to follow suit. The decree added, however, that the Soviet Government would "naturally be free to act" if the other nations did not take similar action.¹ Premier Khrushchev called the decree to the attention of President Eisenhower on April 4 and expressed hope that the United States would join in the Soviet initiative and make possible the permanent cessation of tests.² The President replied by proposing a technical experts meeting to study measures for test-ban control.³ Both the United States and the United Kingdom continued to carry out previously planned testing programs.

In its report of August 21, the Geneva Conference of Experts recommended an agreed control system to monitor a test-ban agreement covering all environments except outer space.⁴ On the next day President Eisenhower announced that the United States was prepared to negotiate an agreement on the basis of the experts' report and, unless the Soviet Union resumed testing, to suspend nuclear weapon tests for a period of one year from the beginning of negotiations.⁵ The British Government also said that it was willing to refrain from tests for a period of one year after negotiations began, and it added that it would "refrain from nuclear tests thereafter for further successive periods of one year provided that the Soviet Union will do the same, and that satisfactory progress has been made toward the installation of an effective system of international control . . ."⁶

Interviewed by *Pravda* on August 29, Premier Khrushchev attacked the United States and the United Kingdom for refusing to agree to an immediate and permanent test ban and for linking the continuation of any test-ban agreement to progress on other disarmament measures. He also declared that continued American and British testing after the Soviet decree released the USSR from its unilateral obligations.⁷

The Soviet Union resumed testing in September and carried out an extensive series. On October 30, the day before the Conference on the Discontinuance of Nuclear Weapon Tests was scheduled to open in Geneva, the Soviet Government issued a statement defending its action and claiming a right to make still more tests if the Western powers refused to conclude an agreement on Soviet terms:

"The position of the Western Powers, which do not agree to an immediate unconditional termination of nuclear weapons tests and are carrying out atomic and hydrogen bomb explosions on an ever-increasing scale, has already compelled the Soviet Union to resume nuclear testing to ensure its security. The action of the Western Powers gives the Soviet Union a full right to

continue test explosions in a one-to-one ratio to the number of explosions carried out by the United States and the United Kingdom together, until the number of explosions set off in the Soviet Union since the resumption of testing equals that of nuclear test explosions staged by these Powers since 31 March 1958."⁸

Soviet tests were detected on November 1 and 3, after the Geneva Conference began. On November 4 the General Assembly approved a resolution urging the parties involved in the negotiations not to test while the negotiations were in progress.⁹ The President said on November 7 that the Soviet Union was continuing testing in face of the General Assembly resolution and that the Soviet action relieved the United States "from any obligation under its offer to suspend nuclear weapons tests." However, he continued, the United States would continue suspension "for the time being" and hoped that the Soviet Union would also suspend testing. If the Soviets did not do so, the United States would be "obliged to reconsider its position."¹⁰ No further Soviet tests were announced until 1961, when the Soviet Union openly resumed testing.

The Department of State announced on August 26, 1959, one year after the President's first statement, that the United States would continue its unilateral suspension of tests for the remainder of 1959.¹¹ The British Foreign Office stated on August 27 that the United Kingdom would not test as long as useful discussions for a test ban continued at Geneva.¹² On August 28 the Soviet Government announced the following decision:

"The Council of Ministers of the USSR has resolved: Not to resume nuclear tests in the Soviet Union if the Western Powers do not resume the testing of atomic and hydrogen weapons. Only in case of resumption by them of nuclear weapons tests will the Soviet Union be free from this pledge. The Soviet Union will continue the struggle for the complete cessation of nuclear weapons tests, regarding this as an important step toward stopping the nuclear arms race and averting the threat to the life and health of millions of people."¹³

The French were planning to test for the first time, and they refused to follow the example of the nuclear powers. Jules Moch, the French representative, told the First Committee of the General Assembly on October 20, 1958, that France would not abandon her nuclear program unless the powers possessing nuclear weapons ceased to increase and began to decrease their stockpiles.¹⁴ Foreign Minister Couve de Murville took the same position in an address of September 30, 1959, to the General Assembly and added that the nuclear powers should also agree to a ban on possession and use of nuclear weapons.¹⁵

The French plans explain the positions adopted by the powers at the 14th General Assembly, where Morocco placed the question of French tests on the agenda.¹⁶ Over American and British opposition, the General Assembly approved a resolution requesting France to refrain from conducting tests in the Sahara. The Soviet Union supported this resolution.¹⁷ The United States, the United Kingdom, and the Soviet Union supported a resolution of November 21, 1959, urging the states concerned in the negotiations "to continue their present voluntary discontinuance of the testing of nuclear weapons," but the United States and the United Kingdom opposed an appeal to other states to desist from testing, endorsed in the second part of the same resolution.¹⁸

Meanwhile, the negotiations dragged on at Geneva, and the report of Technical Working Group II on seismic problems showed Western and Soviet experts sharply split on the problem of detecting and identifying underground tests.¹⁹ President Eisenhower stated on December 29 that negotiations would continue even though the position of the "po-

Footnotes at end of article.

litically guided Soviet experts" made prospects for agreement dim. He also said that the "moratorium" would be allowed to expire:

"We will resume negotiations in a continuing spirit of seeking to reach a safeguarded agreement. In the meantime, the voluntary moratorium on testing will expire on December 31.

"Although we consider ourselves free to resume nuclear weapons testing, we shall not resume nuclear weapons tests without announcing our intention in advance of any resumption. During the period of voluntary suspension of nuclear weapons tests the United States will continue its active program of weapons research, development and laboratory-type experimentation."²⁰

Premier Khrushchev told an Argentine journalist on the next day that the USSR would not resume testing unless the Western powers did so.²¹ He was more explicit in an address of January 14, 1960, to the Supreme Soviet. After citing the recent General Assembly resolutions, he declared:

"I would like to reemphasize that the Soviet Government, with a view to safeguarding the most favorable conditions for the working out in the very near future of an agreement on the discontinuation of tests, will continue to abide by its pledge not to renew experimental nuclear explosions in the Soviet Union if the Western powers do not start testing atomic and hydrogen weapons."²²

The Soviet Union from time to time warned about the French tests. On February 13, 1960, Tass deplored the first French test and warned:

"If nuclear explosions should continue, the Soviet Government naturally will not be able to overlook it nor fail to draw the proper conclusions for the sake of safeguarding its country's security."²³

On December 19 Assistant Secretary of State Wilcox told the First Committee of the General Assembly that the President's 1959 statement still represented American policy and expressed concern that the moratorium might be considered a substitute for a treaty:

"My government is frankly concerned over the possibility that an indefinite extension of the voluntary suspension on nuclear testing may come to be regarded as an acceptable alternative to the achievement of a safeguarded agreement on nuclear testing. The United States does not wish to encourage any such belief..."²⁴

On the next day the General Assembly, with the United States and France abstaining, approved two resolutions urging the states concerned in the Geneva negotiations to continue their voluntary suspension of tests. The second resolution also requested other states to refrain from testing. The Soviet Union and the United Kingdom supported both resolutions.²⁵

So far the Soviet Union had not raised the question of French tests at Geneva. On March 21, 1961, Ambassador Tsarapkin attacked the French tests for the first time and warned that continuing French tests would make it "much more difficult to reach agreement." He accused the United States and the United Kingdom of dragging out the negotiations while France, as a NATO member, carried out "for other members of this military group—in other words on behalf of the United States and the United Kingdom—definite work in connection with the improvement of nuclear weapons and perhaps even the creation of new types of weapons."²⁶

The French tested again on April 25. On May 15 Ambassador Tsarapkin read into the conference record a statement by the Soviet Government including the following warning:

"The continuance of nuclear weapon tests by France places the Soviet Union in a situa-

tion which may compel it to resume atomic and hydrogen bomb tests.

"The Soviet Government considers itself in duty bound to point out that if any member of the association of Western Powers continues in future to carry out nuclear weapon tests, agreement on the cessation of such tests will become impossible. It goes without saying that the responsibility for this will rest with the Western Powers."²⁷

There were no further French tests before August 30, when the Soviet Union announced its decision to resume testing and brought the three-year moratorium to an abrupt end.²⁸

PROPOSED MORATORIUM ON SUBTHRESHOLD UNDERGROUND TESTS 1960-62

The divided report of Technical Working Group II on seismic problems meant that there was radical disagreement between the two sides on the problem of controlling a ban on underground tests, the Soviet Union maintaining that the findings of the Geneva experts of 1958 were still valid, while the Western powers held that they required major revision in the light of new data and that much research was necessary on seismic control problems. In this situation, the United States initiated a phased treaty proposal. On February 11, 1960, Ambassador Wadsworth submitted the new proposal at Geneva. In the first phase, the treaty would cover the atmosphere, underwater, and outer space (to the "greatest height with respect to which agreement can be reached on the installation of effective controls"). The first phase would also cover underground tests above a threshold of seismic magnitude 4.75. Ambassador Wadsworth explained that the Geneva control post network and 20 on-site inspections a year in the Soviet Union would be adequate to monitor a ban on tests above the threshold. At the same time, he hoped that other nations would join the United States in a program of seismic research that would permit the progressive lowering of the threshold as improved techniques of detection and identification were found.²⁹

On March 19 Ambassador Tsarapkin agreed to the phased-treaty approach and said that the Soviet Union would conclude a treaty stopping tests in the atmosphere, underwater, in outer space, and underground above the threshold. The Soviet Union was also willing to agree to a joint seismic research program, "on the understanding that all parties to the treaty assume at the same time the obligation not to carry out during that period any nuclear weapon tests producing seismic oscillations of magnitude 4.75 conventional units or below."³⁰

What would happen to the moratorium on tests below the threshold if the joint research program did not succeed? Ambassador Tsarapkin was quick to say that parties would not be released from their obligations:

"We consider that, if for any reason it so happened that your specialists and our specialists, working together within the control organization or control system—we do not admit the possibility, but if we took as pessimistic a view of the matter as you do—failed after four or five years to work out together improved methods of detecting and identifying seismic events below the United States figure of threshold magnitude, that fact should not automatically release the parties to the treaty from their obligations regarding the moratorium and should not mean that the treaty would terminate or be liquidated. No. If such a situation ever did arise—and we consider it highly unlikely—then the Governments concerned would have to discuss the situation created and agree on further measures in connexion with it."³¹

In a joint communiqué of March 39, President Eisenhower and Prime Minister Macmillan announced that they would be ready, when the test-ban treaty was signed, "to institute a voluntary moratorium of agreed

duration on nuclear weapons tests below that threshold, to be accomplished by unilateral declaration of each of the three powers."³²

On May 3, the Soviet Union again stated that the moratorium should last for four or five years. It attached "exceptional importance" to reaching agreement on the duration of the moratorium and pressed its demand that "at the expiration of the moratorium the sides should not be automatically released from their obligations under it." The moratorium would, of course, lapse automatically if agreed control measures made it possible to eliminate the threshold and make the treaty comprehensive. Otherwise, the Soviet statement declared:

"But another situation may arise if, by the time of expiration of the agreed term of the moratorium, the joint research has not yet been terminated by an agreement on concerted measures for increasing the effectiveness of control over minor underground nuclear explosions. Should this happen the situation thus created would have to be considered by the interested States. The occurrence of such a situation must on no account lead to an automatic release from obligations under the moratorium and to a renewal of underground atomic weapons tests."³³

After the U-2 incident the Soviet Union rescinded its previous offer to participate in a coordinated seismic research program, while the United States made it clear that it intended to carry out its own research even if the Soviet Union persisted in this attitude. The United States also indicated that it might begin its program before the treaty was signed. On September 27 Charles C. Stelle, the acting United States representative, proposed that the moratorium "should become effective, upon the signature of our treaty, for such period as then still remains of the two-year seismic research programme, plus a period of three months to review the results of that programme." He held that it was important to keep the moratorium short:

"A moratorium by its very nature, however, runs contrary to the principle we all claim to accept—namely, that there be no disarmament obligations without controls. Hence, it must be kept as short as possible, consistent with the time needed for the research purposes during which it will be in effect."³⁴

Ambassador Tsarapkin attacked the United States for planning to start the research program before the treaty was signed and for shortening the length of the moratorium. He reiterated the previous Soviet position and added that four or five years would give time for the treaty control system to come into operation.³⁵ In reply, Ambassador Stelle stressed that the United States could not agree to automatic continuation of the moratorium and that governments must remain free to assess the results of the research program and to "decide on the basis of these results whether the moratorium should be changed or abolished after the review period."³⁶

The United States changed its position on March 21, 1961, when Ambassador Dean offered to have the research program begin when the treaty was signed. The research program and the moratorium would be co-terminous and last for three years, the last few months being used for consultations between governments.³⁷

The Soviet position did not change. At their Vienna meeting, Premier Khrushchev handed President Kennedy an aide-memoire stating:

"It goes without saying that the agreement on a moratorium must be of such a nature that no nation could violate it arbitrarily and resume test explosions of nuclear bombs. In view of this the Soviet Government is firmly convinced that the expiration of the moratorium, an agreement on which would be reached by the parties concerned, should not absolve nations of their commitments not to hold underground explosions."³⁸

Footnotes at end of article.

A note of June 17 from the American Embassy to the Soviet Foreign Ministry made the following reply:

"The United States is at a loss to understand the Soviet position on the moratorium on small underground tests. It has been clear that under the present state of scientific knowledge the type of control system contemplated in the treaty could not be relied upon for determining whether or not such tests had taken place . . ."

The Soviet rejoinder struck a strident note: "[The United States] is not interested in honest agreement on a treaty which would end nuclear tests for all time, but is looking for all sorts of loopholes to bypass the treaty and turn it into a scrap of paper. Is this not proved by the fact that the United States, trying to impose such a treaty, demands that the abstention from underground tests of low-yield atomic bombs—the so-called moratorium on these explosions—should be established only for three years? But what meaning would there be in an agreement on a moratorium such as that proposed by the United States? The result would in fact be that the territory of the USSR would be placed under control and in three years the United States would be able, on some artificial pretext, to resume nuclear weapon tests. It is clear to everyone that under these conditions control over the discontinuance of nuclear tests would turn completely into a collection of information by spying."

The United States still endeavored to find ways of meeting Soviet objections on this score. On August 28 Ambassador Dean advanced two alternative proposals:

(1) *A proposal for reducing or eliminating the threshold at the end of the moratorium.* Six months before the moratorium expired, a panel of scientists from the 11 nations represented on the control commission would review the results of the research program. They would recommend improvements in the control system, give scientific estimates of the capabilities of the system, and make recommendations on the lowering or abolition of the threshold. The control commission could then recommend treaty amendments under the procedure provided in the Anglo-American draft treaty.

(2) *A proposal for immediately reducing or eliminating the threshold.* If the Soviet Union agreed to reexamine the Geneva system, ways might be found to improve its scientific capabilities at the outset and thus lower or remove the threshold.⁴¹ The Soviet Union, without pausing to consider these proposals, announced resumption of testing two days later.

The United States went even farther when the Eighteen Nation Disarmament Committee negotiations began in Geneva. On March 15, 1962, Ambassador Dean gave Ambassador Tsarapkin an aide-memoire proposing certain changes in the Anglo-American draft treaty, including "provisions to make the treaty comprehensive from the outset," i.e., removal of the threshold.⁴² There would be no need, of course, for a moratorium if a comprehensive treaty could be concluded. The Soviet Union refused to sign the draft treaty with or without amendments, and the United States did not introduce any formal treaty language embodying the new proposals. Threshold and moratorium were definitely dropped on August 27, 1962, when the United States and the United Kingdom tabled a new comprehensive draft treaty.⁴³

PROPOSALS FOR THE INFORMAL SUSPENSION OF TESTS, 1961-63

After the Soviet resumption of testing, President Kennedy ordered resumption of underground tests.⁴⁴ He joined Prime Minister Macmillan in an appeal to Premier Khrushchev to conclude an agreement banning tests in the atmosphere.⁴⁵ This was apparently

intended to be a formal agreement. In an interview of September 5, 1961, with Cyrus Sulzberger of the *New York Times*, Premier Khrushchev opposed the Kennedy-Macmillan offer and made this comment on Sulzberger's inquiry regarding a new moratorium:

"The chief danger now facing mankind is the danger of thermonuclear war, and it would not be lifted as the result of a moratorium to suspend tests. Moreover, I would say this would in some way be tantamount to lulling public opinion, lulling man's vigilance. People would think something had been done to prevent war, while in fact nothing was being done and, on the contrary, the military machine would go on working at full blast . . ."

He formally rejected the offer on September 9.⁴⁷

In spite of the Soviet resumption of testing and the collapse of the moratorium, India and many other countries strongly advocated a new General Assembly appeal to refrain from testing. The Indian proposal was opposed by both the United States and the Soviet Union, for different reasons. On October 19 Ambassador Stevenson said in the First Committee of the General Assembly:

"The world now knows from bitter experience that an uninspected moratorium will not secure the results which the sponsors of the resolution seek . . ."

"And no doubt, when the present sequence of tests reaches its cataclysmic conclusion, the Soviet Union will plausibly join in the movement for an uninspected moratorium. Let us be absolutely clear what an uninspected moratorium means. A moratorium serves the cause neither of peace nor of international collaboration, nor of confidence among nations. We were all in this trap before. We cannot afford to enter it again. The United States will not do so."

The Indian resolution was approved by the General Assembly on November 6, over the objections of the four nuclear nations. In its final form, it urged "the States concerned to refrain from further test explosions pending the conclusion of necessary internationally binding agreements in regard to tests."

As Ambassador Stevenson had predicted, the Soviet Union did not wait long before proposing a new moratorium. When the Geneva Conference reconvened on November 28, the Western powers were confronted with a new Soviet proposal:

"It goes without saying that an agreement by all nuclear States not to conduct any kind of nuclear tests while the negotiations are going on would contribute to the success of the negotiations. The Soviet Government, although it has carried out considerably fewer nuclear weapon tests than the United States, the United Kingdom and France, is nevertheless prepared to give such an undertaking, if the other States do likewise."

"Obviously, if any of the Western Powers, including France, start to carry out nuclear tests, then the Soviet Union will again be confronted with the necessity of drawing the appropriate conclusions."

The United States immediately rejected the proposed moratorium. Ambassador Dean said on November 28 that there was "naturally no chance whatsoever . . . of any pre-treaty commitment by the United States not to conduct any nuclear tests of any character in any environment which it deems essential for the national security of itself and its associates."

At the same time, the Soviet Union submitted a short draft agreement calling for a ban on tests in the atmosphere, underwater, and in outer space—where the Soviets held national means of detection to be adequate—and an undertaking by the parties "not to conduct any underground tests of nuclear weapons until they have agreed together on a system of control over such tests as a constituent part of an international system of control over compliance with an

agreement on general and complete disarmament."⁴⁸ This was a proposal for a formal agreement but it resembled a moratorium by imposing an immediate obligation and deferring controls to a later date. The United States and the United Kingdom turned down the proposal on January 16, 1962, on the ground that it did not provide adequate controls.⁴⁹ The sincerity of the Soviet allusion to deferred controls on underground testing appeared questionable, since by the time the Eighteen Nation Disarmament Committee met in March 1962 the USSR was taking the position that national means of detection were entirely adequate for monitoring a ban on underground tests.⁵⁰

In an address of March 2, 1962, President Kennedy announced his decision to order the resumption of American atmospheric tests in April, if the Soviet Union continued to reject a test-ban treaty with effective controls. He reiterated American opposition to a new moratorium:

"We know enough now about broken negotiations, secret preparations, and the advantages gained from a long test series never to offer again an uninspected moratorium. Some may urge us to try it again, keeping our preparations to test in a constant state of readiness. But in actual practice, particularly in a society of free choice, we cannot keep topflight scientists concentrating on the preparation of an experiment which may or may not take place on an uncertain date in the future."

The eight new members of the Eighteen Nation Disarmament Committee and Canada had supported the Indian resolution, and they still hoped that the nuclear powers might agree to refrain from testing during negotiations. On April 12 India appealed to the states concerned "not to resume tests during the pendency of this Conference" and was supported by Burma, Sweden, and the U.A.R. Sympathetic statements were also made by the representatives of Mexico, Brazil, Nigeria, and Canada.⁵¹ Ambassador Zorin immediately renewed the Soviet offer of November 28, 1961, not to test while negotiations were going on.⁵²

The Department of State called the Soviet statement "another unfortunate effort to substitute paper pledges for guaranteed agreements" and made it clear that the United States would not subscribe to another "unpoliced moratorium":

"The United States does not intend to place its security and the security of its allies at the mercy of Soviet on-again-off-again tactics. We are ready to conclude an effective test ban agreement now. But we cannot be led into another paper pledge which, far from guaranteeing a halt to nuclear testing, would only give rise to a false sense of security and provide yet another opportunity for the Soviet Union to prepare in secret for its own nuclear testing."

On August 27, 1962, the United States and the United Kingdom tabled two alternative test-ban proposals. The first, a comprehensive draft treaty banning tests in all environments, provided for a simplified system of international control.⁵³ The second banned tests only in the atmosphere, underwater, and outer space and relied entirely on existing means of detection.⁵⁴

The Soviet Union immediately rejected the comprehensive draft treaty as a revamped edition of the 1961 Anglo-American proposal, and it claimed that the partial treaty would give the United States a unilateral advantage since the Americans were ahead in underground testing. First Deputy Foreign Minister Kuznetsov suggested that the partial ban be supplemented with an undertaking not to test underground:

"We propose to the Western Powers that we reach agreement to put an end to all nuclear weapon tests in any environment. The Soviet Union is prepared to approach this question from the most constructive

standpoint and to take into account all the useful considerations which have been put forward by various delegations in the course of the discussion. Accordingly, we are prepared to envisage distinctions in the nature of a solution which could be adopted immediately—in regard to the tests in the atmosphere, in outer space and underwater, on the one hand, and to tests in the bowels of the earth, on the other. It might be possible to reach agreement that all tests are to cease simultaneously . . . but in regard to nuclear tests in the atmosphere, in outer space and under water the solution would be of a definitive nature, whereas in regard to underground tests it would be in the nature of an understanding which would remain in force until it was replaced by a permanent solution. And in order to find such a permanent solution of the question of the cessation of underground nuclear tests we have a sound basis—the memorandum of the eight non-aligned States.”⁶¹

Ambassador Stelle agreed that underground tests had real significance:

“But it is for that very reason that we cannot accept a comprehensive treaty including an obligation not to test underground without on-site inspection to see that the obligation is actually being observed. And it is for the same reason that we cannot in a partial treaty accept a moratorium in any guise on underground tests.”⁶²

First Deputy Foreign Minister Kuznetsov repeated his proposal on September 3 and defended Soviet actions in regard to the moratorium:

“There never was, unfortunately, any agreement between the nuclear Powers for a moratorium on underground or any other kind of nuclear weapon tests. The representatives of the United States and the United Kingdom know that quite well. Neither in 1961 nor earlier did the nuclear Powers conclude any international agreement binding them to refrain from conducting nuclear weapon tests. Consequently, there are no grounds for asserting that the Soviet Union allegedly violated some sort of agreement with the Western Powers for a moratorium on experimental nuclear explosions.”

And he cited President Eisenhower's statement of December 27, 1959, to support his position.⁶³

Other members of the Eighteen Nation Disarmament Committee also showed interest in some kind of undertaking to stop underground tests, although some of them tried to avoid the word “moratorium.” The Burmese representative admitted on September 3 that an unconditional moratorium on underground tests was a “double-edged weapon” and probably would not last. At the same time, he proposed that the heads of government of the nuclear powers publicly assume responsibility for assuring that no underground tests were conducted and agree to the immediate establishment of an international scientific commission, as Sweden had previously proposed.⁶⁴ The Nigerian representative had already said that “only a moratorium” could keep other powers from testing, but he now denied that he had proposed an “uncontrolled, unpoliced and unmonitored moratorium.”⁶⁵ The U.A.R. representative expressed interest in the Burmese suggestion.⁶⁶

In the meantime, the Committee was discussing a possible deadline on nuclear testing. The idea was first suggested by Padilla Nervo, the Mexican representative, on May 9, when he said that it was increasingly urgent to set a date immediately when testing should cease. Otherwise, both sides would always be discovering “reasons of military balance” to justify renewed tests.⁶⁷ He later suggested that the date might be January 1963.⁶⁸

On August 29 First Deputy Foreign Minister Kuznetsov said that the Mexican deadline was “worth considering.”⁶⁹ President Ken-

edy immediately commented that January 1, 1963, was a reasonable target date and proposed accelerated negotiations to attain it. But this did not mean that the United States had changed its position on the moratorium:

“Gentlemen's agreements and moratoria do not provide the types of guarantees that are necessary. They do not give assurance against an abrupt renewal of testing by unilateral action. This is the lesson of the Soviet Government's tragic decision to renew testing just a year ago. Nor can such informal arrangements give any assurance against secret underground testing.”⁷⁰

The January 1, 1963, deadline was embodied in a 37-power draft resolution submitted to the First Committee of the General Assembly. The United States hoped, as the President had said, that a treaty could be concluded by that date. However, it opposed this provision of the 37-power resolution on the ground that it might encourage states to refuse to accept an effective verification system. On October 26 Ambassador Dean warned the First Committee that the United States would not agree to a moratorium:

“The United States opposes, and cannot accept, any unverified moratorium on nuclear tests.”

“Specifically—

“One, the United States will not accept or negotiate about an uncontrolled moratorium on all nuclear weapon tests in all environments.

“Two, the United States will not accept or negotiate about an uncontrolled moratorium on underground nuclear weapon tests in connexion with an agreed ban on nuclear weapon tests in other environments.

“Third, the United States will stop all tests the day a treaty containing necessary verification arrangements . . . is signed. We sincerely hope this could be accomplished by 1 January 1963.

“Fourth, the United States will vote against any provision for an unverified, uncontrolled moratorium. Passage of such a provision could have only one effect: to postpone the day when all tests are ended forever.”

He stated that the previous moratorium had not helped negotiations or ended tests and that Soviet resumption of testing “destroyed any chance whatsoever that a moratorium solution to the problem of nuclear testing would be acceptable to the United States.”⁷¹

The paragraph on the deadline was adopted by a large majority, including the Soviet Union. The United States and the United Kingdom voted against this paragraph.⁷²

Another key provision of the 37-power resolution was the sixth paragraph, which recommended:

“If, against all hope, the parties concerned do not reach agreement on the cessation of all tests by 1 January 1963, they should enter into an immediate agreement prohibiting nuclear weapon tests in the atmosphere, in outer space and under water, accompanied by an interim arrangement suspending all underground tests, taking as a basic the eight-nation memorandum and taking into consideration other proposals presented at the seventeenth session of the General Assembly, such interim agreement to include adequate assurances for effective detection and identification of seismic events by an international scientific commission.”⁷³

This paragraph was supported by the United States, the United Kingdom, and 7 of the 8 new members of the Eighteen Nation Disarmament Committee. It was opposed only by the Soviet bloc.⁷⁴ It was the first proposal for an interim arrangement with international verification. When the Eighteen Nation Disarmament Committee reconvened, a Swedish move to implement the proposal won wide support but was quickly rejected by the Soviet Union.⁷⁵

The Soviet Union was unable to win sup-

port for a new moratorium. Ambassador Tsarapkin announced on December 7 that the Soviet Union was prepared to stop all tests on January 1 and asked whether the United States and the United Kingdom were willing to take similar action.⁷⁶ Ambassador Dean immediately replied that the United States would not accept “another uninspected, uncontrolled moratorium on underground tests . . . We have had a sad and unfortunate experience with such unilateral obligations in the past, even though undertaken by the highest authority in the Soviet Union, and we do not intend to repeat that sad experience.”⁷⁷

In January 1963, following an exchange of letters between President Kennedy and Premier Khrushchev, high-level diplomatic talks on the test-ban question took place with the Soviet Union. President Kennedy stated on January 26 that he had asked the Atomic Energy Commission to postpone underground tests during the talks, but added that the United States still opposed a moratorium:

“We are maintaining the capability and readiness to resume our test program at any time. We have no intention of again accepting an indefinite moratorium on testing, and if it is clear we cannot achieve a workable agreement we will act accordingly.”⁷⁸

In June 1963 the United States, the United Kingdom and the Soviet Union agreed to hold high-level test-ban discussions in Moscow. In an address of June 10 the President announced that the United States was indefinitely suspending atmospheric tests:

“To make clear our good faith and solemn convictions on the matter, I now declare that the United States does not propose to conduct nuclear tests in the atmosphere so long as other states do not do so. We will not be the first to resume. Such a declaration is no substitute for a formal binding treaty, but I hope it will help us achieve one.”⁷⁹

FOOTNOTES

¹ *Documents on Disarmament, 1945-1959* vol. II, pp. 978-980.

² *Ibid.*, pp. 980-982.

³ *Ibid.*, pp. 983-985.

⁴ *Ibid.*, pp. 1090-1111.

⁵ *Ibid.*, pp. 1111-1112.

⁶ *Ibid.*, pp. 1112-1113.

⁷ *Ibid.*, pp. 1114-1120. The U.S. and U.K. dropped the “link” with disarmament in January 1959.

⁸ *Ibid.*, pp. 1208-1213.

⁹ *Ibid.*, p. 1215.

¹⁰ *Ibid.*, p. 1221.

¹¹ *Ibid.*, pp. 1439-1440.

¹² See *New York Times*, Aug. 28, 1959, p. 9.

¹³ *Documents on Disarmaments, 1945-1959*, vol. II, pp. 1440-1441.

¹⁴ *Ibid.*, pp. 1188-1189.

¹⁵ *Ibid.*, p. 1486.

¹⁶ *Ibid.*, pp. 1487-1488.

¹⁷ Cf. *ibid.*, pp. 1546-1547.

¹⁸ *Ibid.*, pp. 1548-1549.

¹⁹ *Ibid.*, pp. 1558-1587.

²⁰ *Ibid.*, pp. 1590-1591.

²¹ *Ibid.*, p. 1590, vol. I.

²² *Ibid.*, 1960, pp. 5-6.

²³ *Ibid.*, pp. 39-40.

²⁴ *Ibid.*, p. 370.

²⁵ *Ibid.*, p. 374-375.

²⁶ *Ibid.*, 1961, pp. 53-54.

²⁷ *Ibid.*, pp. 147-148.

²⁸ *Ibid.*, pp. 337-348.

²⁹ *Ibid.*, 1960, pp. 33-39.

³⁰ *Ibid.*, p. 75.

³¹ *Ibid.*, pp. 76-77.

³² *Ibid.*, pp. 77-78.

³³ *Ibid.*, pp. 84-85.

³⁴ *Ibid.*, pp. 251-253. The Soviet Union continued to insist that its scientists be permitted to participate in the U.S. program, since the U.S. was planning to conduct nuclear explosions for seismic research purposes.

³⁵ *Ibid.*, pp. 277ff.

³⁶ *Ibid.*, pp. 335-343.

- ³⁷ *Ibid.*, 1961, pp. 57-58.
- ³⁸ *Ibid.*, pp. 162-163.
- ³⁹ *Ibid.*, pp. 193-194.
- ⁴⁰ *Ibid.*, p. 230.
- ⁴¹ *Ibid.*, pp. 292-302.
- ⁴² *International Negotiations on Ending Nuclear Weapon Tests, September 1961-September 1962*, p. 200.
- ⁴³ *Ibid.*, pp. 286-297.
- ⁴⁴ *Documents on Disarmament, 1961*, p. 355.
- ⁴⁵ *Ibid.*, p. 351.
- ⁴⁶ *Ibid.*, p. 356.
- ⁴⁷ *Ibid.*, pp. 384-391.
- ⁴⁸ *Ibid.*, pp. 539, 541.
- ⁴⁹ *Ibid.*, p. 568.
- ⁵⁰ *Ibid.*, p. 663.
- ⁵¹ *Ibid.*, p. 666.
- ⁵² *Ibid.*, p. 664.
- ⁵³ See GEN/DNT/PV. 350, pp. 3-9.
- ⁵⁴ See Premier Khrushchev's election speech of Mar. 16, 1962 (Moscow radio broadcast).
- ⁵⁵ *International Negotiations on Ending Nuclear Weapon Tests, September 1961-September 1962*, p. 199.
- ⁵⁶ See *ibid.*, p. 66.
- ⁵⁷ *Ibid.*, pp. 212-215.
- ⁵⁸ *Ibid.*, p. 216.
- ⁵⁹ *Ibid.*, pp. 286-297.
- ⁶⁰ *Ibid.*, pp. 297-300.
- ⁶¹ ENDC/PV. 76, pp. 22-23.
- ⁶² *Ibid.*, p. 48.
- ⁶³ ENDC/PV. 79, pp. 38-39.
- ⁶⁴ ENDC/PV. 78, pp. 7, 10.
- ⁶⁵ ENDC/PV. 76, p. 43; ENDC/PV. 78, p. 29.
- ⁶⁶ ENDC/PV. 81, p. 47.
- ⁶⁷ ENDC/PV. 34, pp. 16-17.
- ⁶⁸ ENDC/PV. 56, p. 51.
- ⁶⁹ ENDC/PV. 76, p. 23.
- ⁷⁰ *International Negotiations on Ending Nuclear Weapon Tests, September 1961-September 1962*, pp. 312-313.
- ⁷¹ A/C.1/PV. 1255, pp. 16-17.
- ⁷² A/PV. 1165 (prov.), p. 55.
- ⁷³ A/RES/1762 (XVII), Nov. 7, 1962.
- ⁷⁴ A/PV. 1165 (prov.), pp. 59-60.
- ⁷⁵ See ENDC/PV. 84, pp. 11-23, and ENDC/PV. 86, pp. 25-35.
- ⁷⁶ ENDC/PV. 88, p. 42.
- ⁷⁷ ENDC/PV. 89, p. 9.
- ⁷⁸ *Department of State Bulletin*, Feb. 18, 1963, p. 238.
- ⁷⁹ *Washington Post*, June 11, 1963, p. A16.

OIL DEPLETION ALLOWANCE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. RARICK. Mr. Speaker, the urging of a reduction or the elimination of the oil depletion allowance as a possible reform to the tax program is frequently heard.

Seldom do we hear any rebuttal or explanation why the oil depletion allowance was written in the law. Nor are our colleagues reminded that if current oil production incentives are abolished the lower income group will suffer because of a resulting price increase in petroleum products.

Also, should this investment incentive be restricted, a phasing out of the current oil-exploration operations by the private sector can be expected.

I include the Petty Oil letter of June 28 following these remarks:

PETTY'S OIL LETTER,
WASHINGTON, D.C.,
June 28, 1969.

DEAR SIR: The clear conviction by a large majority of the Federal Power Commission

that all current incentives are required by the petroleum industry to find and develop needed additional natural gas reserves is encouraging.

Four of the commissioners have warned Congress that if incentives are cut or eliminated, then consumers will either be forced to pay higher prices for gas, or if prices are held down by FPC, supplies will shrink.

This conviction by four of the five members of the commission (Chairman White, in effect, dissenting) has been sent to Congress by way of a letter in response to sought views of the commission in relationship to current incentives in the tax laws for the natural gas producer.

The four—Bagge, Carver, O'Connor and Brooke—said, in effect, that the 27.5 percent depletion provision and the intangible expensing option permitted now should not be cut or reduced, in view of the grave need to explore for gas to meet burgeoning requirements by consumers.

Since natural gas is produced, primarily, along with oil, their argument against reducing incentives can be applied to crude oil, as well.

But, more than a conviction on tax incentives is required by the members of the FPC if the threatening shortage of natural gas is to be reversed. When White leaves, incoming Chairman John Nassikas will be faced, almost immediately, with the serious question of what can, or should, be done to encourage more exploration—assuming he accepts the arguments, and the facts, which are being presented ever more forcefully on a shortage.

One of the most respected men in government, the director of the Interior's Bureau of Mines, John O'Leary, had flatly warned Congress—weeks ago—that a shortage of gas is threatening, might even become evident by next winter. What would be done? O'Leary at the time said he expected nothing—until consumer protests started to flood the White House.

But President Nixon stated his conviction last fall during the presidential campaign that there is no point in regulation, just for regulation's sake—and it might be wiser to relax some federal regulatory controls to let the free enterprise system work.

It is believed that Nassikas holds to the same view—but how far he can go in relaxing producer control remains to be seen. He is locked in by a Supreme Court decision of 1956 that producers selling gas across state lines come under FPC jurisdiction and the area-rate plan of control has been endorsed, in every particular, by the high court, as well.

The best approach still may be to encourage the industry to come into FPC with settlement proposals—on which all major segments could agree—for the higher price (perhaps only one-cent per mcf or so) that they believe would pave the way for the needed exploration and development. Such approaches have foundered before, but the increasingly serious gas situation might spur the commission to take a new look at this idea.

Very truly yours,

JAMES M. COLLINS.

THIS IS MARIO ANDRETTI WEEK IN NAZARETH, PA.

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, this is Mario Andretti Week in Nazareth, Pa. Mario Andretti, one of the Nation's outstanding race car drivers,

achieved a longtime dream on Memorial Day, 1969, when he won the Indianapolis 500-mile race in record time. Nazareth is the Pennsylvania town where Italian-born Mario Andretti has established his home.

This week, the Borough Council of Nazareth renamed the street on which Mario lives "Victory Lane." It is just one of the community's gestures of appreciation for its outstanding citizen. A series of events throughout this week afford Nazareth citizens, as well as residents of neighboring communities, an opportunity to pay tribute to Mario and his family.

Mario and his wife, Dee Ann, are awaiting the imminent birth of their third child. They have two sons, Jeffrey, 5, and Michael, 6.

Tomorrow night, Mario will be feted at a dinner in the George Washington Motor Lodge in Allentown. Nearly a thousand tickets have been sold for the event.

Saturday, Nazareth will stage what probably will be the biggest parade in its history, with marching and musical units from scattered points along the eastern seaboard.

Saturday night, his hometown will have another opportunity to observe Mario Andretti's racing skill as he competes in the 100-mile USAC championship race on the Nazareth National Speedway Track.

Nazareth is proud of its citizen and champion, Mario Andretti, and I am proud to have him and his fine family as my constituents.

FEDERAL EMPLOYEES' HEALTH BENEFITS PROGRAM

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. KASTENMEIER. Mr. Speaker, last week, I introduced a bill, H.R. 12580, which would relieve employees and annuitants of the disproportionately large share of the premium charges under the Federal employees' health benefits program, by requiring that the Federal Government progressively increase its contribution until it eventually assumes the entire cost of the program. There are two overriding factors which have persuaded me of the urgency of this legislation, including the rising cost of medical care and the extent to which firms in the private-sector-fund plans insure their employees against the high costs of hospitalization, surgery, and other medical care.

When first enacted in 1959, the Federal health benefits law provided for a Government contribution which would be set by the Civil Service Commission within a specified range of not more than 50 percent of the least expensive low option offered by the two Government-wide plans. The Government contribution was thus geared to paying one-half the premium for a package of benefits which, while moderate in cost, would be adequate

for the needs of most employees. The initial distribution of enrollments between self-only and family coverage, between high and low options, and among the various plans resulted in the Government's contributing approximately 38 percent or the aggregate premium for all enrollments, with employees and annuitants contributing the remainder. By 1966, the Government's share of the cost of health benefits had declined from 38 percent to less than 30 percent of the total premium. Public Law 89-504 had the effect of restoring the Government contribution to its initial level of 38 percent of the aggregate premium, but premium increases in 1967, 1968, and 1969, have again diminished the Government contribution to approximately 27 percent of the aggregate premium.

I feel that a Federal employee is paying an extremely disproportionate share of the cost of whatever health plan he may choose, at a time when the trend in private industry has definitely been toward the assumption by employers of the full cost of employees' health insurance programs. Many large employers—and the Federal Government is the largest of all—now carry the full cost and many small employers pay at least half of the cost of their employees' health benefits premiums. The Bureau of Labor Statistics, in its "Digest of 100 Selected Health Insurance Plans," surveyed the health and insurance plans provided for in the collective-bargaining contracts of a cross section of our industrial sector, including the major employers in the automobile, communications, oil, and steel industries. The BLS study, using data for the year 1966, listed 79 of 100 companies paying the full cost of life insurance, while 67 of the companies paid the full cost of both health and life insurance. The employees of those companies included in the summary which did not pay the full cost are required to pay relatively small amounts of money for their health insurance coverage.

In addition to this trend, all of us realize that medical expenses have increased tremendously during the past 10 years. In fact, experts say that there has been a 31.5 percent increase in medical expenses during this period, at a time when the overall rise in the cost-of-living has been about 25.4 percent. This, of course, has put a tremendous burden on Federal employees and the entire consumer public. Unless appropriate action is taken by Congress to relieve Federal employees of a substantial part of this burden, the problem will continue to accelerate, particularly for older employees and annuitants whose limited incomes make them particularly tragic victims of the high cost of medical goods and services.

It is time for the Federal Government to set the standard for employees' health benefits programs. A convincing case exists for the full payment of the costs of such a program by the Government, and there is more than ample justification for the enactment by Congress of such a provision now, and not at some future date. I do not subscribe to the argument that such expenditures are out of the question because of budgetary considerations. It is time that we stop

subsidizing the arms race and the defense industry, and start directing our energies toward the solution of the human problems of our individual citizens, in this case, those of our Federal employees, who are usually the first to make the sacrifices perpetually required of our domestic sector.

I hope that my sponsorship of this important legislation, which was originally introduced by Congressman DANIELS of New Jersey, as H.R. 767, will be effective in urging the House Post Office and Civil Service Committee to institute action on the provisions included in this proposal.

U.S. JAYCEES RECEIVE FORD FOUNDATION GRANT

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, a significant announcement was made today by the Ford Foundation when they granted \$250,000 to the U.S. Jaycees for Operation Opportunity.

This is the first grant ever made by the Ford Foundation to assist a major national voluntary organization. The volunteer work of the Jaycees because of this grant will be expanded and enhanced. I salute the Jaycees and would like to include at this point the text of the announcement for the information of my colleagues:

U.S. JAYCEES RECEIVE FORD FOUNDATION GRANT

The Ford Foundation today announced a \$250,000 grant to be used by The United States Jaycees for "Operation Opportunity," a nationwide volunteer effort to deal with the problems of disadvantaged Americans.

The grant to The United States Jaycees Foundation will be used by the Jaycees to involve its members in programs to improve the lives of the poor, especially of minority groups, in rural and urban settings. Funds will support the training of local and national staff and thousands of volunteers to direct projects in education, housing, employment, job training and recreation. Manuals and handbooks describing how projects can be carried out will also be published.

"Operation Opportunity" has already enlisted over 5,000 Jaycee chapters in various cities in such activities as sponsorship of housing projects, job fairs, and organized campaigns for housing code enforcement. The Jaycees have also published an "Operation Opportunity" manual and distributed 70,000 copies to local chapters and project leaders.

Secretary of Housing and Urban Development, George Romney, has described "Operation Opportunity" as "most encouraging to those of us who have advocated private solutions to public problems."

The United States Jaycees was founded in 1920 as a small St. Louis social and cultural society. Since then, it has expanded into a national organization concerned with civic improvement and with developing the competitive and leadership qualities of its members. Currently, the Jaycees have a male membership of more than 800,000 between the ages of 21 and 35 organized into 6,400 chapters throughout the United States. National headquarters are located in Tulsa, Oklahoma.

"Operation Opportunity," introduced by

The United States Jaycees in July, 1968, is the first national model program intended to demonstrate what the "civic service" volunteer in America can do to meet human problems.

Jaycee chapters, through the program, are encouraged to identify community need; identify available community resources; match resources to need; establish priorities and map a plan of attack.

The chapters are urged to look into such potential problem areas as housing, education, employment, recreation, personal development, health, and governmental services.

When the problems have been identified, a large part of the resource identification is encouraged from other private sector organizations and groups in the community. Where possible a wide-spread mobilization of "private sector" groups is attempted.

Through the program, and the concept of those with special talents and resources, helping individuals help themselves, The United States Jaycees hope to bring about attitude change at the community level—or at least create the environment for change.

The program is not intended as a substitute for governmental efforts to meet human needs, but rather as a supplement to such efforts.

AMERICAN OPTOMETRIC ASSOCIATION

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. GREEN of Pennsylvania. Mr. Speaker, I would like to call to the attention of my colleagues the meeting of several thousand members of the American Optometric Association this week in my home city of Philadelphia, the birthplace of American optometry, for the 72d annual congress of their organization.

I believe this is an appropriate occasion to salute the 15,500 members of the American Optometric Association who have dedicated their lives to the professional vision care of all Americans. These men and women undergo a 6-year course of study to prepare themselves for their highly skilled specialty, and they play an increasingly important role in the health care of our citizens of all ages.

Because optometrists practice in cities and towns of all sizes in every State of the Union, their unique abilities are available to all individuals who need optometric care. Their geographic distribution, coupled with the awareness of the public need for optometric services, and the excellent education afforded by 10 schools and colleges of optometry, have earned the profession of optometry an enviable reputation as "America's first line of defense against blindness."

Optometrists are the first vision care professionals consulted by an overwhelming majority of Americans. They are, therefore, responsible for the early detection of diseases of the eye which could lead to blindness if not promptly detected and cared for.

Our great Commonwealth of Pennsylvania boasts a long and proud association with the profession of vision care. Philadelphia was the home of John Mc-

Allister and his son, John, Jr., who developed the skills associated with detection and correction of refractive errors of the human eye. The McAllisters had the avid support and encouragement of an inventive contemporary, Benjamin Franklin, who is credited with invention of the bifocal lens.

Perhaps it was only natural, then, that Philadelphia was the logical site for the Pennsylvania College of Optometry when it was founded by Dr. Albert Fitch in 1919. This is the golden anniversary year of PCO, an event the AOA officially observes by holding its 72d annual meeting in Philadelphia this week.

The Pennsylvania College of Optometry is a fully accredited nonprofit institution partially supported by Commonwealth of Pennsylvania appropriations. This fine college has graduated 2,914 optometrists in its 50 years of service. And enrollment for the next academic year has already reached 421 students.

Always a leader in its field, Pennsylvania College of Optometry was first among institutions of its type to expand its curriculum to a full 6-year course of instruction, including 2 years of preoptometry and 4 years of graduate work.

People of my district and throughout Pennsylvania have every reason to take pride in the long and happy relationship between the Commonwealth of Pennsylvania and the profession of optometry which, through its practitioners, has made and continues to make such a valuable contribution to the general health and visual health of our citizens.

I hope each of my colleagues will join me in offering this body's sincere vote of thanks to the optometrists of America and our congratulations to the American Optometric Association on the occasion of its 72d annual congress in Philadelphia.

**WASHINGTON'S WATER PROBLEM:
AN EXAMPLE OF NEGLIGENT
PLANNING**

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. BLATNIK. Mr. Speaker, today's Washington Post carries a hard-hitting commentary by Drew Pearson which echoes strongly a theme I have urged for years—that adequate future water supplies for our vast and growing population can only come from present planning and funding. It is ironic that this Nation can expend planning, foresight, and money to land on the moon, but cannot expend the effort, ingenuity, and funds necessary to assure a lasting supply of that most precious commodity, clean water, to preserve the people on the planet earth.

On July 16, a prediction I made 8 years ago in 1957, will, unfortunately, come true: we will have landed men on the moon before we have solved our water pollution problems on earth. Our failure to make a significant breakthrough in the clean water crisis amounts to a national tragedy and I submit the following article

in testimony to that unfortunate truth, in the hope that by drawing attention to our abilities for organized planning and funding, we may now exercise them in the direction of more effective water pollution control.

Drew Pearson's column follows:

**DROUGHT PERIL IS RESULT OF NEGLECT
(By Drew Pearson)**

Along the Atlantic seaboard right now are two illustrations of man's efficiency in achieving the thrills of life and man's inefficiency in not achieving the necessities of life.

At Cape Kennedy, the United States is about to launch the most carefully rehearsed, most expensive, most unnecessary project of this century by which man will reach a piece of drab, radioactive, lava-like real estate hitherto romantic because of distance—the moon.

The launching will succeed because a vast amount of money and the best scientific brains in America over a period of seven years have been lavished on this moon shot. Meanwhile, up the Atlantic coast, the Capital which voted the \$20 billion to reach the moon is desperately short of the second essential to man's life—water—all because of lack of planning, lack of foresight, and lack of money—the same ingredients which have put the moon shot on the verge of success.

The Potomac River from which the Capitol of the United States draws its water, is gradually drying up. Its upper reaches are so shallow that rocks stick out of the stream bed like the bones of a starving old woman. Drained by communities and real estate developments along its banks, the upper Potomac is starving.

Below, as it flows through Washington, the once majestic river has become an open sewer. Two hundred and forty million gallons of human excrement, detergents, wash water and industrial waste are poured daily into the river.

Not even fish can live long in this poisonous water. The days when small boys splashed and cavorted off the piers of Alexandria are no more. The bacteria count is 100 times higher than the level considered safe for swimming.

UNNECESSARY DELAY

However, none of this had to happen. Twenty-five years ago, the Roosevelt Administration foresaw the fact that growing Washington would need more water, and the Army Engineers prepared a comprehensive plan for a far-flung system of dams and reservoirs on the Potomac and its tributaries.

Immediately there was an outcry from real estate interests and big farmers whose land would be inundated. The plan was shelved. It was revived under Mr. Kennedy, only to be shelved again. This time the conservationists joined the real estate interests.

There was talk of small dams instead of big ones—dams which would not spoil the river's natural beauty. But nothing was done. There was a lot of talk. A tri-state commission was appointed. Surveys were made. Commissions traveled up and down the river, inspecting the Virginia and Maryland tributaries. But nothing happened.

The plight of the Potomac is not confined to the Capital alone. It illustrates what is happening all over the United States, from New York City where drinking water is still not served in restaurants, to Chicago which is reaching farther and farther into Lake Michigan for its water.

Gradually at first, but now accelerating rapidly as the population grows, water is becoming a problem. Yet the same ingenuity used in reaching the moon would solve our water problems.

There is an illustration. Russia has reversed the direction of some of its great rivers

which flow into the barren Arctic where they freeze and are wasted. What a communistic nation can do, presumably a capitalistic nation can do—if it eschews politics.

For less money than it takes to reach the moon, the Missouri River could be diverted westward at around Omaha and made to flow through the parched plains of Nebraska, Kansas and Texas instead of adding its vast volume to the already brimful Mississippi.

What the Nation need, however, is a water pollution czar who can look ahead, make plans, spend money, as the moon-shooters have done. Until that time, the city of Washington will be periodically starved for water, as will other cities of this short-sighted nation.

DR. ROBERT D. CLARK

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. EDWARDS of California. Mr. Speaker, in recent days we have heard much about student unrest and we have heard a great deal of criticism, much of it unjustified, of college presidents and professors. I have been impressed by the sound and fury of the comment, but I have not been impressed by the quality of the discussion. In fact, it appears that most of those who have been talking are more interested in playing politics with the campus unrest than with solving the problems of our campuses.

I, for one, believe there are answers to college unrest, answers other than bayonets, shotguns, and tear gas.

In my own congressional district in California some of these answers have been implemented and they work. Dr. Robert D. Clark, president of San Jose State College, has faced and has dealt with the same kind of problems that wrecked the University of California at Berkeley and San Francisco State College. He did not play politics in an effort to advance his position, either as a State college president, or on the statewide political scene. Instead, he succeeded in grappling with those problems and in bringing peace to his campus. Sadly, Dr. Clark is leaving San Jose State College to become the president of the University of Oregon. His views of campus unrest are far more realistic and far more helpful than those I have heard elsewhere.

I recommend his views to my colleagues in this House and include them in this RECORD:

STATEMENT BY DR. ROBERT D. CLARK

I wish to share with you my very real concern about the effects of possible federal legislation in matter of campus unrest. The American tradition of local autonomy in education is more than a slogan—it is supported by the very real conviction that local programs and problems are best understood and more effectively resolved by local authority; I share this conviction.

I admit that during the past two years college and universities have been exposed by this activist generation as operating under archaic rules and regulations, which do not properly reflect the tenor of the times; and as being enmeshed in bureaucratic procedures which delay implementation of programs and constructive suggestions. History illustrates again and again that creative change is usually sponsored by

a society's young and that such change as is accepted by that society is effected through guidance and modification of the middle-aged generation. As I see it, the responsibility for constructive channeling of student unrest with its surface manifestation of violence and demonstration rests squarely with the individual institutions. I offer the specifics of actions undertaken on this campus as an example that such responsibility is recognized and assumed by academic administration.

First the academic institution ought to take a position that recognizes the need for change.

For this College this has meant radical revisions of curriculum for interested students without jettisoning the curriculum which is satisfactory to the majority. Examples of the approach include the development of our Black Studies and Mexican-American Studies programs.

Second, the institution ought to include student participation in campus affairs.

This College has invited student participation in all Academic Council (faculty policy body) committees and special student liaison committees of the six College Schools. The College position has meant talking to and listening to students—permitting them to have some freedom of discussion on campus, to invite speakers of their choice, and to have an open forum on our Seventh Street Mall. We have attempted to minimize the bureaucracy restrictions on their activities, but nonetheless have strongly urged adherence to established regulations and the enforcement of these regulations through student government agencies.

Third, the institution ought to formulate a modern code of student conduct and responsibility.

San Jose State College has established a specific code of student conduct and students have a major role in enforcing it. Instances of unrest experienced here in 1967 and 1968 were more difficult to handle because of an archaic code of generalized "thou shalt nots" written into state legislation. One of the first steps to rectify this situation was the development of our code.

Fourth, the institution should establish on going relationships with local police.

We have developed a cooperative meaningful relationship with the local police department. By establishing a liaison committee the membership of which included two or three officers (at times the Chief himself) students, faculty and administrators, the College was able to determine the impact of planned activities and their relationship to campus and civil regulations. Our not having this kind of working relationship previously resulted in the November 1967 Dow Demonstration with squads of riot police and tear gas on campus. Unfortunate as the demonstration and police involvement was at the time, it resulted in the development of our Liaison Committee which has been an effective tool ever since.

Fifth, the administration of an institution should be willing to acknowledge and accommodate logical student requests while reserving the right to deny improper suggestions.

When we felt students were right, no matter how crudely or impolitely expressed, this administration has attempted to recognize and act positively on suggestions (called "demands" these days) outlined even if, on occasion, we might be considered to be in an embarrassing position. At the same time, when we thought the students were wrong we drew the line and said no to what they asked. In two instances this meant we posted considerable numbers of uniformed police in our stadium during publicly attended events. After such instances we have attempted to move forward with positive programs—and have had reasonable success.

Sixth, in recognition of human behavior patterns and role playing in unfamiliar or new situations, the institution should as clearly as possible define suggested courses of action and areas of responsibility for faculty and administration during instances of campus unrest.

At San Jose State College in January 1969 we invited legal counsel to present to members of our administrative staff the body of State, Board of Trustees and campus laws/policy which obtain during student unrest. In April a document on Campus Security Measures was distributed to faculty and staff.

URGENT ACTION NEEDED TO ALLEVIATE SUFFERING FROM JET NOISE

HON. ALLARD K. LOWENSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. LOWENSTEIN. Mr. Speaker, I want to remind the House today of the terrible problems resulting from jet noise in many communities across the Nation. The Congress passed legislation last year that was supposed to alleviate these problems. The Federal Aviation Administration has not acted to implement the spirit of the legislation. So summer is here again, and matters are worse than ever in hundreds of towns that border on airports.

The harassment of the people by jet aircraft must stop. The people have been patient—perhaps too patient—and it is impertinent to ask them to accept for yet another summer the undue burdens they have already borne for too long.

Social functions are impaired; meetings abandoned. Health is imperiled. Homes become noise tunnels. Sleep is disturbed. We approach the point where hearing itself will be damaged. It is impossible to tell residents of the Five Towns, Long Beach, and Atlantic Beach, in my district that they should stand idly by if the assault continues unabated, sometimes for five straight nights, or entire weekends.

The behavior of the Federal Aviation Administration in the face of this situation is incomprehensible.

It is not as if nothing can be done. What, in fact, makes the present state of affairs so totally unacceptable is precisely that there is no shortage of possible measures that could bring relief quickly. Yet nothing is done.

Last year the Congress gave the FAA the responsibility to set the jet noise standards. In the October FAA noise abatement newsletter, it was stated that hearings were to be held on the new proposed noise standards in February, so that they could be in effect by "this summer."

It is now "this summer," and now we are told that the FAA may not even hold hearings. When I inquired about the hearings, I was informed that a decision about when to hold them was to have been made June 25.

I wrote to the FAA explaining how unwise and unjust it would be to decide not to hold hearings or to delay them.

Furthermore, I expressed an interest in testifying if hearings were held. Now I am informally advised that the decision about whether there will actually be hearings will not be made until mid-July.

Meanwhile the poundings of jet planes continue, and so does the indifference of the FAA to its mandate under the law, or its incapacity to function in the spirit of the law.

We shall, therefore, hold our own hearings on July 12. We shall examine at that time not merely the problems presented by the unabated continuation of the noise itself, but also the problems caused by the inaction of the FAA. Representatives of all levels of government with responsibility to this community are being invited, as well as spokesmen for all interested parties. Anyone with anything to contribute is welcome to take part. Above all, these hearings will consider what steps may properly be taken by the community and Congress to compel the airlines and the FAA to take steps immediately to ease the situation.

This is a national problem. Its implications are obvious for people all over America. Under our Constitution, individual rights do not cease when the transgressors are powerful corporations, especially powerful corporations vested in the public interest, and often subsidized by public funds. Many Members of the House and Senate are deeply concerned about the apparent failure of the FAA to act in the spirit of the law adopted last year.

They will be heard from if relief is not forthcoming here and in other distressed communities.

I hope we will be spared further protests that nothing can be done. If we can land a man on the moon this July, we can decrease the noise level of jet airplanes landing in Queens this July.

I include the following suggestions as a guideline for our appropriate officials to consider and implement:

First. The redistribution system between 22-R and 13-R—which has already been accepted in principle by the FAA—should be implemented immediately. To wait until after the summer to implement this proposal is a gross injustice to the people of the Five Towns.

Second. A schedule for a retrofit program should be drawn up and preparations for an implementation program should begin. A recent NASA report states:

Available information indicates that inlet noise suppression of 10 PNdB . . . can be achieved with an acoustically treated inlet.

I see no reason such a program should be delayed any longer.

Third. Additional noise abatement operating procedures should be considered. It would be interesting to know why a two segment climb-out—which is sometimes used at national airports—should not be used at Kennedy Airport. The feasibility of using a four-degree approach glide angle should be considered.

Fourth. The proposed FAA noise limits of 103-108 PNdB for new aircraft should be adopted. The monitoring points

should not be located where the FAA proposes, but should instead be on the extended runway center line 2,500 feet from the threshold. Moreover, "Beating the Box" with the help of an airline truck cannot be tolerated.

It should not require hearings, however, to initiate steps to halt a practice which seems designed to make a mockery of even the inadequate noise-control standards that now are supposed to be enforced at Kennedy Airport. I refer to the continuation of "Test Able" by Pan American Airways and several other airlines, a process unofficially known as "Beating the Box."

William E. Burrows, writing in the New York Times, reports that a man hired by Pan American sits in a radio truck near the New York Port Authority, and signals outgoing aircraft as they approach. In Mr. Burrows' words:

When he (the truck operator) said "Mark," the airliner almost stopped climbing and settled at about 500 feet for 10 seconds. The pilot—had reduced his engine power and the noise. When the plane which Mr. Hall (the truck operator) had been directing passed the vicinity of the box and had begun flying directly over Inwood, the pilot added power and resumed his climb. Residents of the village might have said the noise was objectionable but the (Port Authority's monitoring) box did not.

A representative for Pan American has said that "Test Able" is a noise-monitoring procedure established by Pan American to make certain that Pan Am jets—and other airlines availing themselves of this service—"perform properly at take-off" and do not make a "low climb-out."

It is a procedure, he added, designed to measure jet noise "just at the threshold." And this spokesman for Pan Am told a member of my staff that "it may be" that the noise generated by the company's jets—and others—is in excess of port authority standards just beyond the monitoring point in Inwood. "Other people," he said, "are monitoring out there."

Under these circumstances, one wonders why an airplane cannot remain at the lower power setting until it passes over the noise-sensitive area. One wonders why some airlines seem less concerned about the noise emitted by their jets after they pass the monitoring point than they are about the noise emitted above the monitoring point. When concern decreases as noise levels rise, an airline must be suspected of committing a moral as well as a physical affront to the afflicted communities.

We would be delighted to discover that this inference is unfair, that "Test Able" is not really a euphemism for "Beating the Box." In any event, I call upon Pan American Airways and the port authority to give such an explanation, to justify the continued use of "Test Able" or to discontinue its use forthwith. Surely it is not unreasonable to suggest that the airlines must at the least comply with existing regulations.

If the FAA is, in fact, not prepared to take immediate action consistent with previous legislative intent, I know that Congressmen from all over the country will join me in taking action this session to relieve the suffering from jet noise.

GUIDELINES FOR DEMOLAYS

HON. WM. J. RANDALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. RANDALL. Mr. Speaker, it was my privilege and honor to accompany the Secretary of the Navy, the Honorable John H. Chafee, to Kansas City on Tuesday, July 1, for his appearance at the International DeMolay Conference held in Municipal Stadium, Kansas City, Mo.

Secretary Chafee was one of several distinguished internationally known speakers who appeared before the conference, which commemorated the 50th anniversary of DeMolay.

It was a thrill to witness from the platform those young men from every State as well as representatives from other countries in this hemisphere listen with careful attention to the proceedings of the conference.

There is a growing appreciation of the good accomplished by this excellent youth fraternity, which on its 50th anniversary finds itself still young, healthy, and vigorous.

The order was founded by Jacques DeMolay who was the last Grand Master of the Knights Templar, a powerful medieval order of soldier monks who fought the Moslems for possession of the Holy Land.

Because he had allegedly departed from his vows of poverty and had amassed wealth, he was summoned to France by Pope Clement V to answer to charges. He was sentenced to death and burned at the stake. Because of these events, in the initiation of a DeMolay, the ritual symbolizes the trial and death of Jacques.

The seven cardinal virtues which by prescription must be listed in order are reverence, patriotism, courtesy, filial love, comradeship, cleanness—not cleanliness—and fidelity. This great order of youth was founded in Kansas City on March 18 in 1919 by the late Frank S. Land, along with nine teenage youths for the purpose of helping young men become better citizens and promote Freemasonry.

Today there are 2,500 active chapters in the United States, Mexico, Canada, and Western Germany. Some of the activities of the organization are to sponsor teenage safety contests, anticommunism programs and antinarcotics forums, and oratorical contests.

Along with his thousands of listeners I was impressed by the remarks of Secretary Chafee, who after commenting upon DeMolay's famous "seven cardinal virtues" offered five admonitions which he hoped would be useful to the membership of DeMolay. After being reminded of these five guidelines to conduct one's life, it was my prompt and easy conclusion that the Secretary's speech had application not only to members of DeMolay and youth in general, but to every one of us. It is for that reason that I wanted to share his excellent speech with my fellow Members and with all

who read the CONGRESSIONAL RECORD. Secretary Chafee's remarks follow:

REMARKS BY HONORABLE JOHN H. CHAFEE, SECRETARY OF THE NAVY, AT INTERNATIONAL DEMOLAY CONFERENCE, MUNICIPAL STADIUM, KANSAS CITY, MO., TUESDAY, JULY 1, 1969

I'm delighted to be here to participate in this exciting 50th Anniversary and International Conference of DeMolay.

Terrific organization.

Such a rich heritage—ever since days of founding here in Kansas City by Frank Land 50 years ago with 9 boys.

Alumni roster reads like "Who's Who." Walt Disney, Alvin Dark, Bob Mathias and General McConnell—150 members of whom have served in Congress.

Just returned from Vietnam—Senior Marine General in charge of entire Northern Area near DMZ, General Herman Nickerson is a DeMolay man.

Everyone is interested in this organization, including President Nixon—whose shoes I'm filling—he regrets can't be here and extends personal best wishes. If he wasn't busy shepherding his legislation through Congress he'd be here.

You are growing up in the most exciting period in world's history—outstanding characteristic appears to be speed of change.

Things achieved never dreamed possible when you were born—going to the moon, crossing Atlantic in 3 hours, satellite communications, heart transplants, ending of segregation.

At the same time an unsettling period—old standards being swept away—seems so hard to tell what's right and what's wrong. Is it filth or is it art? What's legitimate protest and what's destructive violence? Why is it wrong to evict the Dean from the Administration Building, yet virtuous to have heaved stolen tea into the Boston Harbor? What is cheating—doesn't everyone do it on their Income Tax, Expense Account, or try to sneak things through Customs? Why's Marijuana illegal and liquor legal when either can render one incoherent? Does religion have a purpose?

It is difficult to know where to turn—where are the enduring standards? If this is so, why is it such a great time to live? How can I justify that claim, especially in a period when man has developed the capability to kill 100,000,000 fellow humans?

My reasoning is as follows. The very miracles that are being wrought in speed of transport, exploration of space, breakthroughs in medicine, development of rockets and nuclear weapons—all these give man as great a chance to improve the world as they do to wreck it. The tools are there to do either on a far grander scale than ever before.

Just as our scientists can develop a nerve gas to quickly and quietly kill thousands, so they are relentlessly tracking down that ruthless and non-selective killer cancer.

Certainly the Nuclear Age means possible instantaneous destruction—yet its very awe-inspiring finality may lead to a period of peace the length of which the world hasn't previously seen. Man makes the choice.

But the magnificent future before you is not solely because of scientific or technical achievements. It is also because man is demonstrating a willingness and has the resources to come to grips with age old injustices and waste that he never before was prepared to face. Here in this country we finally are determined as a nation to eliminate segregation. We've made it a national goal not just to have equality of opportunity regardless of color but equality of results.

At long last we're engaged in a concerted effort to improve our environment, end air and water pollution, and do something about the dreariness of our cities.

These are incredibly difficult challenges—ones that will call forth our very best. You

should count yourselves lucky that you are alive at this period, living in this era that promises so many opportunities to improve this earth, man's relations with man, to really make it a better tomorrow, to literally reach the stars, touch the oceans depths and make this a green and pleasant land. How much you contribute, how well you do it, and how much you enjoy it, is up to you.

I would briefly like to offer five suggestions that might be helpful—some guidelines which, coupled with De Molay's famous "Seven Cardinal Virtues"—hopefully, you will find useful:

First, *don't be a cynic*—always attributing questionable motives to others, always thinking everyone is in something for what he can get out of it. Remember there are hundreds of thousands of devoted unselfish people in this land of ours who are striving to improve it and many of them are right in your organization—so be proud of them, of yourselves and of the Order of DeMolay.

Second, *have a sense of adventure and excitement in your life*. If the cause is honorable and appeals to you, hurl yourself into it. And don't spend all your time planning what is best for your future or your career, worrying that the venture might not succeed. Have that spirit best epitomized by Theodore Roosevelt when he said:

"Far better it is to dare mighty things, to win glorious triumphs, even though checked by failure, than to take rank with those poor spirits who neither enjoy much nor suffer much, because they live in the gray twilight that knows not victory nor defeat."

Third, remember you'll get out of any job about what you put into it, so *don't settle for mediocrity*. Give your best and you'll always be glad. When and if you go into the military service, seek out responsibility and accept it, learn from it. Don't look on this as a lost period of your life, most of our great leaders have looked back on their time in the service as a magnificent training and experience: Winston Churchill, John F. Kennedy, and Mr. Nixon to cite but three.

Fourth, *care for your health*. It is the most precious asset you have. You have an obligation to keep yourselves fit.

Fifth, make up your minds now that you will *devote some portion of your life to public service*, to helping this old democracy of ours to function by either assisting in politics or hopefully running as a candidate yourself. Only if this nation has good men willing to come forward and serve in political office will we be able to attain the golden promise that the future holds out to us.

This was worded far better than I can say 2,400 years ago by Pericles of Greece when he said:

"We do not say that a man who takes no interest in politics minds his own business. We say he has no business here at all."

PLAN FOR PEACE

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. WOLFF. Mr. Speaker, we are all concerned with the war in Vietnam and efforts being made at the Paris peace talks to end it. Since our young citizens' futures are so closely linked to the appalling war and the struggle for peace, they are particularly concerned with the urgency of the matter.

In the June 26 issue of the Roslyn News, I came across an article which exemplifies how concerned many of our youth are that peace in Vietnam be forthcoming. Two Roslyn High School

freshman have drawn up their own plan for peace in Vietnam. Douglas Morris, of 80 Willow Gate, Roslyn, and Steven Rosenwasser, of 138 Westwood Circle, Roslyn, both undertook individual projects—Morris taking the South Vietnamese side and Rosenwasser the opposing one—and drew up peace plans.

Since their proposals, after they combined them, exhibited intelligence and concern, under leave to extend my remarks I would like to include their proposals in the RECORD:

VIETNAM TREATY: TWO STUDENTS DRAW UP A PLAN FOR PEACE

The treaty follows:

1. All following points will be supervised by a Control Commission composed of equal representatives of the National Liberation Front, Saigon government, Hanoi government, Canada, North Korea, and Tanzania, or forces agreed upon by all sides, being half international and half Vietnamese. This commission must act by a vote of not less than 75 per cent.

2. Upon promulgation of this document, the North and South Vietnamese governments will arrange for a postal system, free visitation, and resumption of trade between the two areas.

3. Until a new Vietnamese government is installed a Vietnamese Commission will coordinate the economic rebuilding of this war-torn Vietnam.

4. (a) Within one year, all non-Vietnamese troops will be withdrawn from Vietnam and all non-Vietnamese bases will be liquidated.

(b) Within one year, all Vietnamese troops will disband within Vietnam.

(c) All members of the Army of the Republic of Vietnam or the Vietnamese People's Army will be paid their salary for two years. They will be paid by their former governments unless official reunification occurs before the end of two years. In that case, the new government will pay the remainder of the salaries.

(d) Arrangements will be made for the return of all prisoners within one year.

5. (a) Before reunification, the Control Commission will call in United Nations troops, when necessary to defend Vietnam against any foreign power.

(b) For the first five years after reunification the new government of a reunified Vietnam will call in United Nations troops, when necessary, to defend Vietnam against any foreign power.

(c) Five years after the establishment of a reunified Vietnam, and for each subsequent five years, the Vietnamese government will decide whether to maintain their country under the protection of United Nations forces, or to create a Vietnamese Army for the sole purpose of the defense of the country.

6. (a) Within a year of the promulgation of this document, democratic elections will be held to choose members of an assembly which will draw up a constitution of a reunified Vietnam. The constitution will be completed within 18 months of the promulgation of this treaty.

(b) Within two years of the promulgation of this document, elections will be held for a new government of a reunified Vietnam.

(c) Exact dates of these elections will be determined by the Control Commission.

(d) Details of elections will be announced six months in advance.

7. All people and groups will be granted amnesty from any accusation concerning any act prior to reunification so that all may begin life anew.

8. The reunified Vietnam will not join any military alliances and will not permit any foreign bases nor foreign forces on its soil.

The treaty stipulations were the students own, they said. Perhaps Paris needs two more at the peace table.

THE EFFECTS OF GROWING OVERSEAS AFFILIATES

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. GREEN of Pennsylvania. Mr. Speaker, in mid-March, I urged an administration investigation of the pirating of jobs to the overseas operations of American companies. This is a repugnant practice that has grown out of a loophole in tariff regulations, which was created to encourage the use of American goods in foreign manufactures.

In recent years, a number of domestic firms have abused this loophole, section 807 TSUS, to establish plants in slave wage foreign countries as a means of avoiding the living wages paid American labor.

Because I felt that there was no sufficient evidence to call for repeal of section 807, I urged the administration to investigate its use. I was informed that consideration was given to a study by the Departments of State, Commerce, Labor, and the Tariff Commission. However, no action has yet been sanctioned by the administration.

The issue raised here is both sensitive and many faceted. As an article in this morning's Wall Street Journal suggests, the growth of overseas affiliates affects not only the domestic job market, but it must be considered in the light of this country's dwindling trade surplus. Because of the importance of this issue, I include the following newspaper story in the RECORD:

U.S. AFFILIATES ABROAD CHALLENGE FIRMS HERE BY EXPANDING EXPORTS—RISING FOREIGN COMPETITION CUTS INTO TRADE SURPLUS, PROMPTING OFFICIAL CONCERN—LOST JOBS IN PHILADELPHIA

(By J. Russell Boner)

LONDON.—A worrisome new factor is emerging in the problem of America's dwindling trade surplus: The U.S.-owned foreign subsidiary that exports to third countries, including the U.S.

U.S. companies are forming more and more of these export-oriented subsidiaries to cash in on low foreign wages and on a provision of U.S. tariff regulations that cuts duties on products assembled abroad by American firms. An apparent increase in exports by the subsidiaries is undermining the U.S. trade surplus and thus aggravating the balance of payments problem.

Of course, American concerns have had subsidiaries abroad for decades, and the earnings of many bolstered the U.S. balance of payments in past years. But now there's growing concern that their net contribution is diminishing.

COMPETING FOR MARKETS

A major reason is that exports of the foreign subsidiaries are competing increasingly against American-made products in third countries and, more strikingly, in America itself. Today U.S. subsidiaries abroad ship home tires from Peru, autos from Germany, radios from Formosa and skis from Austria. Statistical measurements of this phenomenon are still sketchy, but the influx of imports seems to be growing.

Some indications:

Weyenberg Shoe Manufacturing Co., Milwaukee, is building a \$4.8 million plant in Dundalk, Ireland. Weyenberg plans to export the plant's entire output of 750,000 pairs annually to the U.S.

Rockwell Manufacturing Co., Pittsburgh, has greatly expanded a plant in Pinneberg, West Germany, to meet increasing demand for snowmobile engines. Rockwell says engines made by its West German subsidiary power 40% of the snowmobiles made by North American concerns that lack their own engine manufacturing capacity.

Cummins Engine Co., Columbus, Ind., says it has captured 25% of the U.S. diesel engine market for medium-duty commercial vehicles with engines made in Darlington, England.

For the four years from 1966 through 1969, it's estimated that investment in plant and equipment by U.S. companies' foreign affiliates will total \$39 billion. That's up from about \$23.1 billion in the preceding four-year period.

"PIRATING JOBS"

The trend has prompted William J. Green, a Democratic Congressman from Pennsylvania, to call for an investigation into "the pirating of jobs to overseas operations of American companies." He says his Philadelphia district has already lost jobs because of transfers of operations abroad.

Mr. Green criticizes a provision of U.S. tariff regulations that allows parts shipped out of the U.S. to be returned duty-free, except for the added foreign labor cost. This "loophole," he asserts, encourages American concerns to "establish assembly plants overseas to avoid the cost of American wages."

Thus far Mr. Green hasn't introduced legislation to plug this "loophole." However, he has introduced a bill that would require that U.S. brand-name radios and other kinds of appliances and equipment be "conspicuously marked" to show if they actually were made abroad.

Those concerned with the balance-of-payments implications of direct American investment abroad once focused on the problem of "export substitutions." That is, a new U.S. owned plant in West Germany, for example, would absorb sales there that previously had represented exports from the United States.

"THE FINAL STAGE"

But now many U.S. subsidiaries abroad have reached what John H. Dunning, a British economics professor and an authority on U.S. investment in Britain, calls "the final stage of this development . . . where the foreign subsidiaries themselves begin to export to third countries, and sometimes back to the United States itself."

The export punch of many of these subsidiaries is potent. Ford Motor Co. is Britain's biggest exporter. International Business Machines Corp. dominates France's computer and office equipment exports. Xerox Corp. sells office copiers abroad through a British concern that it owns jointly with Rank Organisation Ltd., London.

The effects of U.S. subsidiaries on foreign markets is difficult to measure statistically. But South Africa, for example, once imported U.S.-made automobiles; now it imports almost none. Instead, both Ford and General Motors Corp. maintain giant plants in that country, which produces for domestic sales and export. And those GM components that can't be produced in South Africa are more likely to come from the company's Adam Opel A.G. plant in West Germany or its Vauxhall Motors Ltd. plant in England than from the U.S.

All this comes at a time when the long-standing U.S. trade surplus is in danger of slipping into deficit. Last year the surplus declined to the lowest level since 1937—to \$726 million from \$4.1 billion in 1967. In the first five months of this year, the surplus slipped 69% below the 1968 pace, to a puny \$125 million.

This decline is particularly disturbing because the trade surplus long has been the major plus factor in American's overall balance of payments. Because of a turnaround in capital flow, due in part to the French

political-monetary crisis, the U.S. had a rare payment surplus last year. But Government analysts fear the capital inflow may diminish this year. Added to a continued deterioration of the trade surplus, this could produce a massive payments deficit—perhaps as high as a record \$4 billion, some economists estimate. (The current record is a \$3.9 billion deficit in 1960.) A deficit this large, of course, would threaten the stability of the dollar.

A good example of the mounting exports from U.S. affiliates abroad is provided by "captive" overseas automotive subsidiaries. This year these subsidiaries are expected to exceed the 118,000 cars they exported to the U.S. last year (1967 exports total 83,600). Rootes Motors Ltd., a British subsidiary of Chrysler Corp., hopes to ship 11,500 cars here in the first half, against only a few hundred in the 1968 half, when the company hadn't retooled to meet U.S. safety standards.

The U.S. is the largest customer of GM's Adam Opel subsidiary in West Germany. Last year Adam Opel sold 95,000 Open Kadetts here (a 50% increase over 1967), and sales this year are running well ahead of last year. Under a recent duty-free auto parts agreement with Canada, American concerns now are farming out work to subsidiaries in that country.

The rising tide of auto imports drew a blunt warning last year from the Treasury Department. John R. Petty, Assistant Secretary for International Affairs, asserted that either the auto industry or the Federal government soon must take "aggressive" steps to build "subcompact" cars here to help the U.S. balance of payments.

Some industry analysts believe GM's decision to bring out its subcompact XP-887 next summer was prompted by Government grumbling. It's also believed Washington concern was a factor in Ford's decision to scrap plans to introduce the British-made Ford Escort and bring out the Maverick this year instead.

But Government pressure to build at home hasn't been applied to all U.S. concerns. Cummins Engine says its Darlington, England, plant is the "world-wide manufacturing source" for the medium-duty diesel engines the company designs. Despite the fact that Cummins considers the U.S. the "largest potential market" for these engines, company officials say they have no plans to produce them in the U.S. and haven't been pressured to do so.

FREEDOM BECOMES ILLEGAL—IV

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. RARICK. Mr. Speaker, appointed Federal judges have now pronounced freedom of choice illegal because a free people did not choose a social order in accordance with a court's will.

What became of freedom when "freedom" was made a shibboleth? What fills the vacuum? Oppression and tyranny.

Federal appointees, sitting as judges, having abolished freedom would further mock justice, as they pervert their high trust by convicting every child and parent—without due process, not as individuals but as a collective—of exercising freedom.

Arbitrary rulings, enforced as laws, generate contempt for the law. Unwanted social goals can but undermine community relations and, in schools, can only make education secondary to integration.

Having applied coercive measures to impose a redistribution of the races, the question arises: How will a status quo

then be maintained? For, in a short time, the school population can be expected to have voluntarily regrouped itself or at least the court assigned percentages will have changed drastically.

The unnatural status quo can only be maintained by force and forbidding parents to relocate their homes in order to evade an approved percentage of race-mixing.

Must we expect to see our schools barricaded by barbed wire? Guards with bayonets confining our youngsters? Machinegun emplacements at the schoolhouse door to prevent any from escaping? Must our schools become detention centers?

Must we behold the specter of a Third Reich, Czechoslovakia, Poland, another Little Rock, in America?

Kidnaping once included taking a child from its parent. Will the court reinterpret the kidnaping laws so they can be used to punish a parent seeking to recover his child from a Federal appointee?

If Federal appointees do not trust freedom to satisfy guidelines, we should not abolish freedom—we should remove the appointees and guidelines.

To do otherwise is tyranny.

A COMPREHENSIVE AND COORDINATED STUDY OF CONSUMER EXPLOITATION IN THE DISTRICT OF COLUMBIA

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. ECKHARDT. Mr. Speaker, at a recent conference on consumer affairs, I learned of the extraordinary work of the Neighborhood Consumer Information Center. This "consumer strike force" has received complaints from ghetto residents, investigated the offending companies by interviews with both management and salesmen, and then attempted to correct the dispute by persuasion and, if necessary, legal action. This group was asked for its opinion of the problems and solutions of low-income consumers and in a frank, illuminating report, they draw some valuable conclusions based on actual experience. I am inserting this report in the RECORD because I think it deserves wide readership. This Congress has talked of protecting the consumer. This group has fulfilled those words every day. Their experience should be disseminated and used as a model for groups throughout the country.

The report follows along with the letters of transmittal:

NEIGHBORHOOD CONSUMER INFORMATION CENTER,

Washington, D.C., June 25, 1969.

Mr. JULIUS GLICKMAN,
Legislative Assistant to Congressman Bob Eckhardt, Longworth Building, Washington, D.C.

DEAR MR. ECKHARDT: Please find enclosed a copy of NCIC's final report to the Government of the District of Columbia. I believe that this report will clarify many of the problems that are confronting low-income consumers, and suggest a mechanism by which these

problems may be solved. Section I. "Analysis of Available and Proposed Remedies" should be given careful consideration. It is our honest opinion that Congress has not provided adequate remedies or protective mechanisms for the low-income consumer. Most Federal legislation has been basically informative and of very little assistance.

I am hoping that you will take some affirmative steps to have this report placed in the Congressional Record. I would appreciate you notifying me if and when you are successful.

We have been providing all consumers with maximum feasible protection. However, since we are only funded by local foundations, we realize that we will not be able to provide our services much longer and would appreciate your office taking more initiative to see that legislation is passed.

You have our permission to use this report in any way that will be beneficial for the low-income consumer. However, if there are any publications as a result of your work with this report, we would appreciate copies.

Your kind consideration of this matter is greatly appreciated.

Sincerely,

JOSEPH F. SMITH,
Director.

NEIGHBORHOOD CONSUMER INFORMATION CENTER,

Washington, D.C., May 26, 1969.

Mr. CARROLL B. HARVEY,
Acting Director of Community Renewal Program, Washington, D.C.

DEAR MR. HARVEY: Because of the extreme importance and significance of the enclosed report, we think it is necessary that a cover letter further indicating the gravity and severity of the problem with which we are faced accompany it.

Certainly your offices, as well as many other local and federal offices are cluttered with reports and recommendations concerning the problems with which our consumers are faced, and how they can best be resolved. The report that follows cannot hope to make the situation or the problem look any better. Furthermore, it, like its predecessors, has several recommendations which we feel are necessary if realistic and favorable changes are to come about.

All of this may simply be an academic exercise in futility, if something visible and practical is not done immediately. You have the power to effect change, and we have the vehicle through which it can be accomplished. The question then becomes one of time; how long will you wait until you decide to act realistically?

Our contact with your office has indeed been instructive. We express our gratitude to you for allowing us an opportunity to conduct this study. We look forward to working with you in the future.

Very truly yours,

JOSEPH F. SMITH,
Director.

A COMPREHENSIVE AND COORDINATED STUDY OF CONSUMER EXPLOITATION IN THE DISTRICT OF COLUMBIA

(Prepared for the District of Columbia's community renewal program)

NEIGHBORHOOD CONSUMER INFORMATION CENTER

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INTRODUCTION

The Neighborhood Consumer Information Center (NCIC) was asked by the Community Renewal Program of the District of Columbia to make a comprehensive and coordinated study of consumer problems and merchant exploitation in the District.

In undertaking the study NCIC was primarily concerned with problems which the low-income consumer encounters with commercial transactions and the remedies available to protect him from unscrupulous merchants.

NCIC also closely scrutinized the activities of local and federal consumer-oriented agencies in terms of the degree of protection they afford low-income consumers.

Besides presenting the findings as to the status of the consumer in the District of Columbia, this report makes a definitive statement of the steps which must be taken before unjust commercial dealing can be eliminated.

SECTION I—ANALYSIS OF AVAILABLE AND PROPOSED REMEDIES

I. Federal and Local Remedies

The status of the American consumer can be likened to that of the American Indian. Despite his indigenous background and significant contribution to the total development of this country—the consumer has been aborted, bilked, conned and duped by transitional American institutions. The evolution of concern for the consumer at the national level, particularly low-income consumers, began in 1962 when President John F. Kennedy established a White House Level Advisory Committee of Consumer Affairs.¹ This was the first time that concern has been expressed on a national level for the wide spectrum of problems facing the consumer. Early efforts to advance the cause of the consumer were frustrated largely because of opposition from business and financial interests.

Subsequently, the Johnson Administration, while retaining the Advisory Committee and a Special Assistant for Consumer Affairs, established the President's Committee on Consumer Interests by E.O. 11136.² This new committee was designed to complement the work of the existing White House Level Consumer Representatives. The powers of both the Special Assistant and advisory groups have been regrettably limited.

Real concern for low-income consumers was generated by civil disorders in major metropolitan areas in the mid-60's. Numerous scholarly articles as well as the Re-

port of the National Advisory Commission On Civil Disorders document the fact that vandalism and looting of certain stores was done on a selective basis because of the commercial practices of local merchants.³ One of the reactions to the mounting agitation and action by consumer interest groups and low-income consumers has been legislation to protect the consumer from predatory merchants. Former Senator Paul Douglas sought unsuccessfully for many years to have "Truth-In-Lending" legislation passed by the Congress. His idea came to fruition in the wake of the mushrooming concern for the consumer. While the legislation unquestionably aids the consumer in general, it provides the low-income consumer with little or no direct benefits that he did not have before the bill was passed.

Being largely unschooled in commercial practices and being forced to shop for credit, the low-income consumer finds himself at the mercy of the merchant. Through a continuing process of interaction, this consumer becomes familiar with the basic techniques that are employed by all high risk merchants. He may not understand the legal ramifications of the agreement but he knows the results of its consummation. Therefore, the "Truth-In-Lending" legislation in its application only dramatizes for the low-income consumer his lack of a choice in the marketplace.

A. "Truth-In-Lending" Legislation

In reality the "Truth-In-Lending" Legislation⁴ can be classified as a legal protective mechanism for the high risk merchant. Such legislation must be weighed in light of the existing problem. To require full disclosure of all conditions of the contract informs the consumer of his commitment and gives him a choice to purchase articles or reject the condition. For a low-income consumer who has little or no credit and is shopping for credit, the acquisition of necessities is the basic consideration. If the consumer cannot get credit elsewhere, he will purchase the merchandise on whatever conditions are available.

To require that the conditions be disclosed does not protect him from cognovit clauses, open-end contracts with add-on clauses excessive interest markups, and misrepresentation in the disclosure or non-disclosure of the agreement. This legislation only maintains the high risk merchant's position by requiring him to disclose information that he heretofore has concealed. Such legislation perpetuates the merchant's status by requiring that he disclose certain information, without giving consideration to the fact that he maintains a monopoly over a clientele that is incapable of economic participation in the retail credit market. With such a clientele, the merchant is in a position to literally dictate the terms.

A typical example of such problems and the shortcomings of the "Truth-In-Lending" legislation is a case of Mrs. G. S. Mrs. G. S. is a mother of eight children, who, as a welfare recipient, receives some \$270.00 per month. Among the least of her problems, was that she had contracted to purchase a black and white TV for \$400.00 which turned out to be repossessed, second hand merchandise. She had made several other purchases from the same merchant over a period of time totaling in excess of \$8,000.00. She is required to pay \$70 per month to retire this debt and must balance this monthly payment with, not only her regular necessities of food, shelter, and clothing, but also squeeze in a monthly heating bill of \$100.00. The majority of the \$8,000 worth of merchandise was acquired on an open-ended contract with its "add-on" clause. Mrs. G. S. realizes the nature of her situation but she could not acquire credit at any other store. She is concerned about her financial position but she resigned herself to the position that her case is hopeless. She calls us every other

Footnotes at end of article.

month to mediate her monthly payments. Generally, the merchant is receptive to a reduction in her monthly payment. The deplorable aspect of this situation is that many high risk merchants make a very profitable living by employing this type of financing. Unfortunately, the "Truth-In-Lending" legislation does not address itself to these problems.

In Chapter III, the section covering credit advertising is the most direct and protective mechanism in the entire legislation in considering the problems of the low-income consumer. This charter under section 1420 requires the merchant to refrain from advertisement of credit arrangements different from those ordinarily extended by him. This requirement, if effective, will hopefully eliminate the "Bait and Switch" tactic. Any representation made in an advertisement must be true when the consumer reaches the store. If a merchant advertises a 3-piece Luxury Living Room Ensemble for \$299.50, it must be a 3-piece Luxury Living Room Ensemble when the consumer arrives. However, this section raises some interesting questions in considering the elimination of the "Bait and Switch" process. First, what will happen if the merchant claims that he has sold out? Second, what if the plan includes adding the merchandise to the consumer's present opened contract with its add-on clauses, and finally, what protections, if any at all, does the consumer have once he has entered the premises against verbal misrepresentations.

The "Truth-In-Lending" legislation is further weakened by its failure to design a systematic mechanism by which all disclosures are to be made. To require that such disclosures be made without indicating a procedure that will prevail throughout the commercial world represents a weakness of enforcement, and creates mass confusion on behalf of the consumer. This is especially true in considering low-income clientele who may not understand what he is to expect when several merchants may disclose their commercial transactions in different forms. It is much easier for him to expect and understand the presentation of a form which encompasses his rights that comprehend a principle that varies in its presentation.

Failure to implement a mechanism of presentation creates another severe problem for low-income clientele. Before a consumer can adequately know whether the required disclosure has been made, he must know and understand what is required. Such awareness necessitates educating him to what is required. This requires an investment of time on behalf of some agency to insure that the consumer's rights are being protected. If this education process is not accompanied by the implementation of the legislation, its effectiveness will be negligible.

Without an education component and a required order for presentation, the "Truth-In-Lending" legislation with its limited attributes will be of little assistance to the low-income consumer. Consideration must be given to the fact that if this legislation is to be enforced it must be as a result of complaints received from aggrieved consumers. If the low-income consumer does not have sufficient knowledge to know what should be disclosed, he will not be able to determine whether such disclosures have been made. If he cannot determine whether these disclosures have been made, he will not be in a position to complain. His inability to determine whether proper disclosures have been made will weaken the enforcement of such legislation.

A requirement for full disclosure does not eliminate the merchant's deceptive practice nor does it eliminate the high risk merchant monopoly. In this respect, the "Truth-In-Lending" legislation will fall to be an effective remedy for the elimination of low-income consumer exploitation.

B. District of Columbia Consumer Protection Regulations

To strengthen the weakness in the "Truth-In-Lending" legislation, it is necessary for local governments to enact and enforce stronger consumer protection regulations. The government of the District of Columbia has responded to this need by passing the Consumer Affairs Regulations in January, 1969.⁵

One of the major provisions in the regulations (Part II) is a requirement that all persons engaged in retail installment transactions in the District obtain a license. This provision will not only provide a record of businesses so engaged, but provide a ready means of monitoring and regulating their activities. In addition to proscribing the information required of the applicant, certain minimum qualifications for a prospective licensee are set forth (persons deemed unqualified, and persons who have their licenses revoked may appeal).

The procedures outlined above are supplemented by several substantive parts.

Part III concerns the contract governing the transaction. Its important requirements for low-income consumers are:

A prohibition against false advertising, discriminatory down payments, fraudulent or unconscionable conduct in the execution of the contract and collection of installments thereunder.

A prohibition against referral sales where the buyer is to receive a credit therefor.

Part IV Payments—Merchants are required to maintain records of accounts and a record of payments in accord with these minimum standards:

Give the buyer a written receipt to evidence individual payments.

Provide the buyer with a biennial statement of his account including payments made, delinquent payments due, late charges, refunds made, number of installments due (dollar amount), and the time period over which they are to be made.

Part V Repossession—Repossession is to be obtained only with the possessor's permission and without force, fraud, intimidation, undue influence or breach of peace. The buyer retains a right to redeem upon payment or tender of the amount due, plus payment of any repossession or storage fees. The seller must give the buyer notice (within five (5) days) of the repossession, indicating the amount owed, the location, and inform the buyer of his right to resale but his liability for a deficiency.

Part VI Miscellaneous Provisions Penalties—One who violates any provision of the regulations is subject to revocation of his license or punishment by a fine of \$300 or 10 days imprisonment.

While the provisions of these regulations are adequate to the extent of their depth, they do have several shortcomings:

1. They fail to prescribe severe penalties (e.g. a double damage provision) for violations of the provisions in Parts III and IV;

2. They fail to prescribe a specific penalty for operating without a license under Part II (which we believe is a separate offense);

3. They lack comprehensiveness (which is probably due to lack of authority in the Council and not the intent of the authors of the legislation).

More specifically, in regard to point three, the regulations do not cover such issues as:

Rights of the buyer against a holder in due course (see *Calvert Credit Corporation v. Williams*, D.C. App. Nos. 4146-49 July 24, 1968).

Limitations on maximum credit charges (while this is covered in other statutes, comprehensiveness would require our reference for all consumer protection legislation).

Bait advertisements per se (see also section 3.110).

Footnotes at end of article.

A part of this problem is due to a lack of legislative authority in the D.C. Council, where the power to protect D.C. Consumers should lie.

Although this legislation represents the most effective mechanism in the District of Columbia for the elimination of consumer exploitation serious questions are being raised in terms of its implementation and enforcement. The passing of the legislation represents the preliminary steps in its implementation. However, without affirmative steps on behalf of city officials to establish the Office of Consumer Affairs the legislation is fruitless.

Earlier promises of the establishment of the Office of Consumer Affairs has resulted in many assertions and vocalizations without implementation. On December 5, 1967, the Honorable Mayor Walter E. Washington testifying on Consumer Protection Legislation for the District of Columbia before the United States Senate Committee in the District of Columbia stated:

"I believe the consumer should be fully protected by law from contract provisions that have no place in fair dealing . . . I believe the consumer who enters into an agreement for goods or services is entitled to receive his half of the bargain and not be left out in the cold because of out-moded legal concepts . . . Consumer associations should be encouraged at the grassroots level of the city's neighborhoods, coordinated and organized into a communitywide and, indeed, a regionwide organization dedicated to the protection and interests of all consumers . . .

"Moreover, in my view, it is time that the city government must make a start in coming to grips with the problems of the consumer.

"I have, therefore, proposed today, in submitting to the District of Columbia Council my recommended fiscal 1969 budget for Council approval, a new District of Columbia Office of Consumer Affairs. I will do that later today. That budget will contain a request for a new District of Columbia Office of Consumer Affairs, and I would just like to stop for a moment and say, Mr. Chairman, that based on the rate received in 1968 in the budget, I would hope that I could find appropriate funds to establish such an office prior to the approval of the 1969 budget, and I certainly would like to call upon you to assist me in this regard because I certainly would like to see an Office of Consumer Affairs in our District Building."

In March 1968 the Government of the District of Columbia took constructive steps to secure funds from private foundations for the establishment of the Office of Consumer Affairs. These efforts resulted in three major foundations, Field, Carnegie, and Meyer expressing a genuine interest in funding such an office. Mr. George Loft of Field Foundation came to the District of Columbia in August 1968, to receive confirmation from Mayor Washington for the establishment of the Office and its necessary finances. After several unsuccessful attempts to see the Mayor, Mr. Loft returned to New York. In September 1968, we were informed by Mr. James Kunen, Executive Director of the Meyer Foundation, of their interest in funding, in conjunction with several other foundations the District of Columbia's Office of Consumer Affairs. The Meyer Foundation's interest in the establishment of a consumer-protection office was later manifested by its allocation of twenty thousand dollars (\$20,000.00) to the Neighborhood Consumer Information Center.

In several attempts to discuss the implementation of the Office of Consumer Affairs with Mr. Julian Dugas, Director of License and Inspection, we were always referred to Mr. C. T. Nottingham, Director of the License Branch. Mr. Nottingham told us that no steps had been taken to secure a staff for the office. He did not know whether the housing

inspector would be responsible for the inspection of the licensing provision. In essence, Mr. Nottingham could not advise us on any affirmative steps that had been taken. However, he did indicate that the regulations would go into effect on July 1, 1969, assuming that several legal questions could be settled with the Corporation Council's Office.

On May 2, 1969 Mr. Nottingham's statements were confirmed by Mr. Julian Green, Administrative Assistant of the License Branch. Mr. Green stated that the office would not be under the jurisdiction of License and Inspection, but would be an entirely separate division. However, when he was asked if any steps had been taken to establish the Office of Consumer Affairs, he said "none." He echoed the fact that the regulations were presently being scrutinized by the Corporation Council.

The prior inconsistencies of the Government of the District of Columbia has supplied us with sufficient evidence to question its genuine concern for the protection of the consumer. Such inconsistencies have raised several pertinent questions. First, realizing the problems of administrative implementation if affirmative steps have not been taken before July 1, 1969, will the Office of Consumer Affairs be effective before 1970. Secondly, when the office is established will it have sufficient personnel to enforce the license provision. Third, if it has sufficient personnel to enforce the license provision, what mechanism or guidelines will be used to determine whether a license should be granted or rescinded. Finally, if a mechanism has been designed to determine the grant and rescission of license will this information be common knowledge to all consumers.

The Office of Consumer Affairs could prove to be the consumers', especially the low-income consumer's, most effective remedy. However, its effective relief cannot be determined by its enactment, but must be measured by the amount of authority it exerts. Therefore, we can only consider this legislation as a step in the right direction; its effectiveness is subject to the exertion of authority by the city officials.⁹

Since the "Truth-In-Lending" and District of Columbia legislation are limited in effect, we found it necessary to scrutinize proposed federal legislation that would directly effect the low-income consumer. Senate Bill 1599 (90th Congress 1st Session) and the House of Representatives' Bill 7114 represents such legislation.

C. Senate Bill 1599 (90th Congress 1st Session)

The need for legislation to protect the consumer from door-to-door salesmen arose as a result of the flagrant abuses committed by "high-pressure" door-to-door salesmen who very often were negotiating in bad faith and who very often had no intent of delivering the goods or services contracted for or, misrepresented themselves or goods to unwary consumers. Often it was found that unscrupulous salesmen preyed upon ignorant, gullible and sometimes illiterate buyers and, after securing funds, disappeared.

Typical of this type of transaction were magazine offers and sales contracts which were never received, and encyclopedia sales by intimidating salesmen, misrepresenting themselves as school authorities.

It was found that there are some legal remedies which exist at the present time. However, the cost of litigation, the time involved, and the general lack of information regarding these forms of relief are not readily accessible to the average consumer. It was further found that the disproportionate number of door-to-door sales involving misleading or high-pressure sales tactics could probably be attributed to the especially vulnerable position of the consumer who is unexpectedly confronted with a sales "Pitch";

whereas an individual who solicits or enters into a place of business is of a psychologically different frame of mind. A buyer may feel intimidated into making a purchase in the home for he has nowhere to escape.

Federal legislation has the advantage of requiring only one statute to which national companies must comply and also prevents fraudulent operators from fleeing one state's jurisdiction to another as law enforcement officials catch up with them.

Senate Bill 1599 was designed to regulate the activities of door-to-door salesmen. It contains some significant provisions for coping with the problem attending door-to-door salesmanship.

One of the most important provisions of S. 1599 allows the consumer the option of rescinding or canceling a sale by a seller made at a place other than the usual place of business if notice of such intent is forwarded to the seller by certified mail or delivery within two business days from the signing of the contract. It also provides that a seller must provide at the time that the contract is signed, a receipt containing the seller's name and address, the details of the transaction and a prominent notice informing the buyer of his right to rescind.

The bill provides that a buyer may rescind any sale of goods, any contract to sell goods, or an unexecuted contract for sale of services for a purchase price in excess of \$60, or for a purchase price in any amount if the sale or contract requires security. And if the sale or contract is entered into at a place other than the place of business of the seller ("other than the seller's usual place of business" is interpreted to mean beauty shops, homes of friends, etc.)

It should be noted that the provisions do not cover sales which are entered into over the telephone or through the mail. If a situation where the initial contact and contract is made over the phone, and followed by a home visit, the factors surrounding the buyer's understanding of the telephone contract and all other circumstances are considered. Where there is substantial doubt as to the buyer's understanding of the contract made over the phone and the agreement is followed by a home visit for the purpose of formalizing the contract, the act shall be construed to include this type of sale. The determinative factor to be considered is the overall purpose of protecting individuals from misleading or high-pressure sales pitches at locations and under conditions which would make them vulnerable.

While NCIC favors this legislation, it provides little protection for the consumer against the predatory, unscrupulous dealers who would not come under the statute because the required \$60 sales value limitation was not reached. We would recommend that lower dollar requirement should be adopted. Likewise, the two day cooling off period may not be adequate but it is indeed of great help to the consumer who has yielded to a high-pressure sales pitch. Unfortunately, this does little to correct the situation in which the consumer has signed under a misapprehension or under the guise of a verbal misrepresentation.

D. Federal Department of Consumer Affairs

HR 7114, as introduced in the House of Representatives would establish a Federal department for consumer affairs; the object being to coordinate Federal consumer services by transferring present functions in three Federal departments and other agencies. Several important provisions of the bill as introduced should be discussed. The Neighborhood Consumer Information Center sees the advisability of a coordinated Federal approach to the problems facing low-income consumers.

Functions of the Department

A. It is the duty of the Department to protect and promote the interests of the

people of the U.S. as consumers of goods and services made available to them through the trade and commerce of the U.S.

B. Functions to include:

1. Present the view point of consumers in formulation of policies.

2. To represent the interests of consumers in proceedings before courts and regulatory agencies.

3. To develop, receive, and disseminate information helpful to consumers.

4. To conduct annually a National Consumers' Conference for the purpose of obtaining information, recommendation, and suggestions necessary or desirable for the effective performance of other functions of the department.

Representation of consumers

A. The department may intervene in matters before regulatory agencies or courts in order to represent and protect the interest of the consumer.

Consumer complaints

A. It would be the duty of the Department to receive from consumers, and to evaluate complaints concerning commercial and trade practices.

B. Upon receipt of any complaint, the Department shall take action to secure relief for the complainant.

National Consumer Information Foundation: Info-tag system⁷

A. There would be within the Department a foundation to be headed by a board of directors and shall be independent of the secretary in the exercise of its functions, powers, and duties.

B. The Foundation would establish and operate a system under which it may grant authority to a person who manufactures for sale at retail a non-perishable manufactured consumer product to affix to such product a label to be called an info-tag.

C. Said info-tag should bear (1) the name, seal, or other distinctive mark of the Foundation and (2) such information with respect to performance, content, safety, durability, care and other characteristics as the foundation determines to be necessary or useful to permit a reasonably prudent consumer to evaluate a particular product for the purposes of purchase.

D. The Foundation would maintain constant surveillance over products to which info-tags are affixed to assure that such products conform to information on the info-tags; the Foundation may revoke or suspend authority to use info-tags for willful or repeated violations of rules issued by the Foundation in connection with the info-tag system.

Institute for consumer research

A. The Institute would:

1. Develop methods for testing materials, mechanisms, and structures used in consumer products;

2. Test articles used or intended for use by consumers and make tests requested by the Foundation;

3. Compile, analyze, and publish statistical data and other information and data of benefit and interest to consumers;

4. Make recommendations to other departments and agencies of the Federal Government as to information which could result from carrying out their functions which would be useful and beneficial to consumers.

All powers and duties of certain other enumerated agencies which deal directly and indirectly with the consumer shall be transferred to the Department of Consumer Affairs.

Economic surveys and investigations

A. It shall be the duty of the Department:

1. To conduct economic surveys and investigations with respect to;

(a) The productive capacity for, and the production of, goods affecting consumers.

(b) The systems and mechanisms in use

⁹Footnotes at end of article.

for the distribution of such goods, and the effects thereof;

(c) The levels of prices for goods and services affecting consumers, the factors entering into their establishment, and their reasonableness;

(d) The quality and suitability of goods affecting consumers, and the factors influencing same;

(e) The degree to which the trade and commerce of the U.S. succeeds in satisfying consumer needs for goods and services.

2. And to analyze and disseminate to the public information obtained through such surveys.

NCIC believes that the Rosenthal Bill represents the most protective piece of legislation that is available for the low-income consumer. The bill provides a mechanism by which the consumer's point of view will be expressed and assures him of an agency that has the authority to intervene in matters before agencies or courts. Such an agency would coordinate and consolidate education publications to be distributed to local communities through a central clearing house for Federal, State, local and private consumer activities. Hopefully, this legislation, if and when it is adopted, will consolidate the Federal agencies that perform some form of service directly or indirectly related to consumer protection.

Presently, there is not even a semblance of central clearing house for Federal consumer services, until the creation of the President's Committee on Consumer Interests (see previous comments on its effectiveness). Because of the multiplicity of programs and far-flung Federal techniques and approaches, the President's Committee has produced a *Guide to Federal Consumer Services*.⁸ However, each department continues to approach consumer affairs from its own vantage point. While attempts have been made to coordinate these activities, the lack of a central clearing house with full authority over all programs has hindered the efforts.

In recent years there has been a proliferation of consumer legislation designed to aid the consumer, both at the State and Federal levels. While some of the legislation has been properly motivated, it has not gone far enough to prevent business and financial institutions from earning a living from the poor. Existing laws need to be more rigorously enforced and fines and penalties should be increased to discourage violators.

E. Federal Trade Commission

The Federal Trade Commission was created by Act of Congress on September 26, 1914 (15 USC 41, 38 Stat. 717 (as amended)) to promote export trade and to prevent unfair methods of competition. The Commission regulates interstate commerce, i.e. commerce among the several states or with foreign nations, or in any Territory or in the District of Columbia, or between any such Territory and another, or between any such territory and another state or foreign nation, or between the District of Columbia and any State or Territory or foreign nation. The Commission's Regulatory authority is, therefore, limited by the enabling statute. While an expanded definition of "commerce" has permitted judicial regulation, for civil rights purpose, of hotels, motels, restaurants and other places of public accommodations (see *Katzenbach v. McClung* 379 US 294, 13 L Ed 2d 290, 85 S Ct 377 (1964). *U.S. v. Heart of Atlanta Motel* 379 US 241, 13 L Ed 2d 258 85 S Ct 348 (1964)), the FTC has not seized this tool as an effective means of protecting individual consumers. The interstate nature of the transportation of goods to market for consumption, makes the merchants who offer them for sale susceptible to stringent regulation by the Commission.

It is evident by the continuing problem of consumer exploitation that unless the

agencies exert their full authority in the protection of the consumer, legislation will be fruitless. The failure to exert such authority raises the pertinent question of whether or not the behavior of the merchants is being condoned by the failure of administrative enforcement. Frequently an agency may concur with certain practice by refraining from acting.

F. Other Federal Remedies

The Neighborhood Consumer Information Center has investigated these Federal programs in the hope of discovering those programs which would further our progress toward the goal of consumer awareness and self-protection. We have found very few programs geared toward the needs of the low-income consumer. Generally, the programs of the United States Department of Agriculture (U.S.D.A.) and the Food and Drug Administration (HEW), should be classed as public safety measures.

These programs are only in a very broad sense synonymous with consumer education and consumer self-protection.

The Office of Education of HEW administers through the various state education departments a grant-in-aid program sponsoring consumer education program which was authorized by the 1968 Vocational Educational Amendment. This program has the potential for future development provided local school boards are encouraged to adopt comprehensive curriculum of consumer education. Although funds are limited for this first year, there are indications that positive State and local responses will result in substantial expansion of the program.

Through the Cooperative Extension Services of the USDA home economics education is provided for homemakers and youth. Generally, the instruction centers on food and nutrition, home management, family economics, child development, and parent education. Local communities have not taken full advantage of this program because the local administering agency is the local Cooperative Extension Service. This agency has not had sufficient staff, in the past, to fully operate the program.

Within HEW, the Social Security Administrations' Bureau of Federal Credit Union provides two kinds of services;

1. information on chartering and assistance in preparing a charter application for Federal Credit Unions,
2. training in credit unions and consumer action, through Projects Moneywise, which is a program designed for the low-income consumer. These services are provided for OEO Community Action Agencies, Model Cities Neighborhood residents, associations of 200 or more members, or employee groups of 100 or more members.

Unfortunately, the scope of this program has been limited because there is no local mechanism for the implementation of the programs. The Regional Offices of BFCU do not have the staff capacity to actually assist all the groups that are requesting technical assistance. Therefore, BFCU has had to rely on private organizations such as C.U.N.A.I. (Credit Union National Association, International) for the actual training of resident groups. CUNAI has done a very remarkable job. However, the demand still has not been met. It is truly unfortunate that the BFCU cannot increase its own capacity to give technical assistance.

Implicitly within this analysis is the realization that Federal efforts in the area of consumer affairs are presently limited and that the low-income consumer especially needs guidance at the local level. It should be noted here that there is a dire need for extension and consideration to be given to the income consumer problem on the federal level. Presently the consumer has been entirely excluded from any consideration by the Federal Government. We attribute this factor to the Federal Government's failure

to understand the nature of the low-income consumer. However, if consumer exploitation is to ever be eliminated within the District of Columbia both the Federal and local government will have to give consideration to the problems.

II. Private remedies

A. Better Business Bureau

The Neighborhood Consumer Information Center reviewed the previous and on-going efforts and activities of other organizations carrying out consumer oriented programs in the District of Columbia.

Services available to the consumer in general and the low-income consumer in particular have been largely informational. Former Senator Paul Douglass went so far as to say that "(K)nowledge is the key to the consumer problem."⁹ The fallacy of this statement is keyed to low-income consumers who are largely undereducated, unfamiliar with business practices, and have no understandable yardstick with which to measure the cost of credit. Even when they are common prey for merchants, the number of complaints to regulatory and public service organizations is negligible in comparison to those from middle income individuals. Several groups have traditionally sought to aid the consumer by means other than providing information. This analysis was done with a view toward possible referrals and expansion of such program impact on the low-income consumer in the District of Columbia.

The Better Business Bureau (BBB) is a nationwide organization of independent, nonprofit corporations organized in 1912 (1920 in D.C.). It is financed by memberships paid voluntarily by responsible business and professional firms in the community.¹⁰ Local bureaus are affiliated through the Better Business International and each is governed by a board of directors. The Better Business Bureau is not a government agency, rather, it represents a means of self-regulation by businessmen.

Better Business Bureau procedure require aggrieved consumers to complain directly to the Bureau in writing to avail themselves of the Bureau's services. All complaints must be signed. The Washington bureau handled some 10,000 complaints in 1968. There is no data on the satisfaction of the consumer complaints with the resolution achieved by the Better Business Bureau.

Essentially it is an attempt by merchants and businessmen to regulate themselves. Businessmen have for years argued that competition is the best protector of the consumer's interests assuming that the market place offers sufficient alternatives and that the consumer knows how to select the products and services which best meet his needs.¹¹ In the case of low-income consumers a third assumption must be made. We would have to assume a certain amount of cash on hand for spending. Low-income consumers almost always "shop for credit." They do not spend their money in the same way, nor pay the same prices, nor receive the same quality of merchandise for similar amounts spent by middle income consumers, see generally Note, *Consumer Legislation and the Poor*, 76, Yale L.J. 745 (1967).¹² In recent years the number of consumer aid organizations has risen sharply. Although much attention has been directed to business and governmental organizations, businesses' performance has not been adequate.¹³

The increasing governmental interest in this area was precipitated by the failure of business to provide the kind of leadership that would have obviated the need for federal intervention. While the Bureau's name is well-known and is often mentioned by aggrieved ghetto shoppers,¹⁴ it does not engage in litigation and generally is unable to offer much aid.¹⁵ Despite the demonstrated ineffectiveness of the Bureau in dealing with

Footnotes at end of article.

dishonest merchants, the federal government continues to urge the consumer to go to the Bureau for relief, before seeking government help¹⁶ (see generally *Fight Back: The Ungentle Art of Self-Defense* (undated)).

The success of the Better Business Bureau is necessarily limited by its nature and structure. The ethical businessmen become members, because of their concern about consumer protection. The crooks and "fly-by-night" operators are the non-member offenders who dupe their customers and vanish. The lack of enforcement procedure, i.e., no litigation procedure, economic sanction, etc., limit the chance of success against a fellow merchant who knows the Bureau's limited power.

The Better Business Bureau has proven to be an ineffective mechanism for the protection of the low-income consumer. This is attributed to several factors. First, the Better Business Bureau failure to understand the nature of the low-income consumer's problem. Secondly, the lack of high risk merchant membership within their organization. Third, its failure to take constructive efforts to include the low-income consumers within its clientele. Fourth, its failure to go behind the commercial transaction and determine what representation was used in consummating the agreement. Finally, the failure of its members to be concerned about assuring the low-income consumer equal representation within the economic system.

For many merchants the Better Business Bureau represents an escape mechanism. It is his appeasement to the consumer for his failure to behave justly. Merchants, when confronted by a complaint investigator, have informed him that he is a member of the Better Business Bureau and alleged that his reputation with such organization is favorable. They generally use this mechanism in hope of avoiding excess pressure on the complaint that we are pursuing. However, these criticisms should not be read as indicating non-feasance or non-production in its results.¹⁷ The Bureau has been of invaluable assistance in protecting the middle-income consumer, but it has served as a protective shield which kept the supposedly ethical merchant from addressing himself to the problems of the low-income consumer.

B. Legal Services

Aggrieved consumers are turning more and more to the several legal aid societies for assistance. The Legal Aid Society and the Neighborhood Legal Service Program has played an important role in equalizing the inequalities of post sale legal conflicts between the merchant and consumer.

Generally speaking, outmoded laws have presented barriers to the low-income consumer vindicating his rights. Reform has been slow to come. The success of all manner of schemes and chicanery depend almost entirely on the swindler's assurance of easily collecting the debt through legal channels. Not surprisingly, the use of garnishment as a weapon to extort the poor has gained wide acceptance among predatory merchants. Examinations of court records in many cities indicate that both dealers and finance companies form "garnishment rings" which operate exclusively in the ghetto. An eyeglass merchant in the District of Columbia filed 411 garnishment cases between January 1, 1966 and February 8, 1967. The District's largest department store filed only 217 cases during the same period.

Where the low-income consumer is the potential plaintiff, it is most unlikely that suit will even be brought. Many low-income consumers are unaware of the existence of either legal aid or the small claims court and simply do not think in terms of invoking legal processes on their side.¹⁸ Where the low-income consumer is sufficiently irate

to take action, he is likely to stop payment as a form of pressure on or retaliation against the merchant—and usually just worsen his own position thereby.¹⁹ For those few who do attempt to invoke legal processes the obstacles that must be overcome are substantial: (1) The merchant may have gone out of business (and re-entered under a new name).²⁰ (2) Legal aid societies may be reluctant to help because they do not in general take plaintiff cases. (3) Private attorneys' fees would often be so high as to eat up any possible gain.²¹ (4) Alleged warranties may not have been in writing. (5) Frequently written documents will have been lost.²²

When merchants of finance companies wish to sue, rather than invoke extra-legal pressures,²³ the situation is very different; for them the legal process is a broad and easy road to garnishment. Merchant-initiated suits virtually never come to trial; the overwhelming majority—97 per cent in the case of Harlem merchants²⁴—end in default judgments because the defendant never answers the summons or complaint. In most cases—legal aid attorneys estimate 75 per cent²⁵—this is because the defendant never received the summons. The common procedure has come to be known as "sewer service."²⁶

The Neighborhood Legal Service Program has taken most constructive steps in the field of consumer problems. However, it is limited by a overburdened case load and a lack of adequate personnel.

C. United Planning Organization

The United Planning Organization (U.P.O.) the umbrella-type anti-poverty agency has assumed administrative and coordinative responsibility for much of the consumer oriented work being done in the District. UPO has ten Neighborhood Development Centers providing the following consumer services:

1. Credit Unions.
2. Consumers Action and Education.

These centers have had their largest measure of success with establishing community-based credit in actual buying and lending experiences. Much more importantly, however, are the establishment of credit for the borrower, and the development of good credit habits in the borrower.

Several consumer cooperatives and buying clubs begun recently with the assistance of several organizations. The Central Cardozo Community Development and Services, Inc. presently operates two shopper coops owned by its members.²⁷ An Urban League sponsored coop grew up from a buying club. Other cooperatives have been assisted by local chain stores²⁸ and by Greenbelt Consumers Cooperatives.

UPO recently initiated a "limited credit" program with Kann's Department Store to facilitate credit purchasing by low-income persons. The program provides a practical education for the consumer as to the responsibilities of buying on credit. Other department stores plan to join the \$50 credit club, when a group of Northeast residents complete a formal consumer education program. Field trips to supermarkets are also being utilized as a laboratory educational tool. These approaches cannot be evaluated as they are pilot programs in the Washington area.

SECTION II—A DEMONSTRATION IN CONSUMER PROTECTION

Low-income clientele are not receptive to visiting offices and explaining their problems unless an injury has occurred. In the low-income consumer market, consumer exploitation is not considered as a problem, but a way of life. Many of these people have resigned themselves to the position that they do not have good credit, they cannot obtain credit therefore, they must continue to secure their necessities from the high risk merchant.

A lack of positive alternatives and strict

enforcement of the limited legislation that has been promulgated in the interest of protecting the consumers has reinforced the low-income consumers' frustration and disgust. Therefore, the first requirement of any consumer organization attempting to solve the low-income consumers' problem is to secure the faith and confidence of its clientele.

In the District of Columbia it is absolutely necessary to move fast. D. C. residents, until very recently, had no organizations, adequately designed to relieve their problems, and they could not rely on governmental promises. They were disenchanted with the inadequate remedies existing to redress the obvious wrongs and were, therefore, alienated from most groups offering services to them.

NCIC's initial thrust was based upon the establishment of rapport with the community. By establishing its offices within the neighborhood, by employing students who lived in and who were familiar with some of its problems, NCIC crossed the first barrier—lack of communication. However, NCIC felt that the only way it could ascertain information and protect the residents was by deploying its staff in the community on a day-to-day basis.

The first three months of operation were spent eliciting specific information through a series of questionnaires and pricing surveys. The residents were responsive to both technical and personal questions, but were disturbed at the fact that they were constantly being questioned but seldom helped.

The staff did encounter difficulties in entering the residents' premises. However, upon explaining the ramification of the questionnaires, the residents proved to be quite cooperative. Often the conversation led to the resident's personal problems. Upon eliciting such complaints the staff representative reported the incident to the office and an investigation was initiated. These negotiations opened lines of communication between the residents and NCIC.

The questionnaires proved to be an effective method of getting into the community and learning its problems, but as a statistical tool it was ineffective. This factor must be attributed to the continuing series of questionnaires and studies that have been taken in the northwest section of the District of Columbia. As one resident stated "I am beginning to feel like an overworked pig, but no one is helping me."

One of the most widespread revelations in this analysis was that residents knew well the methods which high risk merchants employ, but failed to react to them. This factor is better understood by looking at the origin and financial status of the low-income consumer. The majority of these individuals were welfare recipients, members of families with three or more children living on income of three hundred dollars (\$300.00) or three hundred-fifty dollars (\$350.00) a month, who had arrived on the urban scene from southern rural communities. As a result of their background, they are constantly faced with problems ranging from lack of income to a retail sales system designed to produce income at the expense of those who need it most but can least afford it.

Their need for the basic staples, food, clothing, and furniture has forced them into the only available market. With a poverty level income and little or no credit the low-income consumer must satisfy his needs from the high risk merchants. Generally, the resident knows that as a consumer he has the right to buy merchantable goods, or that his purchasing agreement is an open-ended contract that will result in the repossession of all items upon his default. Despite this knowledge they have no available market or remedies, so they must obtain their necessities from merchants who will extend them credit regardless of their financial status. Because this is their only source of credit,

Footnotes at end of article.

many residents protect them by refusing to prosecute them or complain.

It was obvious that a mechanism that would enforce consumer rights had to be constructed. NCIC, realizing these problems designed a mechanism to apply direct pressure to the unscrupulous merchants as a short-range remedy, and to pursue the establishment of a new market as an alternative or long-range remedy.

To accomplish the above objectives, the Neighborhood Consumer Information Center divided itself into three specialized departments: The Field Department, responsible for acquiring information and administering the remedy; the Research Department, responsible for evaluating the available remedies and discovering the solution to the problems; and the Public Relations Department, responsible for community awareness.

I. Field department

The Field Department found it impossible to operate without further division and specialization. As a result it established three subdivisions specializing in the acquisition of information for the administration of short-range and long range remedies. These divisions were the Complaint Division, which handles all consumer complaints from the community; the Store Investigation Division, which elicits first hand evidence on the merchants' practices, and the Education Division, which is responsible for the dissemination of information in consumer education classes.

A. Consumer Complaints Division

The Complaint Division is responsible for the administration of immediate relief. This division is composed of second and third year law school students who attempt to negotiate a remedy between buyer and seller. These complaints usually fall into four classifications: fraud, warranties, credit practices, and repairs. The fraud classification includes all transactions originating as a result of misrepresentation, unconscionable clauses, used or damaged goods (lack of consideration), and assignment of the purchase contracts to finance companies without apprising the consumer. Misrepresentation includes the majority of the sales approaches such as "bait and switch, referral schemes, and free offers."

Warranties usually involve a breach by the seller. In considering express warranties, emphasis is placed upon any positive affirmation or representation as to the character, quality, or condition of an item sold when understood and relied upon as such by the consumer. The major thrust is upon the implied warranties. With regard to implied warranties of title, the primary thrust is upon contracts with a supposed disclaimer. Generally, the implied warranty of merchantability is breached by merchants who do not sell items that are of "fair average" quality or fit for the ordinary purposes for which such goods are used. A majority of the high risk merchants sell commodities to the consumer knowing the purpose for which the commodity is purchased, but refusing to comply with the implied warranty of fitness for the purpose.

Credit complaints include such items as incorrect billing on accounts, unjustified rejection of credit requests, and consistent harassment by collection agencies. This classification also includes the practice of assessing "late charges" on a buyer who does not make his payments on time, usually resulting in great hardship for low-income consumer. When a purchase is made at a store or through a dealer, the consumer, in good faith, agrees to pay out the bill "on time." When financial trouble arises and the payments cannot be made on time, the practice of charging the consumer an amount in excess of the legal interest rate puts the consumer deeper into the hole. When a consumer's payment is late for one month, not

only is an exorbitant late charge assessed against him, but unless he makes two payments the following month, his next payment is then automatically late every month for the entire period of the contract. Close scrutiny is given to repossession and garnishment practices under this classification.

Repairs and services comprise the final category. It includes an evaluation of all repair practices. Often the repairmen remove the appliance from the premises, clean the defective part and return it to the consumer. If they do not clean the defective part, they replace it with a used part and charge the consumer the price of the new part plus labor. Services include dry cleaners who take clothes on a bailment basis, misplace them, and refuse to compensate the consumer for loss of the items misplaced.

This process begins with a telephone call from a complainant. A secretary writes down basic information, e.g., name, address, and telephone number of the complainant. This information is placed in the new case file. That afternoon, the complainant is called by a screener, and initial facts are written down on a complainant data sheet. The screener informs the complainant of his rights, the legal ramifications of the transaction, the possibilities of success, and NCIC's limitations. The screener makes an appointment with the complainant, and twenty-four to thirty hours after a complaint is received a member of the complaint division visits the complainants' home or goes to his place of employment to evaluate evidence such as the item itself, the contract, a receipt, etc.

After eliciting information and evaluating the evidence, the investigator forwards to the merchant a letter with the alleged facts obtained from the complainant, the legal ramifications, and recommendation for disposition of the problem. A carbon copy of this letter and all subsequent correspondence is forwarded to the complainant. A memoranda is also submitted to the Store Investigation division requesting an analysis of the merchants' practices.

Because NCIC is limited to negotiation and cannot litigate cases, it has established a mechanism referral of cases to Neighborhood Legal Services with questions on legal technicalities being researched by NCIC. After the investigator has exhausted all means of obtaining a remedy, the case is transferred to Neighborhood Legal Service Project. If the client is above the salary ceiling of the Neighborhood Legal Service Project, he is referred to a private attorney. NCIC has two investigators that are liaison between all nine NLSP Offices. In each NLSP office one lawyer is an NCIC contact. The investigator responsible for the transfers will reduce the case to a legal memorandum.

This memorandum accompanied by whatever evidence is available is submitted to the liaison in NLSP office. The second liaison investigator is primarily responsible for expediting resolution of the case. All cases that are transferred from NCIC are given to the one liaison in each NLSP branch office. As of this report we have had to refer only three cases out of two hundred and forty.

Many of the complaints that NCIC received are referrals from agencies and community organizations. Past complainants who were satisfied with NCIC services refer their friends and neighbors. As a result, the consumer complaint department has attempted to keep the disposition of any case within a one month period. Seventy percent of our cases have been closed on this time schedule. When the case is closed a letter is sent to the consumer expressing NCIC's gratitude for the opportunity to serve him, and recommending that should he need further assistance not to hesitate to call (See Appendix A).

Experience has demonstrated the importance of the investigator's visiting the con-

sumer. This approach allows the investigator to determine the financial and domestic status of the complainant, and to reassure him of our concern for the resolution of his problem.

The complainant is generally not embarrassed to discuss his problem at home. He is reassured and does everything possible to be of assistance. It is generally advisable not to probe into the family background and salary. Consumers on the whole are especially suspicious of organizations purporting to help them if the organization attempts to classify them according to their social or financial status. However, when consumers call (on their own) this suspicion is usually minimized.

A personal letter has proven to be the most effective mechanism for the disposition of a complaint. The personal letter gives the merchant and the consumer the impression that the case is being handled personally by the investigator, who has taken the time to compose a letter appropriate for the given facts. The Investigator is not restricted to a set of chosen words. This approach has proven to be effective in increasing the resident's confidence.

When negotiating a complaint the merchant is never apprised that the investigator is a law student. This gives the investigator the advantage of being able to analyze the transaction in light of the law and to react to the merchant's allegation with a degree of sophistication that is respected. The legal background has also proven to be an asset in the drafting of letters.

B. Store Investigation Division

Pending the response of the merchant, a memorandum is submitted to the Store Investigation Division requesting an analysis of the merchant's practices. The primary objective of this division is to obtain data relating to sale, credit, financing, repossession, and garnishment practices, and any other practices that might be employed by the merchant. Store investigators acquire data by visiting stores as a customer and, perhaps, purchasing an item. Subsequent to his visit, the store investigator indicates his findings in a report and submits it to the division chairman.

From the moment the investigator enters the door he is concerned with the conditions of the premises. Is it dark, dim, or well lighted? Do all items have prices marked and in an obvious place or does this information have to be acquired from the salesman? Does the salesman apply excessive pressure or is he casual? Does the salesman introduce credit as a means of transacting the sale, and if so, what are the items? Will they allow a customer to scrutinize a contract before it is signed? Is the reaction to a white customer the same as to a black customer?

The findings collected by the investigators have proven to be inconsistent with those answers communicated by the store officials. For example, a Northwest clothing store salesman told a consumer investigator that one does have to have established credit in order to qualify for the store's general credit plan. Exactly two weeks later the sales manager of the store said one does not need established credit. He also stated that name-brand merchandise was sold at his store. This statement was contrary to the consumer-investigator findings. In a personal interview with the credit manager of another store the investigator was told that only name-brand merchandise was available at the store. The following day three investigators proved this statement to be invalid. Another store salesman told one investigator, who was posing as a consumer, that he would need at least three-fourths of the purchase price in order to get an item on credit. In a telephone interview a store official stated that there was no such requirement. At a number of stores, salesmen and store officials

misrepresent the facts and make erroneous statements concerning the products they sell. They do this under the correct assumption that most of their customers are people of very limited education and means, and will therefore, accept at face value anything that is said.

Most of the white salesmen seem reluctant to talk with Black investigators. They exhibit complete indifference in making a sale. For instance, the consumer generally must ask questions about the items rather than being informed about the product, its features and so forth. This reluctance was explained by one merchant who stated that sales are made at consumer's home. This statement was reinforced by another merchant who had his premises locked and stated that his sales were made in the buyer's home. This store's lights were very dim and price tags were not visible. If you requested an item, the salesman would have to go to the back room before he could present it.

Black salesmen are more receptive than white; they show greater concern about selling an item. There are some Black salesmen who act totally indifferent about making a sale. Perhaps these salesmen are not on a commission basis.

In determining whether or not an item is overpriced, an investigator takes into consideration its quality and its price at other stores. This comparison is based upon similar stores within and outside a given location.

The store investigation division takes into consideration the fact that the responses given by the store official are naturally going to be slanted. However, there has been sufficient evidence to indicate that the majority of the merchants prefer not to contest the alleged invalidity of their own contracts. Generally, when the merchant is confronted with documented evidence of his own practices, he chooses to settle the matter in private.

C. Education Division

To eliminate these problems NCIC designed a comprehensive and familiar consumer education program. This program is administered by the Education Division. Its primary responsibility is the solicitation and instruction of consumer education classes within the community. Such responsibility includes apprising the consumer of the problems that exist within his community and proposing possible remedies or alternatives to these problems.

Pursuant to NCIC's philosophy this division also concentrates its efforts in the low-income community. This division's services are generally rendered through established community organizations. Here the emphasis is placed upon supplementing the services rendered by other organizations. However, where there is a collective group of four or more consumers that desire consumer education classes, an instructor is provided.

The Education Division is composed of law students whose previous experiences were in the field of education. The majority have had four to five years of teaching experience. Each member of this staff is required to read the "Consumer Protection" section of the "O.E.O. Poverty Law Reporter" and "Financial Counseling" by the Federal Bureau of Credit Unions. Members serve a two week tenure on the complaint staff. This process is necessary to insure that the instructor knows the status of consumer laws and the nature of the problem. Subsequent to the orientation, the instructor is assigned a section of the District of Columbia.

Originally, the Education Division had a two-pronged thrust. These were collective counseling and individual counseling. In the collective process the instructor is responsible for the solicitation and development of consumer education classes. These classes are recruited from community establishments, such as schools, churches, welfare organizations, block clubs, etc. The instructors are responsible for contacting the orga-

nizations, informing them of the advantages to be derived from the classes, and arranging time, place and curriculum.

Generally, the classes are on a continuing basis. However, if there is an organization that desires a specific course, the instructor will design a curriculum that will meet the community's needs.

The basic problem in the area of class solicitation is that many organizations employ such elaborate procedure to approve a program, that it takes between two and three weeks (a conservative estimate) to determine whether or not the program has been approved. Generally, such solicitation requires forwarding an initial proposal to the organization explaining who you are, what you desire to do, what assistance is needed from the organization, and the benefits to be derived. This memoranda is followed up by a personal interview to explain the ramifications of the program. The interviewee usually approves of the program but it is subject to ratification of a committee or, in case of a church, the congregation. If it is subject to the ratification of the congregation it may necessitate the instructor speaking at the church or polling the members to discover their interest. Subsequent to the endorsement of the congregation, instructors must arrange a time that is convenient for themselves and for the congregation. The negotiation involves the creation of a general curriculum that will satisfy the needs of the congregation. Sometimes the curriculum of these classes are geared to supplement a consumer education course that is already being taught. Such classes generally deal with home economics and budget planning as opposed to an overview of all consumer credit. These supplemental classes usually cover finance charge v. interest charges or the regulations governing garnishments and repossessions.

It must be noted, at this point, that contact work of this nature is necessarily time consuming. However, if consumer education classes are to be effective, it is necessary to secure the interest of the consumer. Often this means selling the program to the consumer. After you have sold the program, it is necessary to get the consumer, especially low-income consumers, involved. This initial involvement can only be secured if you have an active group or if you are aware of the class's specific interest. The instructor generally attempts to center the first two or three sessions around the class's expressed interest or the pertinent problems within that community. When the instructor secures classroom participation, the attendance in his class increases. Generally, in churches, and especially those attended by low-income consumers, your first class will consist of one or two consumers. The best remedy for this problem is to conduct a class on a common practice which may have effected them. When they begin to discuss the practices in terms of their personal knowledge, ask them for their solution. This technique insures increased attendance and the constant inquiry to the solution of consumer problems.

Two classes are taught at the People's Involvement Corporation, at Florida Avenue and Seventh Street, N.W. These classes have averaged thirty pupils per week. The pupils involved are community aides who spend their time visiting families in the Shaw area. Their duties include helping the residents define, express, and clarify their economic problems. Their "pupils" are, therefore, adults with a wide range of educational and employment experience. Interestingly enough, some of these adult community aides have personally experienced difficulty in obtaining credit, while others in this group have had problems in submitting a budget that would satisfy the Department of Welfare, for public assistance. Accordingly, the classes have been quite lively, and the aides have responded to the classes in a positive manner.

These classes have covered different aspects of credit, as it pertains to the consumer. Basic classifications covered included the question of why one should or should not buy on credit, how much does credit cost, how can one qualify for credit, and how can a person prevent a bad credit rating when he is unable to pay his debts on time. Subsequent classes covered such realistic situations as what to do when a company designates a person as a credit risk, when such person has, in fact, paid the company; what to do when a door-to-door salesman asks the person to sign a receipt, when such "receipt" is really a contract. What to do when a person owes a debt to a company, but the company subsequently goes out of business, and such person is confronted by a "strange" creditor for the amount of the debt, and what to do when a person thought he was purchasing a new item, but it subsequently develops that the merchandise was second hand.

The class discussions revolved around the importance of proper investigation before purchasing an item, and the importance of comparative shopping in the high risk market for both the item and credit. The instructors' evaluation of the classes is that all pupils are highly motivated, and that class participation is at a high level. The reason attributed to this pupil participation is that the pupils are strongly involved in community affairs and are interested in helping others in the Black community.

The vast majority of the class presentations has employed the lecture method, however, class participation is encouraged. Such encouragement has manifested itself in exchange of comments between the members of the class and the instructor. This dialogue usually comes at the end of the lecture, however, and has not always been in direct response to the lecture. The usual form of questions has been characterized in the form of what happened to some particular third person in a particular transaction. The instructors feel that even though the students asking the questions refer to a consumer in the third person, they are actually referring to themselves, or some person in an immediate relationship to them. In addition, it must be stated that even though these questions do not refer directly to the lecture, they frequently have a collateral connection to the lecture.

The lecture method has been justified, as opposed to other methods on the grounds that it is more expedient in giving essential information in short periods of time. However, films have been used on occasion to reinforce certain points that were brought out in prior lectures. In addition, certain students have expressed their preference of the lecture method as opposed to other methods of class presentations. They have felt more at ease with the lecture method in that they would not be "forced" to speak before the body when they did not wish to speak. As a result, the responses from the students have been more spontaneous and candid, than if they were "forced" to involuntarily contribute to the class presentation.

Experience has shown that a very few materials are necessary for an effective and meaningful program. The only materials used besides the lecture method were various films, and these were only used to supplement and reinforce the lecture. The real key to a meaningful program lies in having a flexible staff. We attribute this factor to the background of the instructors, not only their legal and undergraduate experiences, but their ability to live within the community and to experience or be familiar with its problems. Our research has proven that there is limited material available in the consumer area for the low-income purchaser. There are only two films to our knowledge that are presently worthy of presentation to the low-income consumer. They are the "Owl Who Gave a Hoot" and "The Poor Pay More."

"The Owl Who Gave a Hoot" is the most informative of the two. This film is short and descriptive. The descriptions are of transactions that affect the low-income consumer. However, it fails to develop the remedies and alternatives to the transaction. These alternatives must be considered in light of a consumer without another credit market.

The literature that is available in the consumer area is generally too sophisticated for the low-income consumer. It usually consists of prolonged explanations of the consumer problems. The low-income consumer will dismiss the problem without discovering the solution. Any information that extends over two pages or requires excessive reading, regardless of its content, will not be read.

The most effective method of eliminating consumer exploitation is to give individual counseling as opposed to giving a lecture to twenty or thirty pupils. One of the major recommendations in the "Federal Trade Commission Economic Report on Installment Credit and Retail Sales Practices of District of Columbia Retailers" was to provide counseling services which will encourage customers to practice comparative shopping. This recommendation is quite valid but we have found that the Federal Trade Commission fails to realize the full extent of the problem. If counseling services on comparative shopping are to be given, it is necessary to limit such counseling to comparative shopping within the high-risk market. Alternative markets are not available to low-income consumers because, lacking the capital to make cash purchases, they are forced to "shop for credit." Also, the cost and inconvenience of travel for the average low-income consumer further limits his shopping prospects to the "high risk" market. He simply lacks the mobility to do conventional comparative shopping. If individual counseling is to be provided, it should run the gamut of over-pricing, unusually high interest rates, misrepresentations, high-pressure sales techniques, misinformation as to the law and even violations of the law.

NCIC realizing the significance of such an approach designed a network to provide the community with a continuing series of financial and credit counselors.

The Block Counselor phase of the Education program represents NCIC's individual counseling mechanism. The program was designed to allow members of the community to participate in educating residents on their own block or neighborhood to the techniques of consumer self-protection. We tried, at first, to solicit interested participants by explaining concepts while gathering information for the consumer questionnaires. There was a substantial number of residents who expressed an interest and stated that they would be willing to work in this capacity. However, when the time came to obtain firm commitments, we had little success with our volunteers.

Although the volunteers were committed to the concept of educating the members of their community to the techniques of consumer self-protection, they could not devote enough time after working hours toward accomplishing these goals. In case of unemployed volunteers, we found that they were discouraged because their work in the program would not lead to gainful employment.

We realized that without funds—for salaries, equipment, travel, materials, etc.—we could not effect more than a shallow representation of a program. Realizing the importance of individual counseling in the extension of credit to the low-income consumer, we constructed a Block Counselor Training Program which would encompass all of our objectives. The new program includes a budget breakdown and specific methods. This program is being negotiated with private foundations that are interested in the implementation of the Federal Trade Commission recommendations.

The Education Division serves as a repository for all factual data obtained by the complaint and store investigator, and the analysis and interpretation of legislature supplied by the Research Department. This information is synthesized and disseminated to the consumer.

The factual data supplied by the investigators illustrate the problems that must be resolved in a class. The Research Department analysis informs the educational divisions of the various remedies that are available. The instructor outlines these components to formulate a class presentation that will take the consumer from the problem through the remedies. This process insures the dissemination of the actual problems and the status of the law that affects the problem.

II. Public relations department

The Public Relations Department is NCIC's community awareness component. This department is composed of three commercial artists and two former newspaper reporters who are law school students. It is responsible for the dissemination of information dealing with exploitative practices that are discovered by the Field Department. This is accomplished through a strong advertising campaign that is conducted through the news media.

The Public Relations Department also publishes a unique news guide entitled "Buyer Beware." This newsletter is distributed weekly to five to ten thousand consumers in the Northwest section of the District of Columbia. Each copy is also published in the Washington Afro-American, the Capital Gazette, and The Pic-O-Gram. Copies are also forwarded to over three hundred and fifty churches that are on our mailing list.

This publication consists of a cartoon of a situation depicting an exploitative practice that NCIC has encountered within the community. Generally, there is a descriptive statement to advise the consumer of his rights. The Newsletter is simplified to insure immediate comprehension. When the first "Buyer Beware" was completed, and we did not receive any response from the community we discovered, upon questioning the residents who had received copies, that the newsletter contained too much writing. As a result the initial format was totally disregarded. The next copy was a cartoon with two or three simple sentences. Its distribution resulted in both favorable and unfavorable telephone calls. Many residents called to indict merchants that were using illustrated practices within the community or to raise questions about practices that they had experienced. We found that the simpler the materials, the greater the communication and response. (Appendix D)

Each week we submit public service announcements to radio stations, WOOK, WOL, and WUST apprising the low-income consumer of his rights in commercial transactions. This approach has proven to be successful for middle-income consumers, however, it has had little effect upon our low-income clientele. We attribute this factor to the time slots in which public service announcements are generally made, usually between 8 A.M. and 2 P.M. Subsequent to that period the announcements are commercial until Public Service messages return again at 9:30 P.M. The middle income clientele hears the announcements on their way to work but low-income consumers who generally travel by bus do not hear the announcements. As a result we found it necessary to purchase commercial time during the hours between the favored disk jockey shows. This procedure resulted in an exceptionally strong reaction from the low-income clientele. The message, delivered by the disk jockey usually receives a favorable response by consumers who telephone the station and tell of their own similar experiences. The number of calls received in response to the live re-

ording by WOOK indicates that the low-income consumer responds more quickly to a live message than he would to one that has been taped.

The following are some typical examples of the announcements that we have found to be most effective:

1. Attention Consumer . . . don't be a victim of easy credit gimmicks. Sure it *sounds* great when people say, "Your credit is great with us . . . Just come in and sign on the dotted line . . . you don't even need a job . . . See us for easy credit." What the creditman *didn't* say was how much you would be paying . . . Many times, the final cost is twice as much as it should be. The Neighborhood Consumer Information Center cautions you to know *Exactly* what the credit terms are before you sign any contract. Get all the figures in writing, and don't guess on anything.

2. Allow me to give you a home demonstration of the Handy-Dandy Vacuum Cleaner right over here. (Fade out) Beware of home demonstrators, especially when they leave their product with you, you may be obligated to buy against your will. The Neighborhood Consumer Information Center warns you to avoid signing *anything* you're not sure of. Remember, *you are not alone!* Millions of people are misled, and deceived by tricky home demonstrators. Don't let it happen to you.

3. Congratulations, you've just bought a beautiful stereo and color TV combination. Just 18 payments and it's all yours . . . or is it? The Neighborhood Consumer Information Center warns you to know all the terms of your contract. *Don't* fall victim to repossession at the last moment and lose everything. *Don't* be cheated, misled, or deceived when buying on time.

4. There's that phone again. This time the free gift could be a dictionary, a Bible, or a pearl necklace. And all you are obligated to do is subscribe to half a dozen magazines at only two dimes a day. Two dimes a day which may add up to more than seventy dollars a year with a contract which will run for four or five years. Is a pearl necklace worth that much?

From all indications, an intensified community awareness program is necessary to any consumer protection agency or organization. To maintain such awareness, it is necessary to secure the support of the news media. Although the radio announcement proved to be the most effective technique for insuring community awareness, many radio stations were hesitant in airing public service announcements. Generally, the commercial advertisement is given priority. We therefore, found it necessary to purchase time during the hours that were most appropriate for the listeners. However, for a public service organization this can prove to be quite expensive. In one month we spent twelve hundred dollars (\$1200.00) for forty-eight commercial announcements and during the same period were given only thirty-seven public service announcements. When we indicated the need for increased public service announcements, we were advised that the manager did not have an opportunity to announce them.

The Public Relation Department was responsible for arranging several informational telecasts with WTTG, WFAN and WETA. However, the major television networks were not receptive. The television programs brought favorable response and extended our areas of assistance. We learned of problems that we had not confronted before. The majority of these problems concerned the middle-income clientele, but they revealed the similarity between the approaches used by the merchant in the low-income community and those used in the middle-income community. Generally, the high risk merchant commits the low-income consumer to a long-range contract. The middle-income consumer, too, is constantly confronted with

contract commitments for home improvements, investment offers, or additional home furnishings.

Two thousand five hundred posters depicting exploitative practice were distributed throughout the District of Columbia. Four hundred and fifty were sent to churches and welfare organizations within the communities. Others were placed in service facilities such as pool rooms, barber shops, and beauty salons. We refrained from placing posters in a merchant's place of business because we did not want to appear as if we condoned any of his practices. These posters have brought many people into the office just for information or for advice on a particular problem. Frequently, they are interested in how we began, and the scope of our authority.

III. Research department

The Research Department represents NCIC's transitional mechanism. This department is responsible for: (1) the analysis, interpretation, and clarification of all available and proposed remedies; (2) the evaluation of the extent to which such remedies have been enforced or implemented; and (3) the development of alternative solutions. The evaluation of all available remedies are based upon the problems that the Field Department experiences in its day-to-day activities.

The major problem that the low-income consumer confronts in the process of consumer education is the problem of comprehension. Solutions that are available in publications are all too often too sophisticated for the low-income consumer. The research staff has found it necessary to simplify many of the government pamphlets, high school and college business texts, and general consumer education articles. Such simplification includes the extraction and translation of all pertinent materials into layman terms. This material is submitted to the consumer education articles. Such simplification includes the extraction and translation of all pertinent materials into layman terms. This material is submitted to the consumer education division for use in education classes.

The failure of publishers to print materials that can be easily understood by the low-income consumer has insured the high risk merchant's effectiveness. This weakness is extended further by the lack of sufficient information concerning the low-income market to compile such a publication. Without an adequate supply of consumer publications that are drafted in the language of the low-income consumer, those remedies or rights that may be at his disposal will not be used. A typical example of such a problem is the recently adopted D.C. Consumer Regulations. These regulations are written in the language of a professional draftsman or attorney. If such regulations are to be effectively applied by the low-income clientele, they must be translated into common language. The necessity for conversion of all legislation and consumer publications into laymen terms cannot be overemphasized if the low-income consumer is to participate in the American economy. We consider this conversion a major priority, since it represents the only mechanism by which the consumer can be apprised of his rights.

Many low-income consumers, realizing their plight, have established buying clubs. Buying clubs within the Metropolitan area are confronted with two major problems. First, they are limited to purchasing their supplies from Greenbelt Cooperative. Secondly, after two or three years of operation they outgrow their size. When they reach this stage they become interested in becoming a cooperative.

On several occasions the research staff's assistance has been needed to clarify the Cooperative By-Laws. Often the consumer does not understand the legal ramifications involved and requests our assistance in their

implementation. As a result of such assistance, we have been able to witness the success and failure of many of the cooperative ventures.

Alternative efforts by low-income consumers to establish a cooperative market have proven, in most instances, to be fruitless. Failure is generally attributed to the low-income consumer's inability to raise the initial financing for equipment and supplies. It is evident that the present economy is not adapted to cooperative ventures within the inner city. Buying Clubs could not acquire financing from the private foundation primarily because the consumers were not familiar with the process of negotiation. To alleviate this problem, it was necessary to train residents in the process of drafting proposals and continuing negotiation. This process often proved to be time consuming and unrewarding. The private foundations, Small Business Administration, and the government agencies were not receptive to cooperative venture. The only agency that supported such an effort was the Office of Economic Opportunity. However, it was unable to give any financial assistance.

In hopes of discovering an alternative market to consumer exploitation the Research staff investigated the feasibility of NCIC's entering the area of economic development. While the recent emphasis in government circles and the private sector has been on black capitalism, we cannot afford to omit the meters of black economic development, which presumes that the black businessman will put some amount of his total resources back into the black community to stimulate other enterprise. In short, black dollars must be earned and spent in the city, regardless of whether the dollar is carried out in a white hand or a black hand.

No merchant should be allowed to escape the debt which he owes in terms of fair dealing to the people who spend money with him. Exploitation by black merchants should not be tolerated for the sake of "brotherhood."

The phrase "but I'm a brother" is too often used as a sham for unbusinesslike conduct which equal and many times surpasses that of white merchants. This factor must be attributed to the successful indoctrination and profit-making practices of the present merchants. Black capitalism for many black merchants represents an opportunity to participate in the economic system. However, in reality it often results in the continuation of the economic exclusion and exploitation of the poor.

This practice establishes a person or group that is familiar only with the existing economic system. As a result the merchant's primary concern is the acquisition of profits and not the dissemination of benefits. Such a process in essence exchanges a black merchant for a white merchant and leaves the community without the benefit of the economic development.

In implementation, the concept of economic development is contrary to its theory. The basic theory of economic development is to give the community the maximum feasible participation in restructuring its economic society. This theory includes the acquisition of both of the economic and administrative benefits. However, in implementation it is the perpetuation of a social class that does not encompass the low income clientele.

In confronting some of the black merchants who are exploiting the low income consumer it was stated that the black merchant was having problems with their wholesalers. These problems included markups on wholesale merchandise, thereby, forcing the retailer to mark up his prices to reap a profit. Realizing the possible validity of these assertions, NCIC requested the names of wholesalers who were responsible for such practices. Unfortunately, as of this report we have not received the name of any wholesaler.

While NCIC concurs with the theory of

economic development, if it is to be an effective alternative to the high risk merchant, it must be done by a process which will include the low income consumer in the profit making. The cooperative ventures are typical examples of such enterprises. By including the community representative in the enterprises, it is assured that the business will operate for the benefit of its clientele. Such a mechanism insures the low income consumer of the maximum benefits for his limited income. NCIC believes that it is necessary for us to concentrate on what the low income consumer needs rather than perpetrate a fraud by misrepresenting a concept of the economic development, Black Capitalism.

The research department in pursuit of an alternative market has attempted to have the general market encompass the low income clientele. Realizing that UPO and the National Welfare Rights Organization were taking affirmative steps to have individual stores in the Metropolitan area to include the low income consumer in their credit classification, NCIC attempted to have the Metropolitan Board of Trade adopt a policy of extending credit in member stores. NCIC, therefore, forwarded a letter to Mr. William H. Press, Executive Vice-President, explaining the status of the situation and requesting an opportunity to explain the economic advantage of including the low income clientele. This letter was sent on March 12, 1969. Several attempts to see Mr. Press have proved fruitless. As of this report we have not received a response from him. Section one represents examples of other analyses that are prepared by the Research Department.

SECTION III—SUMMARY OF FINDINGS

The Complaint and Store Investigation Divisions address themselves to the individual experiences of defrauded consumers and the schemes employed by unscrupulous merchants. Their investigations revealed the following practices within the District of Columbia.

1. *Misrepresentation*: represents the major problem of consumer exploitation. When considering misrepresentation, emphasis should be placed upon such matters as apply to credit agreements, prices, quality, or condition of an item sold. Frequently, the low-income consumer because of lack of fluid cash and little or no credit, shops for inexpensive merchandise, or easy credit agreements. As a result of this weakness, the merchant advertises through news media, radio, television, newspapers, etc., such phrases as "Easy Credit," "No Money Down," and "Low Monthly Payments." Subsequent statements as to the quality and character of the item are made by the salesman to the consumer prior to the consummation of the contract. These representations are generally a concealment of the truth.

Misrepresentations by the landlords has proven to be a potent example of this approach. Generally, the landlord makes representations concerning services that he will provide (i.e., heating, maintenance, and security) services that are never included in the lease agreement. In explaining the technical provisions of his lease, he often distorts the fact in the tenant's favor.

This tactic also includes "Bait and Switch," "Free Offer," "Referral Schemes," and "Pressure Salesmanship."

1. "Bait and Switch" is the advertisement of items through newspapers, radio and television at an exceptionally low price or as a "special." When the consumer arrives at the store, he attempts to buy the item advertised but he is informed that it is of poor quality or sold out. The salesman refers the consumer to a supposedly better quality item for a few dollars more.

This practice is commonly used in the sale of furniture and appliances. The merchant's advertisement generally appears in the daily paper with a picture of furniture and the

following statement: "3-Piece Luxury Living Room Ensemble, Liberal Budget Terms. All 3 pieces Just \$299.50" or "3 Complete Rooms of Brand Name Furniture for only \$888.00. You Get 3 Complete Rooms all 20 Pieces and Save \$220.00 now."

When the consumer arrives, the 3-Piece set or 3 rooms of furniture is found to be so delapidated that the consumer has no desire to purchase it. The salesman immediately recommends a better quality for a few dollars more.

2. "Free Offer" is an approach whereby the consumer is offered a gift which assures the salesman's admission into the home to promote other sales or to secure a consumer a contract by fraud. This technique is generally employed by door-to-door salesmen. It may begin with an unsuspecting consumer answering the telephone. He is informed that if he answers the question correctly, he will receive a gift. The question is always simple and the consumer is always right. Subsequently, the consumer is told that the gift will be delivered to his home. The gift is usually a Bible, a bracelet, or necklace. When the salesman arrives, he informs the consumer that he is delivering the gift and the salesman is invited in. Upon being admitted, the salesman either asks the consumer to sign a verification that the gift has been received or he proceeds to sell educational materials to the consumer at a supposedly reduced rate. The verification is often a contract for magazines or books for the next two or three years.

In other cases, the salesman offers a sample of his product for the consumer's inspection. Sometimes the consumer is supposedly selected as the demonstrator for the community. This is a common practice among home improvement firms. The consumer may be offered a freezer of food, if he will purchase a freezer, or two new tires if he will purchase a used car.

3. "Referral Schemes" are frequently used to increase a merchant's clientele. The consumer is generally promised a reduction in price, deferred payment, or free item in exchange for the names of five friends, who would be interested in the salesman's commodities. This often occurs when a salesman tells a consumer that he has been selected to demonstrate a home improvement item. The salesman always wants to know if the lady next door would be interested or if the buyer has friends in other neighborhoods that would be interested. Merchants who employ the "Bait and Switch" technique frequently elicit such information, or ask the consumer to bring in five or six more customers and he (the customer) will acquire his furniture or appliances for half price. These promises never materialize because the salesman is constantly forgetting his promise and does not recall when the original consumer came in.

Misrepresentation is a device that the merchant uses to entice the consumer's commitment. After inducement the merchant legalizes his security interest by the use of technical and complicated contracts.

II. *Fraudulent Contracts*: represent the merchant's guarantee of collection on any item sold regardless of its condition, the circumstances under which it was secured, and the oral commitments made to the consumer. For the low-income consumer this is the conversion stage of a commercial transaction. At this point what rights the consumer may have possessed are transferred to the merchant without an explanation of the contents and legal ramifications of the contract. Generally, the low-income consumer contracts are open-ended and include confession judgment and disclaimer clauses.

1. An open-end is a contract that exists over a period of years. It commences with the consumer's first purchase. All items purchased after that period are added to the original contract and the payments are apportioned according to the number of items

under the contract. For the low-income consumer this method is especially receptive. Since he has little income and cannot acquire credit elsewhere, he generally purchases all his necessities under such a contract. In reality the method amounts to a terminable lease. The consumer is only leasing the furniture or appliances, etc., until he defaults in his payments. Subsequent to such default the merchant repossesses every item under the contract. The add-on clause in such a contract or sales agreement allows the merchant to secure the new contract obligations on goods other than those that were originally purchased.

2. Contracts frequently contain clauses or provisions that disclaim, modify, or alter terms of express and implied warranties made in connection with the sales agreement. The low-income consumer's lack of knowledge disarms him of the protection that is provided by law. Although this disclaimer may be broadly printed on the contract, it is often interpreted by the salesman who does not explain its legal consequences. Usually the disclaimer is not brought to the consumer's attention. He frequently signs the contract based on the representation made by the salesman and later discovers its ramifications upon fault or a request for repairs.

3. The salesman generally misrepresents credit or finance charges, or fails to clarify the terms of the agreement so that they can be readily understood by a layman.

4. Low-income consumers generally react to statements like "No Credit Necessary" or "We do our own Financing." However, in consummating the contract the salesman fails to disclose to the consumer his intention to negotiate or assign a contract or sales agreement to a finance company or other third parties. The transfer or assignment of the note frequently results in excessive expenses that the consumer does not understand. A typical example of such practices involved a consumer who purchased furniture from a dealer for \$200.00. He later got a notice from a finance company stating his financial obligation as \$387.84, including group life insurance for \$5.57 a month. The terms of payment were \$16.16 per month for 24 months. The consumer did not know his contract would be sold to a finance company.

5. The salesman fails to inform the consumer of the length of payment prior to the consummation of the agreement. The low-income consumer is normally interested in acquiring the item at the lowest possible rate; the fact that the salesman fails to mention the length of payments is completely overlooked. Example: Mr. R. R. purchased a color television set from Margo's priced at \$349.00. The terms of the contract were \$44.00 per month with no disclosure of the length of payments. After making payments for one year, Mr. R. R. still owed a balance of \$212.00 on the television set.

6. In automobile purchases the consumer is often induced to sign a contract without having his attention drawn to the total price. The salesman generally emphasizes the quality and condition of the automobile and suggests that it will not be on the lot very long. The consumer impulsively commits himself.

7. A majority of the contracts contain clauses that call for confession of judgment before or after default by the consumer. This represents the merchant's built-in mechanism to secure the collection of his interest in the item. Regardless of the circumstances surrounding the default the merchant has automatically secured a judgment against the consumer as of the date in which the contract is signed.

8. On occasion sellers have induced the consumer to sign the contract before it is completely filled-in. The contract is later filled-in by the merchant and the items are entirely different from those for which the

consumer signed. This practice generally occurs when a merchant is familiar with the consumer. The consumer relying upon his representation signs the contract in good faith. When the consumer discovers the alteration, he generally attempts to have the contract rescinded or refuses to make payments. The merchant threatens him with a suit or secures a judgment and the consumer is classified as a bad debt customer.

9. Most high risk merchants will not allow the consumer to carry a copy of his contract from the premises to be scrutinized by a third party. The merchant generally requires that the consumer sign the contract on the premises or leave a deposit for the item. If a deposit is retained and the consumer is not satisfied with the agreement, the deposit is never returned. In some stores the salesman develops such excuses as the contract has to be signed by his supervisor or sent to the main office. These excuses are made to keep from surrendering copies at the time the contract is signed.

10. Some merchants use contracts which generally contain provisions by which the consumer agrees not to assert against the merchant or assignee a claim or defense arising out of the sale. The disclaimers are stated in technical language that is not explained or understood by the average layman.

After legalizing his transaction, it is necessary for the merchants to secure their recognition by the enforcement agencies. One of the most notable facts uncovered in the "Federal Trade Commission's Report on Installment Credit and Retail Sales Practices of District of Columbia Retailers," released in March 1968, relates to the frequent use of the courts to enforce payment on the installment contracts. While general market retailers may take court action as a last resort against delinquent customers, some low-income market retailers depend on legal action as a normal order of business. Creditors can seek both repossession and payment of the deficiency should a consumer fall behind on his installment payments. The FTC further recommended equalizing the legal rights of buyers and creditors within installment credit.

Although the low-income consumer has the assistance of Neighborhood Legal Services and the Legal Aid Society, these facilities are insufficient to meet his needs. All too often these organizations are understaffed and overburdened by other domestic and criminal cases with which the low-income consumer is confronted. Realizing this inefficiency, the high risk merchant has continued to take advantage of the law for his own benefit. Although law enforcement, government, and private agencies are established to protect the consumer against the unscrupulous merchant, they are generally forced into giving him assistance in repossession, garnishment, and collections processing.

III. *Repossession, Judgment, Garnishment, and Collection.*

1. Low-income consumers are frequently the victims of repossessed items. Generally, the merchant waits until the payments are almost completed. When the consumer misses one payment, the item is repossessed. The repossessed item is sold or auctioned off and the profits are deducted from the balance of the contract. If the profits acquired from the sale do not cover the balance due on the contract, the consumer is held liable for the deficiency.

Normally the merchant is expected to give the consumer a fourteen day notice of their intention to repossess the item. In some instances the merchant fails to give the consumer notice and proceeds to repossess the item. This practice is often used to acquire items purchased under an open-ended contract. This frequently results in the repossession of the majority of the furniture within the consumer's home.

2. Serious questions have been raised concerning service of process under Rule Four

of the Federal Rules of Civil Procedure. Under Rule Four the summons may be served upon the consumer in person or at his place of residence. A substantial number of low-income consumers have been denied such service. The majority state that they only become aware of the judgment as a result of their checking or savings account being attached. Because of the limitation on this investigation, we have not been able to verify these allegations.

3. The final procedure in this tactic is supplied by the courts. This experience is often an illustration of the court's expediency in prejudging the low-income consumer. Generally, the judgments are based on clauses calling for confession of judgment or evidence, i.e. contract or records of defaulted payments, submitted by the merchant. When the cases are called, the judge may or may not review the case. Subsequent to the review, if any, the judge will state "judgment."

If the consumer is present and without representation, any efforts that he may make to clarify the position of the transaction will prove fruitless.

4. Subsequent to the judgment and before the expiration of the statute of limitation (six years) the merchant reinstates his security interest by having the judgment extended for an additional twelve years. This generally occurs two or three years after the judgment is rendered. The merchant thereby acquires a maximum of eighteen years in which he may attach a lien to the personal property of the consumer. However, if the consumer pays the judgment two or three years later, no steps are taken by the merchant to have the consumer's status cleared with the Credit Bureaus.

5. Once the merchant's practice has been formalized, it becomes necessary for him to collect. Many of the high-risk merchants employ their own collection personnel who are responsible for exerting excess pressure on the consumer. Those that do not employ their own personnel, assign the consumer's account to a collecting agency that receives a percentage of the uncollected balance. This often results in the consumer being harassed by late night and early morning telephone calls, harassment of the consumer's employer by telephone, letter, and personal contact that results in embarrassment to both the consumer and his employer. Such procedures are often accompanied by threats that result in conflicts between the merchant and the consumer, or the consumer and the collecting agency.

Because of the government regulations governing garnishment, the merchant continually harasses the personnel office in an attempt to have the employee suspended. This procedure includes an abundance of monthly letters and weekly telephone calls concerning the consumer and the steps that are being taken. The merchants can never understand why such persons are retained and protected by the government.

The personnel office thereby becomes the collecting agency. Often they find that the employee has over extended himself, recently experienced some difficulties, or met with domestic obligations that require that his income be spent on his basic necessities. However, when the personnel official negotiates, a minimum payment is often negated.

6. The conclusive step in the proceeding is generally garnishment or attachment of the consumer's wages or checking account. This step generally results in the merchant acquiring the profit he desires.

In classifying the practices, consideration has been given to the general mechanism that the unscrupulous merchant uses in the exploitation of the low-income consumer. The practices may vary at different stores but the approaches in effect are the same. They always result in additional late charges, undue harassment, excessive mental anguish, and occasional loss of employment. Such treatment insures the high-risk merchant of a market in which he literally dictates the

terms. Although his practices are deceptive and exploitative the low-income consumer would not be able to acquire his basic necessities without their existence.

In evaluating the exploitative practices in the District of Columbia, we find it necessary to classify the practices of supposedly ethical merchants or businessmen as unscrupulous and exploitative. It is one thing to be unscrupulous and admit it, but quite another to be exploitative and deny it. This classification includes such organizations as the Metropolitan Board of Trade, the major department stores, the downtown merchants, and any and all business organizations or businessmen that realize the problem but have failed to administer some form of relief.

IV. *Ethical Oppression*: Is a technique by which supposedly ethical merchants knowingly condone the exploitative practices of high risk merchants. This practice is generally exhibited in the merchant's failure to extend his market to a given clientele. By refusing to extend his market to such a clientele he is condoning the monopolization and colonization of low-income consumers. The economic withdrawal of the Metropolitan Board of Trade, Hecht, Sears, etc., by refusing to deal with low-income buyers, is one of the major factors contributing to low-income consumer exploitation.

1. *Lack of competition* is the primary reason for the high risk merchant maintaining his position in the economical structure. The failure of the ethical merchants to enter the market enable the high-risk merchants to continue their exploitative practices. The ethical merchant's failure to supply the low-income consumer with the best quality merchandise at the lowest possible prices will not entice the high risk merchant into securing quality merchandise. His failure to provide the low-income consumer with the best possible services will not enhance the services rendered by the high risk merchant. The economical approval or refrainment of ethical businessmen is the enslavement of the low-income consumer that results in the lack of his equal representation within the economic system.

2. *Failure to extend credit to low-income Clientele* compels them to shop for credit at exorbitant rates. Such credit is usually accompanied by a variety of deceptive practices. Despite this awareness, the ethical merchant has not adopted a mechanism by which the low-income consumer may receive credit and make low monthly payments (see, however, pilot program noted supra).

V. *Nongovernmental enforcement*

The last and most potent practice is the failure of the Federal and local government to maintain a protective agency that will insure the strict enforcement of all consumer regulations. In the exploitation of consumers, the failure of the government to restrain unscrupulous merchants from the use of deceptive practices represents a tacit approval of such practices. Furthermore, its failure to establish a mechanism whereby the low-income consumer may receive limited credit in the general marketplace is a condonation of the high risk monopolies.

Such economical exclusion represents a process of discrimination by which the low-income consumer, because of his financial status, is limited to a high oppressive economic market. The Federal and local governments' failure to act or respond to the need of this clientele illustrates a lack of genuine concern for the welfare of its people.

This economic exclusion cannot be rebutted by passing legislation that is often not enforced. This exclusion must be rectified by the implementation and strict enforcement of necessary regulations, and these regulations must have an enforceable value to the consumer if they are to be considered effective.

CONCLUSION AND RECOMMENDATIONS

The remedy for the District of Columbia's problems of consumer exploitation is four-

pronged. First, there must be a consumer protection agency that has absolute authority to represent the interests of the consumer. Second, the general market must be extended to include the low-income consumer in its constituency. Third, the unscrupulous practices of the high risk merchants must be abated. Fourth, the low-income consumer must be educated to his rights and liabilities. Finally, a consumer self-protection organization should be established in each community.

Supposedly, the Office of Consumer Affairs will provide the District of Columbia with its first constructive remedy. However, if this office is to be successful it must act as a consumer watch dog service fully empowered to advocate the rights of the consumer. Such a service must include the initiation of affirmative, visible action to discover unconscionable, fraudulent, and exploitative practices, and criminal sanctions against such merchants. This includes surveillance of all enforcement agencies to insure that they are adequately enforcing the rights of the consumer. This office must take affirmative steps to outlaw the immoral open ended purchasing agreements with "add-on-clauses," or limit such agreements so that monthly payments will not exceed a certain portion of the consumer's income.

The Office of Consumer Affairs, if adequately staffed, should be responsible for the implementation of consumer programs, and the coordination of consumer organizations to provide effective meaningful technical assistance to the residents in the areas of training professional staffs, distribution of current consumer information, and assistance in curriculum development for the low-income consumer. Such a facility must not merely be a repository for published materials. It must coordinate research in the consumer field and be able to channel requests for analysts to creative technicians. It should be able to translate consumer legislation and other information into understandable laymen's terms.

This facility must be responsible for a continued program of community awareness. This technique necessitates the use of all radio and television stations to apprise the consumer of the deceptive practices that merchants are employing and the available relief. The use of this technique cannot be over emphasized as a means of communication with the low-income consumer. Such a program should include a systematic presentation of posters, leaflets and brochures in the schools, churches, and welfare organizations.

This office should have an educational and advisory service that will direct its programs to the consumer in a simple, easily understood, continuous manner on a neighborhood level. Such a service must apprise the consumer of the basic tenets of "consumer self-protection" (practical budgeting, an awareness of bait-and-switch and other fraudulent and deceptive advertising techniques, how to use comparative shopping methods, how to establish and maintain good credit, etc.) and afford free counseling service to the consumer before he enters into a binding agreement, or advise him that he should rescind such an agreement where there is a statutory "cooling off" period.

The fundamental aspect of consumer protection, especially low-income consumers, is the availability of fair credit agreements. For the low-income consumer, the Office of Consumer Affairs will supposedly be the agency policing the high risk merchant. However, there are no self-competitive standards that are imposed by the merchants themselves. Such standards can only be acquired by the extension of the general market to the low-income constituency.

The extension of credit to the low-income consumer should include a deduction in the monthly payments, and the institution of a credit system that will adequately reflect the credit risk of the consumer. The most feasi-

ble method would be the reduction of the monthly payments to a minimum amount per month and limiting the total purchases at the out-set. Such a program should be supplemented by an individual counseling program. Hopefully, this program will be sponsored by the Office of Consumer Affairs in conjunction with the Credit Union and existing consumer organizations.

A credit bureau should be established that will accurately measure and reflect the true credit rating of the low-income consumer. This bureau's primary source of data should be based on the consumer's ability to pay rent, utilities and telephone bill, insurance, and a car note. This data must be complemented by the credit that the consumer has established in the high risk market and his frequency of payment. Without such information, a true reflection of the low-income consumer's credit status cannot be ascertained.

Businesses must be provided that will be owned, operated or substantially controlled by the low-income consumer. Such businesses' functions would not be to maintain the status quo but to create competition for the existing merchants. However, this recommendation, if based upon entrepreneurship, will experience severe difficulties in capitalization and management. As a result it may adhere to the established principle of capitalism and create competition by increasing prices. This will inexplicably result in the exclusion of the consumer and the enrichment of the merchant.

We, therefore, recommend that such business enterprises be either corporations or cooperative ventures. The corporation would provide the consumer-shareholder with the benefits of quality merchandise, return on his investment, a new labor market, and an opportunity to participate in the development of the business. As a result, many low-income consumers, who lack managerial experience, would acquire such, while reaping the benefits of moderate priced commodities. The corporation would acquire a continuing source of capital, an established market, ample labor resources, and the possibility of increased expansion to similar low-income markets.

Many such businesses are established in the District of Columbia as non-profit corporations. This is done to avoid the regulations of the Security and Exchange Commission in issuing shares in a corporation or cooperative (since these businesses are established in a Federal enclave, they are not entitled to the exemption of a non-profit corporation, i.e. cooperative, under Title I Section three of the Security Exchange Commission Act of 1933). Instead of purchasing shares of stock in the business the consumer becomes a member by purchasing membership certificates. However, by incorporating as a non-profit corporation the business is excluded from acquiring loans from the Small Business Administration.

As a positive alternative to the high risk market, we would recommend that such organizations be aided by both Federal and local funds. These non-stock cooperatives or non-profit corporations insure maximum feasible community participation, increase competition by establishment of its membership, return the income of the community, and maintain its commodities at the lowest possible price. Such a program is designed to inexplicably eliminate the problem of consumer exploitation.

All too often the enforcement agencies have refrained from implementing constructive enforcement procedures to curtail the deceptive practices of the unscrupulous merchant. This abstention has enhanced the merchant's status and suppressed that of the consumer. If the problem of exploitation is to be eliminated, these agencies must broaden and exert their impact upon

the merchant. We, therefore, recommend that a more subjective analysis be given to any contractual obligation that is questioned by a consumer. Emphasis should be placed upon verbal representation and possible means of enticement.

No remedy will be successful unless it is accompanied by intensified consumer education programs that are directed at the problems of the low-income consumer. Such a program should employ all established community facilities, all news media, and public relations techniques that are advisable. Emphasis should be placed on the simplicity of each course or community awareness technique.

The most effective remedy that the consumer has at his disposal is his own purchase power. We consider it a necessity that consumer organizations be formed in each community to establish a process of negotiation with unscrupulous merchants. Their authority must be based upon its ability to influence a large constituency and bring its needs and desires to the merchant.

For the low-income consumer this approach represents his only immediate remedy. Such factors must be attributed to the failure of the commercial regulation to encompass the problems that he is confronting, or the enforcement agencies to exert their authority in the protection of his rights.

FOOTNOTES

¹ Presidential Message on Consumer Legislation 5 (1962) reprinted in Hearings on S 1740 before a Subcommittee of the Senate Committee on Banking and Currency, 87th Congress, 2nd Session 206 (1962).

² In addition to the Executive Order, President Johnson sent several messages to the Congress on consumer legislation outlining his program. Messages were sent in 1965, 1966, 1967 and 1968 covering a wide-range of consumer issues.

³ Report of National Advisory Committee on Civil Disorders at 139; see generally, *Consumer Legislation and the Ghetto*, 45 Journal of Urban Law 704 (1968), *Better Deal for Ghetto Shoppers*, Harvard Business Review, March-April (1968), *The Corporation and the Ghetto*, 45 Journal of Urban Law 674 (1968).

⁴ Public Law 90-321, 82 Stat. 146, May 29, 1968. The purpose of the Consumer Credit Protection Act is to safeguard the consumer by requiring full disclosure of the terms and conditions of finance charges in credit transactions or in offers to extend credit; to restrict garnishment of wages; and by creating a Commission to study and make recommendations on the need to further regulate the consumer finance industry and for other purposes.

⁵ For other regulations in D.C. affecting consumers, see generally Regulations governing the conduct of business of loaning money (promulgated September 6, 1949) and Regulations governing the conduct of the home improvement business (promulgated May 11, 1961).

⁶ Mr. Egon Guttman, Professor of Law, Howard University, testifying on several pending bills dealing with consumers in the District, stated:

"2. A Department of Consumer Protection: The provisions of regulations by direct or delegated legislation (by Congress or the Council) requires the means to enforce such regulations. Most of the buyers affected by the types of sales transactions here involved are in the lower educational and economic bracket. They are, therefore, unaware and if aware cannot afford the cost of protection. S 2589 provides for such protection in the form of a District of Columbia Department of Consumer Protection."

Hearings on S 2589, S 316, S 2580, S 2592 before the Senate Committee on the District of Columbia 90th Congress, 2d Session at 55.

⁷ The system proposed by the departmental legislation (Rosenthal Bill) was recently

adopted in Great Britain. Britain's "Trltag" system includes testing of goods by an independent laboratory, and labeling of goods with test results, thereby, giving the buyer critical and necessary information on the product at the time of the sale; see generally, *Washington Post*, B-1, May 4, 1969.

⁸ 111 Congress Record 15851, July 12, 1965.

⁹ Letter and attachment from J. Von Baston (BBB) to Sylvia Gilford (NCIC), January 13, 1969.

¹⁰ Boyd and Claychamp, *Industrial Self-Regulation and the Public Interest*, 64 Michigan Law Review 1239 (1966).

¹¹ Glicksman and Jones, *Consumer Legislation and the Ghetto*, 45 Journal of Urban Law 705 (1968).

¹² Boyd and Claychamp, *Supra* Note 10.

¹³ Caplovitz, *Consumer Problems*, 23 Legal Aid Briefcase 143, 147 (1965). This conclusion was drawn after a study conducted among low-income families in New York City.

¹⁴ *Consumer Frauds*, 114 U Pa Law Review 395, 404-06 (1966).

¹⁵ See also footnote 47, *Consumer Legislation and the Poor*, 76 Yale Law Journal 753 (1967).

¹⁶ See generally Magnuson, *The Dark Side of the Market Place*, pp. 22, 60, 78, 84. (1968).

¹⁷ See generally, *The Poor Pay More*, 137, 171-175.

¹⁸ *Id.* at 173; *Supra* Note 13 at 395, 400.

¹⁹ *Id.* at 400.

²⁰ *Id.* at 395, 499.

²¹ *The Poor Pay More*, 173-174.

²² *Id.* at 23-25; H. Black, *Buy Now, Pay Later* 53-61 (1961).

²³ 2 Colum. J. L. and Soc. Prob. 9 (1966).

²⁴ *Id.* at 10 Ef. 12 West Res L. Rev. 747 (1961).

²⁵ Concerning the causes of sewer service, see *supra*, note 23 at 1, 9-10.

²⁶ *Washington Post*, B-10, Feb. 12, 1969.

²⁷ Safeway and Giant Food Stores provided training supervisors and food cases.

APPENDIX

CASE INVESTIGATION

Presently in the consumer complaint department there are four categories of cases in which the department handles:

1. Fraud.
2. Warranty.
3. Credit.
4. Repairs and Service.

These categories were drawn up by the investigation staff subsequent to the additional members of the staff. Due to the increased volume of cases, it was necessary to drop landlord and tenant cases.

PROCEDURE

(a) Complaint:

1. Secretary writes down the name, address and telephone number of the complainant.
2. This information is placed in the new case folder (complaint investigation file).
3. Complainant is called by screener and initial facts written down on a complainant data sheet.
4. The case is recorded in a case log and assigned to one of the six members of the staff. Assignments are issued once a week on Wednesday.
5. Complainant is then interviewed personally by the investigator.

(b) Complaints:

1. The merchant involved is sent a letter with the alleged facts obtained from the complainant.
2. Pending the outcome of response from merchants, the investigator either (a) calls the merchant or (b) personally visits the merchant.
3. If results are unfavorable, the case is referred to a lawyer (if client is above the salary ceiling of the Neighborhood Legal Services) at the Neighborhood Legal Services.
4. If results are favorable then the case is closed out with a letter to the complainant.

CASES

1. There is no set criteria for servicing the consumer or complainant, and as a result information concerning the family background and salary is not pertinent unless a referral is necessary.

2. The length of time given for obtaining satisfactory results varies but usually falls in a one month period.

3. Seventy percent of the present cases (one hundred) are closed.

ASSISTANCE

There are three sources of legal assistance:

1. Maribeth Halloran, Esq., an attorney with the Neighborhood Legal Services.

2. Research staff at Neighborhood Consumer Information Center.

3. All members of the Board of Directors of NCIC.

PROGRAMS

I. Miss Maribeth Halloran along with two staff members of NCIC implemented the following:

(a) Smooth transition of cases to be referred to Neighborhood Legal Services which prior work was done by NCIC;

(b) Direct contact with one attorney from each branch of Neighborhood Legal Services.

II. Jeanus Parks, Esquire, Attorney-in-charge of Neighborhood Legal Services reiterated the program above with the added idea:

(a) Take a two week period to familiarize the two NCIC staff members with the Neighborhood Legal Service branches.

RECOMMENDATIONS

1. The staff of six investigators needs additional investigators since the case load runs from 10-12 cases per person.

2. Branches of NCIC should be established throughout the District of Columbia in order to effectively service all consumer problems.

I. Transferral procedure

1. The Investigator, after totally exhausting all means of obtaining a remedy, will have the case transferred.

2. Read over all communications received or sent out from this office.

3. Rewrite the facts including all the communications.

4. Assign the case to the contacts in the NCIC office.

5. The contacts will take the case to the proper branch of NLS, if complainant falls under the NLS salary ceiling. The contacts are responsible for obtaining the salary information from complainant.

II

1. All offices of NLS will be utilized in this program since NCIC caters to the entire metropolitan area.

2. The contacts of NCIC will set up the program with one person from each branch of NLS. All cases will be given to this assigned person of the NLS branch.

III

A form complaint has not been set up by Jeanus Parks, perhaps after the contacts are selected and the program implemented such a form will be discussed.

Jeanus Parks, Esq., and Maribeth Halloran, Esq. suggested that:

1. Two investigators assigned to the program.

2. Contacts made with all branches of NCIC.

IV. Personal letters vs. form letters

A. Personal Letters

1. A personal letter gives a merchant the idea that the case is being handled personally by the investigator, who has to take time to compose a letter appropriate for the facts given.

2. Investigator is not restricted to a form letter.

B. Form Letters

1. Investigator is restricted to words of the set form.

2. Merchant does not feel a personal involvement from a form letter.

V

Merchants are not aware of the investigators being law students; a law background is helpful in wording letters, and in discussions with merchants.

NEGOTIATION

A letter to the merchant has provided the best solution for closing cases. However, a telephone call and a personal interview, in some cases, has been sufficient.

INFORMATION

All information from consumers is obtained by telephone followed by a personal interview.

CONSUMER BEHAVIOR

Consumers on the whole are especially suspicious of organizations purporting to help if such an organization solicits. However, when consumers call (on their own) suspicion is usually deleted from their minds. In some cases, consumers are referred to NCIC by previous clients and other organizations.

A. REPORT OF CASES ON CONSUMER COMPLAINTS

1. Bezo, Catherine

Date: 12-20-68.

Nature: Non-delivery of a rug.

Action: 12-20-68. "A" bought a rug at Sears before Thanksgiving to be installed before Christmas. However, Sears failed to make delivery as promised.

1-6-69. Sears stated that delivery would take place 1-8-69.

1-8-69. "A" received the rug.

Closed: 1-8-69.

2. Black, Ann

Date: 1-30-69.

Nature: Fraud.

Action: 1-30-69. "A" purchased a color television from Ladds' and received a floor sample.

1-31-69. Drove to Mrs. Black's; conducted an interview and picked up the receipts and the sales contract.

1-31-69. Wrote a letter to Ladds' store manager.

1-18-69. Called the store's manager about the T.V. and was told by Mrs. Pinkham that complainant may come in and select a new T.V. Mrs. Pinkham wanted to know exactly when this would be done.

3-10-69. Complainant called and stated she would be going out to select the new T.V. tonight.

3. Calwell, Robert

Date: 10-1-68.

Nature: Guaranty (Warranty).

Action: 10-1-68. "A" purchased a 3-way combination set from Sound Incorporated under a one year warranty; The company failed to repair the set under the one year warranty.

11-5-68. "A" received a letter from Magnavox Company stating that set is still under warranty.

11-15-68. Sound Inc. removed the set Friday 10-8-68 and promised to return it Monday 11-11-68. "A" to date has not received the set. Re- the call Tuesday 11-19-68.

4. Davis, Jimmy (Mrs.)

Date: 1-31-68.

Nature: Fraud.

Action: 1-31-69. "A" purchased through the mail four (4) orders of wall plaques. She paid \$17.00 and received the cancelled check back but never received the merchandise.

2-1-69. Efforts are being made to contact World Gift.

2-2-69. A letter was sent to World Gift followed by a call. The company stated that it was an oversight and mailed the plaques.

Closed: 3-10-69.

5. Dorsey, Martha

Date: 10-30-68.

Nature: Fraud.

Action: 11-5-68. Interviewed by telephone: "A" was called on the telephone by a representative of Franklin Readers' Company and was told she would receive books and several magazines if she signed to pay \$14.95 a month for one year. However, after she signed the contract it was found that the \$14.95 would be for a period of three years. "A" cannot locate a copy of the contract 11-14-68. Called and "A" had not received a copy of the contract from the company (Previously told to request a copy of the contract from Franklin Readers Company).

12-2-68. "A" stated that she would not like for the letter to be sent to Franklin Readers due to the fact that she received a letter from the company stating that she would receive a surprise in a few days.

12-13-68. "A" received a lighted picture from the company and did not want to pursue the case any further.

Closed.

6. Fitch, Celestine

Date: 11-1-68.

Nature: 11-5-68. "A" placed a silk dress valued at twenty-nine dollars and ninety-nine cents (\$29.99) for cleaning and altering. Inside the dress was a note from the manufacturer stating "Do not apply direct heat to this garment". This note was disregarded by the cleaners thus ruining the garment in question.

Action: 11-6-68. Spoke to Cleaners and Mrs. Fitch.

11-19-68. Spoke to Mrs. Burrell on the telephone and dress is now in excellent condition. "A" may pick up the dress.

1-27-69. Called but no response.

2-4-69. Letter sent to "A" to call this office.

2-10-69. Complainant stated that she still was not satisfied with the dress and left word for Mrs. Burrell to contact complainant.

3-24-69. Fitch sent additional cleaners ticket.

3-27-69. Investigator visited Burrell Cleaners to see the dress in question but was refused the privilege by Mrs. Burrell. Mrs. Burrell then stated that "She was not doing anymore with the dress."

3-27-69. Called complainant and explained that NCIC could not do any more legally, that a small claims against Mrs. Burrell would be necessary.

Closed: 3-27-69.

7. Gallman, Mrs.

Date: 1-30-69.

Nature: "A" visited the office and stated that she signed a contract to pay two hundred dollars (\$200.00) down on a house. However, Samuel Reynolds, the realtor stated that he could not get a loan approved without five hundred dollars (\$500.00) or three hundred dollars more (\$300.00) from Mrs. Gallman. Now she is afraid if it is not approved by the Federal Housing Authority that she will not receive her money back (\$500.00).

2-3-69. "A" told to get a receipt and a written guaranty of full refund.

8. Hughes, Jackson

Dated: 1-18-69.

Nature: "A" charge account at Sears was cancelled purportedly because he was late in his payments. He claimed the cancellation was a result of friction between one of the members of his family and a member of Sears' credit department, both being Sears employees.

Action: 2-1-69. An appointment was made to see Mr. Hughes at his home 2-3-69.

2-3-69. A letter sent to Sears explaining this situation.

2-24-69. Sears Roebuck was contacted by phone after no response to the above letter was received.

2-24-69. Sears Roebuck Credit Center in Bethesda, Maryland was contacted and an

appointment to see Mr. Cohill of the credit department on Friday, February 28 was made.

2-25-69. Mr. Hughes was contacted by phone and apprised of the meeting arranged with Mr. Cohill and he promised to be in attendance on February 28th.

2-28-69. At a meeting at Sears Central Credit Bureau, attended by investigator, Mr. and Mrs. Hughes, and Mr. Haley of the Sears Credit Bureau, a close inspection of the credit statements of Mr. Hughes for the past two years revealed that a misinterpretation of those statements coupled with Mr. Hughes' failure to notify Sears to interpret a slowness of paying by Mr. Hughes. This misunderstanding was explained favorable on the consumer's part by investigator, and his credit with Sears was reinstated.

Closed: 2-28-69.

9. McDonald, James

Date: 11-7-68.

Nature: "A" alleged that Mobile T.V. Shop received a color T.V. set from him for repairing. A notice by the Shop was sent to him with repair cost of seventy-three dollars (\$73.00). "A" could not pay the amount immediately and asked for a two week extension. ("A" paid a small amount to show good faith). This was granted and the T.V. placed in storage. Within the two week period "A" was told that the T.V. had been stolen from storage. Subsequently, nothing was done in spite of Complainant's repeated effort to acquire a similar one or the value thereof.

Action: 12-9-68. Not home.

12-13-68. Not home.

12-17-68. A letter was sent to Mobil T.V. Shop.

1-9-69. Not home.

1-24-69. Not home.

1-24-69. Letter sent for "A" to contact this office.

1-30-69. Investigator talked to manager of T.V. Shop and he agreed to replace the stolen T.V.

2-1-69. Merchant replaced the T.V.

Closed: 2-1-69.

10. Young, Calvin

Date: 1-27-69.

Nature: Rescission of Contract. Complainant purchased an infant chair stroller at \$484.00 under the installment contract from Rex-Stroller-O-Chair after which, complainant received one free. A letter was sent to Rex-Stroller-O-Chair.

Action: Complainant was interviewed and a letter was sent to the merchant and a carbon copy to the complainant.

2-10-69. Merchant rescinded the contract and returned complainant's money.

Closed: 2-25-69.

11. Mack, Peter

Date: 1-18-69.

Nature: Cleaner's loss of trousers while in the custody of Burrell Cleaners.

Action: 1-24-69. Called complainant but there was no response.

1-26-69. Made an appointment with complainant and investigated the matter.

1-29-69. Sent a letter to Burrell Cleaners. In response to the letter, manager stated that complainant would be rebated in full.

2-1-69. Complainant received the check for the value of the trousers.

Closed: 2-12-69.

12. Barnes, Dennis

Date: 3-7-69.

Nature: Fraud-Complainant wanted to rescind the contract induced by fraud. The contract covered a five (5) year period with Reader's Service. Notice of Legal or Statutory action was mailed to complainant who now seeks the aid of this office.

Action: 3-13-69. Called complainant and arranged for an appointment.

3-15-69. Complainant came by the NCIC office where he was interviewed.

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3-21-69. Consulted Neighborhood Legal Services Program and talked with Miss Meribeth Halloran, Esquire. In reference to the complainant, Attorney Halloran stated that the (FTC) Federal Trade Commission should be informed, and that a copy of the Notice of Legal or Statutory Action mailed by Atlantic Collection Co. to Complainant should be forwarded to Federal Trade Commission.

Pending.

13. Boyd, Mrs.

Date: 1-17-69.

Nature: Repairs—Complainant contacted this office with a complaint against the Washington Gas Light Co. Complainant alleged that for the month of December, 1968 she was charged an excessive amount for the amount of gas consumed.

Action: 1-29-69.. A letter to the Washington Gas Light Company.

2-3-69. Received a letter from the Washington Gas Co. in response in which the Customer Service representative indicated that if Mrs. Boyd could come down, some agreement could be made.

2-3-69. Called Mrs. Boyd, informed her of the news and she agreed to go.

Pending.

14. Coaston, Mrs.

Date: 3-7-69.

Nature: Fraud—Complainant purchased a portable T.V. from Giant T.V. Co. Complainant was given a bill totaling \$185.00. When complainant went to make one of her monthly payments, she was told that she had to pay an additional \$40.00. That complainant was being harassed at her job by Mr. Talton.

Action: 3-8-69. A letter was sent to Giant T.V.

3-25-69. A second letter was drafted and sent to Mr. Taylor explaining that he could not make such a charge this late—Mr. Taylor dropped the \$40.00.

Closed: 3-27-69.

15. Hines

Date: 2-3-69.

Nature: Bill—Complainant claims that he was billed twice in one month. However, Mr. Hines prior to consulting this office had not discussed this matter with a representative from the Hecht Company.

Action: It was suggested that he first consult the Hecht Company in order to get their position after following my suggestion. The Hecht Company admitted a mistake and the matter was disposed of.

Closed: 2-10-69.

16. Donald, Sella

Date: 2-13-69.

Nature: Complainant purchased furniture from H & T Furniture on 14th Street and was taken to a Finance Company to be financed. Complainant after signing all the papers realized that the interest rate was very high and changed her mind when she got home.

Action: It was found that the interest rate is legal under the Maryland Law on small loans, however, a letter was sent to H & T's manager, Mr. Henderson asking that he allow complainant to return the furniture.

4-22-69. Letter sent to H & T.

4-25-69. Spoke to Mr. Henderson and he stated that nothing could be done that no wrong was done.

4-30-69. Spoke to Mrs. Donald and suggested that she obtain the loan from the credit union on her job to pay the finance company before interest accrues.

Closed: 4-30-69.

17. McDaniel, Michael

Date: 2-24-69.

Nature: Furniture repossession.

2-24-69. Complainant received a repossession notice from Mario's Furniture Company for furniture.

2-25-69. Spoke with the manager at Marlo and he stated that Mr. McDaniel's furniture was financed through Liberty Loan and he

has had the furniture one year without one payment.

2-26-69. Spoke to Mr. McDaniel and he stated he neglected to pay because of a payment book.

2-27-69. Liberty Loan states that their only interest was for Mr. McDaniel to start payments immediately (\$27.00 a month).

2-28-69. McDaniel will start this month. Closed: 2-30-69.

18. McKie, Mamie (Mrs.)

Date: 1-28-69.

Nature: Mrs. McKie consulted in reference to having a bill reduced or having her monthly payment reduced at Walker Thomas.

2-1-69. Contact was made at Walker Thomas with Mr. Sledge and discussed the possible solution. Mr. Sledge stated that he would be very happy to join in on any arrangement that would be helpful.

2-2-69. Contacted Mr. McKie and discussed a price which would be adequate (\$20.00) a month.

2-7-69. Mr. Sledge stated that \$20.00 a month would be OK.

Closed: 2-10-69.

19. Conley, Carrie

Date: 2-28-69.

Nature: Complainant and husband were given a list of books from Franklin Readers Company and signed a contract supposedly for 12 months at \$14.75 and found out it is 26 months for \$14.75. Complainant is only 20 years old and her husband is also 20 years old.

4-25-69. Spoke to Mr. Novak of Franklin Readers who stated that complainant will have to send the books back.

4-29-69. Complainant stated that she will send books back C.O.D. to the company.

Closed: 4-29-69.

20. Jackson, Whitsel

Date: 3-15-69.

Nature: Complainant ordered certain items from Speigel, Inc. in Philadelphia, Pennsylvania. He did not receive all the items ordered but was billed for all. He returned the items but still received statements each month.

4-7-69. Mr. Jackson called stating he received a notice from the credit bureau of Philadelphia, and a letter from Speigel stating the commencement of a complaint. Complainant spoke to Mrs. Sanders who stated that the matter was settled.

4-9-69. Called Speigel and spoke to Mrs. Miles who will contact Mrs. Sanders.

4-16-69. Spoke with Mrs. Sanders who rectified the account with a zero balance and although Mr. Jackson will receive another statement, it has been cleared for the May statements.

Closed: 4-16-69.

21. McManue, Vanus

Date: 3-24-69.

Nature: Complainant indicated in a telephone conversation that he delivered his T.V. to the Maurice T.V. Repair Center. After having the set for 2 weeks, it was not fixed and then refused to allow Mr. McManue to take it. When it was returned complainant was not allowed to see T.V. operate in the store.

4-9-69. Letter sent to Maurice.

4-14-69. I personally accompanied complainant to the Maurice Shop who promised delivery on 4-18-69.

4-18-69. Maurice began work on the T.V. and promised to deliver it 4-23-69 for \$30.00.

4-19-69. Complainant picked up T.V. repaired and in satisfactory condition.

Closed: 4-29-69.

22. Fitch, Celestine

Date: 4-4-69.

Nature: Complainant reported that her T.V. turntable is being repaired for the third time. Payment was made by check, but

when she discovered that the turntable was not working properly, she withdrew the check. The T.V. Company will not deliver the turntable unless cash payment is made.

2-4-69. Complainant stated that if T.V. turntable works properly she will pay the balance of \$17.88 in cash.

2-4-69. Called the T.V. technician and spoke with the manager and he agreed to deliver the turntable with cash payment.

2-4-69. Called Mrs. Fitch back and indicated that Mr. Roades was willing to deliver the turntable as soon as possible.

2-7-69. Called Mrs. Fitch and was informed that technician had made the repair.

2-8-69. Talked with Mrs. Fitch and she reported that turntable was still acting up. Called the manager and he will send someone out to repair.

Pending.

23. Shuffrey, Mrs.

Date: 4-8-69.

Nature: Complainant contracted Cherry's Interior Home Decorators to do the carpeting but it was a very faulty job. That the installers had damaged properties within the home. That the company had been slow in rectifying the situation.

4-11-69. Left a message at Cherry's for Mr. Cherry to call.

4-17-69. Called Mr. Cherry and explained. He stated that he was unaware of the mistake of a faulty job and he would rectify the situation.

Pending.

B. EDUCATION COMMITTEE REPORT FOR THE PERIOD ENDING MARCH 31, 1969

As of March 31, 1969, the members of the Education Committee have averaged eleven classes per week, consisting of twenty-one class hours, and involving 230 pupils. This is not to say that the influence of our consumer education class is limited to a mere 230 individuals, however, because some of these "pupils" are community aides, who have the primary responsibility of going out into the community and distributing the information. In addition, all individuals not acting in this capacity still carry this information to their homes and their immediate neighborhood.

The Committee consists of five members. Mrs. Margaret Williams teaches four classes in two establishments. Mrs. Williams teaches two classes per week at the Israel Metropolitan Methodist Church, at Randolph and 7th Streets, N.W. Both of these classes have been averaging 34 pupils per week. Two other classes are taught at the Peoples Involvement Corporation, at Florida and 7th Streets, N.W. These classes have averaged thirty pupils per week. The pupils involved at the People's Involvement Corporation are community aides, who spend their time visiting families in the Shaw area. Their duties include helping the residents define, express and clarify their economic problems. These "pupils" are, therefore, adults with a wide range of educational and work experience. Interestingly enough, some of these adult community aides have personally experienced difficulty in obtaining credit, while others in this group have had problems in submitting a budget that would satisfy the Department of Welfare, for public assistance. Accordingly, the classes were quite lively, and the aides responded to the classes in a positive manner.

Mrs. Williams' classes have covered different aspects of credit, as it pertains to the consumer. Basic questions covered include why one should or should not buy on credit, how much credit costs, how one qualifies for credit, and how one can prevent a bad credit rating when he is unable to pay his debts on time. Subsequent classes covered such realistic situations as what to do when a company erroneously designates a person as a bad credit risk, what to do when a door-to-door salesman asks the person to sign a receipt which is a contract, what to do when a person owes a debt to a company which goes out of

business leaving the debt in the hands of an assignee, and what to do when a person purchases a second-hand item believing it to be new.

The class discussions evolved around the importance of proper investigation prior to purchasing an item, and the importance of comparative shopping for the item and the credit. Mrs. Williams' evaluation of the classes is that all the pupils are highly motivated, and that class participation is at a high level. The reason attributed to this pupil participation is that the pupils are strongly involved in community affairs and are interested in helping others in the Black community.

Mrs. Williams has contributed four classes per week, and sixty-four pupils. Mrs. Williams has also made contact for future classes in contacting Miss Susan Pogash, of the O.E.O. and UPO Project Farmers Market. This organization provides training for unemployed women for a period of four weeks, with a new group coming in every four weeks. The classes range from twenty persons for each class, to one hundred and twenty persons for each instructional day. The plan was to have each of the members of this committee teach some portion of the day, from Monday to Friday. However, this plan proved to be difficult to implement, in that the class hours of the law school prevented an effective program. Thus, this program has been put under further consideration, in order that a meaningful consumer education program can be put into operation.

Mr. Edward Webb has been negotiating with Pride, Incorporated, to initiate consumer education classes. As of March 19, 1969, Mr. Newton, of Pride, Inc., contacted Mr. Webb and informed him that classes could proceed. The negotiations involved creation of a proposal that would satisfy the management of Pride, Inc.; and Mr. Newton and Mr. Webb achieved this on March 19th. However, it subsequently developed that Mr. Webb would not be able to teach the classes. Consequently, another member of the staff was given the teaching assignment.

Mr. Webb also made contact to establish more classes. Accordingly, Mr. Webb met the Clergyman's Association on March 3, 1969. This Clergyman's Association represents 112 churches in the northeast section of the city, however, there were only three members present at this meeting. Nevertheless, these three members have large congregations and expressed the desire to favorably introduce NCIC's program to their respective member churches. However, one of the members, a Reverend Davis, informed Mr. Webb that the entire Association would have to endorse the project, and suggested that the program also be introduced to the Baptist Ministerial Association. As of this date, the endorsement has not been received, and NCIC also has not received an additional required endorsement from the Baptist Ministerial Association.

Mr. Webb's meeting with Mrs. Northcutt and Mr. Crutchfield, of the Y.M.C.A. Consumer Affairs Sub-Committee, Adult Education Committee, met with considerably more success. This is to say that the Twelfth Street Y.M.C.A. is presently being taught by Mr. Webb, despite the fact that a proposal was requested and submitted. Mr. Webb is also teaching classes at the Parent-Child Center, U.P.O., 12th Street, N.W. However, the frequency of the classes has not been worked out with Mrs. Rucker of this organization. Nevertheless, this class is being taught two afternoons a week. In addition, Mr. Webb is teaching another class at the New Bethel Baptist Church on Saturday afternoons.

Mr. Albert Archibald has been conducting a series of classes at the Camille B. Hayes Training Center, on Mondays and Wednesdays for two hours per class. These classes have been averaging 25 pupils per class, with an age range of 16 to 25 years of

age. The curriculum of these classes is geared to supplement and augment a consumer education course already being taught. However, the previous course dealt with home or budget planning, as opposed to Mr. Archibald's emphasis on all aspects of consumer credit. The main emphasis, however, has been Finance Charge v. Interest Charge and how to compute interest.

Mr. Archibald also actively sought the establishment of new classes in contacting Miss Susie Levy. Miss Levy is the Community Organizer for the Urban League, and she expressed an interest in having such a program in the Shaw Area. However, subsequent discussions between Miss Levy and the Chairman of the Education Committee revealed the impossibility of such a program at this time. It is hoped that these impossibilities can be overcome because of the aid offered NCIC by the Urban League Staff. This is particularly true in the case of Reverend Johnson and Reverend Griffin, who both act in the capacity of Education Specialists for the Urban League.

Mr. Edwin L. Haynes contacted four organizations during the week of March 3rd to March 18th. The first contact being a speaking engagement before the Ministerial Conference of Baptist Church, 1611 Benning Road, N. E. This organization is a substantially large number of ministers that meet to conduct church, and church related business. Mr. Haynes set up this meeting through Reverend Isadore D. Richards, of the Mount Olive Baptist Church, 1138 Sixth Street N. E. However, this organization as a body took the position that they approved of the concept of Consumer Education Class, but the body would have to officially approve the program. As of this date, official approval has not been received. Also during the week of March 3rd, Mr. Haynes set up a meeting with Reverend Robert Harrison, of the New Samaritan Baptist Church, 610 Maryland Avenue, N. E. The purpose of this meeting was to meet another Ministerial Association with the official acceptance delayed until approval by the body. It must be noted, however, that both these Ministerial Associations are highly structured in terms of organizational structure, in that both organizations employ the committee and subcommittee concept to transact their business. As such, final decisions on matters are necessarily slow. A meeting occurred also with Mr. Delano R. Royal, who is the Assistant Director of the Anacostia District of the Boy Scouts of America. However, it turned out that Mr. Haynes will need to have more meetings to touch up fine points of disagreement.

During the week of March 10 through March 15th, Mr. Haynes had occasion to have another meeting with both Ministerial Associations. This meeting was really the first meeting before the entire body, since his previous meeting was before a committee which has the discretionary power to decide whether or not Mr. Haynes' program was worthy of being presented to the Main body. The final result of all this procedure was that Reverend Lewis McComb, vice president, and Reverend Robert Harrison, president, and the body tentatively endorsed the program. Actual implementation was decided to be accomplished pursuant to a survey of church congregations to find out which churches were interested in the program. It is to be noted, however, that the President of the Association decided that the program could be more effectively implemented through the Association rather than through the respective churches' ministers.

It must be noted at this juncture, that contact work of this nature is time consuming and this is particularly disadvantageous with such a small committee, as the five members can only discharge their duties on a part-time basis. It can easily be seen that

the procedure, as admirable as it might be, is a stumbling block to any establishment of classes with any degree of alacrity. Mr. Haynes has devoted more than four weeks of work to a project that promised to be a fertile ground for consumer classes, however, due to the employment of such procedure no classes have been established within this group as of this date.

Mr. Oran Page submitted materials on various complaints received by this organization to Mr. A. Perry, Jr., of Frederick Douglass United Community Center. Mr. Perry was to develop dramatic skits to be employed in a selected number of consumer education classes. However, Mr. Perry has not responded in submitting any dramatic materials in any way, and Mr. Page has not been able to contact Mr. Perry.

Mr. Page has also been giving instruction at the Change Inc., Youth Action Center, at 3120 Georgia Avenue. However, this center has been temporarily closed down in the face of a rising teenage drug addiction problem in the neighborhood. It was conveyed to Mr. Page, however, that the officers of this Center hoped to open this center in the near future. The classes to be held at the Tabor Presbyterian Church met the same fate, though classes were not held for another reason. The members of this church are all former residents of the neighborhood surrounding the church, but have subsequently moved to "better" neighborhoods as they acquired more affluence; the results being that the church is trying very hard to get more involved in the immediate neighborhood. Accordingly, the Men's Club of the church went from door-to-door to inform the people of the impending classes, but the neighborhood failed to respond. The final outcome of this attempted recruitment was a natural result of any first class and the Men's Club promised to return in preceding weeks.

Miss Garnita Selby contacted three block captains personally during the week of March 7th. Mr. Frey of 449 Luray Street, but she was informed that Mr. Frey was away on a business trip. Mrs. Mathews of 418 Kenyon Street, N.W. advised Miss Selby that she had been too busy to call a meeting. The only thing that Mrs. Mathews promised was to call Miss Selby at her convenience. Mrs. Williamson of 607 Lamont Street, N.W., informed Miss Selby that her members were not cooperating with her, in terms of scheduling a meeting. Miss Selby was not able to contact Mrs. Robinson of 515 Frintz Street, Mrs. Reed of 733 Irving Street, Mrs. Ellis of 765 Columbia Road, and Mr. James Smith of 3581 Warden Street. Thus, Miss Selby sent the above persons letters to inquire about when they would be able to have a meeting. The conclusion that the Chairman has reached in regards to Block Clubs is that they are totally inadequate for purposes of setting up classes. The reason being that Miss Selby was designated alone to establish classes in these block clubs, but has been unable to do such after much effort and a substantial long period of time. Miss Selby has concluded that these captains are not interested in NCIC's program for Block Clubs but they are willing to do volunteer office work.

The vast majority of the class presentations has employed the lecture method, however, class participation is encouraged. Such encouragement has manifested itself in exchange of comments between the members of the class and the instructor. This dialogue usually comes at the end of the lecture, however, and has not always been in direct response to the lecture. The usual form of questions has been characterized in the form of what happened to some particular third person in a particular credit transaction. It has been felt by the instructors that even the students asking the questions refer to

the person in the third person, they are actually referring to themselves, or some person in immediate relationship to them. In addition, it must be stated that these questions refer directly to the lecture, but more frequently have only a collateral connection to the lecture.

The lecture method has been justified, on the ground that it is more expedient in giving essential information in a short period of time. However, films have been used on rare occasions to reinforce certain points that were brought out in prior lectures. In addition, certain students had expressed their preference of the lecture method as opposed to other methods of class presentation. The committee members felt more at ease with the lecture method, in that they would not be "forced" to speak before the body when they did not wish to speak. As a result, the response from the students has been more spontaneous and candid, than if they were "forced" to involuntarily contribute to the class presentation.

The question of the adequacy of the materials used in our program is interesting, in that the committee found that very few materials are necessary for an effective and meaningful program. The only materials used besides the lecture method were various films to supplement and reinforce the lectures. I would suggest that we would have to concentrate as hard as previously in the area of procurement of supplementary materials. The real key to meaningful program lies in having a larger staff than five members to teach these classes.

The program has experienced a limited degree of success in reaching sources for teaching classes, and going to the people to obtain these sources. Human nature being what it is, it is entirely true despite how valid the program is or how noble the program may appear. In fact, even though the committee has attempted to go to the program, it still has experienced only a limited degree of success. However, this committee was handicapped by such factors as apathy, part-time employment, hostility, and slowness on the part of various organizations in approving the program.

An ideal method of presenting classes would be to give individual counseling as opposed to giving a lecture to 15 to 20 pupils. However, this would necessitate an initial decision as to whether we would want to reach a small audience, or the largest audience possible within a certain time period. This method is further complicated by the fact that we only have five instructors working on a part-time basis of twelve hours per week. Looking at it realistically, it is easy to see that an instructor would only teach one or two people for a period of six hours per week when we consider such factors as travel time, and a possible missed class. However, in the planning for next year, this might be given more consideration.

The basic problem in the area of class solicitation is the fact that many organizations employ such elaborate procedure to approve a program, that it takes two or three weeks on a conservative basis to determine whether such organization has approved or disapproved the program. I just don't see how we can force an organization to adopt better procedure machinery in terms of reaching a faster decision. This was particularly disadvantageous to our program this year, however, we are working on a short period of time in setting up a specified number of classes. Even at the time of this report we are waiting for decisions, despite the fact that continuous follow-up has been employed. Nevertheless, it would seem to me that if the facts were made known to these organizations for next year's program, that these organizations might reach faster decisions.

PUBLIC PULSE

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. O'NEILL of Massachusetts. Mr. Speaker, we have heard many experts from the scientific, military, and technical fields give eloquent and impressive arguments both for and against the proposed anti-ballistic-missile system. We have heard many prominent men discuss cost effectiveness, second-strike capabilities and nuclear politics. I fear sometimes that the level of debate is so elevated that the basic questions are ignored or dismissed.

It seems to me that there are three fundamental questions that must be answered with regard to the ABM. Those are: First, what would and would not the system accomplish; second, is the ABM system what America needs; and third, would as much good be accomplished by employing the system as the harm that would result. I believe these are important questions and the evidence I have seen weighs heavily against the ABM system.

I would like to call the attention of my colleagues to a letter in the Virginia Gazette, of Williamsburg, Va. The writer of the letter, Dale F. Melnotte, is an ordinary citizen interested in his Government and concerned about the Nation. Mr. Melnotte raises as many questions about the ABM as he provides points of discussion. These are questions that must be answered and the answers must be honest, fair and instructive.

I have seen a great deal of literature and heard a great deal of testimony about the ABM system. The testimony from both sides has convinced me that the ABM is not feasible, is exorbitantly expensive and would lead to the tragic escalation of the nuclear arms race.

I submit Mr. Melnotte's letter for the consideration of my colleagues in the hopes they will take his questions to heart:

PUBLIC PULSE

Is the ABM system what America needs?

Is this system a protective measure or a costly ineffectual pipe dream of the Military-Industrial Complex?

Will it save America from nuclear devastation, or simply step up the armament syndrome?

Will the population of this country fall under enemy attack or be bled to death, by taxes to pay for impractical deployment of systems sold to congress, by self interested Pentagon officials. This is the real test of the power of the Military-Industrial Complex, and by far its greatest.

The system, known as ABM, is estimated at costing six billion, six million dollars (\$6.6), but could go as high as forty billion, or more. This much money could convert the slum sections in any twelve American cities, into decent living sections, with money left over. This much money, and we aren't even told for sure if it will work, in fact most scientists say it will not. And if it does work, will it still work, in five years, when it is completed, against the missiles available against it?

It protects only two missile bases, one in South Dakota, and the other in Montana, and it in itself represents only ten and no

more than twenty per cent of our total deterrent capacity. Is this the best system? Will it protect our land, and our people or is it merely the prime example of men in high places becoming confused between what is good for the United States and what is best in their own interests?

Of course America needs a strong defense, which at the present time is our strategically placed missile bases, SAC and the seabased Polaris submarines, which incidentally cannot be wiped out by any one total surprise attack, according to the same military. The future will undoubtedly call for anti missile missiles, which apparently destroy, in the air, missiles launched by the enemy (who ever that is), against our missiles, but it is none the less folly to put all of America's eggs in one weapon basket, particularly, when the basket under consideration is of rather loose weave.

If we invest all this money, in one system, the American people have every right to know, first of all that it will work, and it is right and fitting, that President Nixon press for this assurance, from the military advisors. Our Congressional committees would do well to investigate, which corporations stand to profit the most from this system, and whether or not, a conflict of interest situation develops with Pentagon officials, once contracts are signed.

Many Americans are in one way or another, connected to the giant Military-Industrial Complex, and as the papers say, even the economy will benefit. The question now is, if this system doesn't work, will we be here to enjoy it? I think we owe it to the future generation to re-study this proposal and a letter to your Congressman or Senator, would be the first step, expressing your concern over this entire ABM program.

INTERSTATE TAXATION ACT

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. RODINO. Mr. Speaker, the Interstate Taxation Act, H.R. 7906, which was passed by the House of Representatives on June 25, 1969, has the strong support of the business community. Included among the large number of associations which have endorsed this measure is the National School Supply and Equipment Association. This half-century-old association represents more than 400 manufacturing and distributing companies within the school supply and equipment industry.

The association has recently adopted a resolution supporting the measure which I would like to include in the RECORD.

The resolution follows:

RESOLUTION SUPPORTING THE ENACTMENT OF INTERSTATE TAXATION ACT

Whereas many businesses engaged in interstate commerce have been seriously burdened by the necessity for compliance with the varied and changing tax laws of States where they maintain no place of business, and

Whereas the expanding reach of governmental units for more revenue from out-of-State companies has coincided with the increased scope of business activity in interstate commerce, thus seriously enlarging the multi-State tax burden, and

Whereas the United States House of Representatives has considered this problem in great depth and has passed corrective legislation known as the "Interstate Taxation Act": Now, therefore, be it

Resolved, That the National School Supply and Equipment Association applauds these efforts to bring order and equity to interstate taxation, and favors and supports the early enactment of the Interstate Taxation Act.

WHY A DOUBLE FEDERAL STANDARD FOR VOTER QUALIFICATIONS?

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. GRIFFIN. Mr. Speaker, during this period of American history, our Government has been noted for its attempts to provide a fair and just environment for all. Yet, I find it incredibly ironic many oppose a recent attempt to remove a discriminatory law from the statutes.

Attorney General John Mitchell has proposed a replacement to the Voting Rights Act of 1965, noting that the law in existence applies only to seven Southern States. Though couched in the language of national legislation, the 1965 act has been the most overtly regional legislation to tarnish our legislative history since the Civil War. Attorney General Mitchell's proposal would merely extend the provisions of the 1965 law to all States. His proposal is designed to assure fair voting practices nationwide. But this proposed change has incurred the wrath of many self-appointed guardians of public justice. Knowing these to be sincere, fair-minded men, I can only wonder as to why the possibility of this law being applied to their States agnizes them so.

Certainly the right to vote and the right to have one's vote counted honestly are worthy national goals.

If the Voting Rights Act is good for Mississippi—it is good for New York. Why a double standard?

Personally, I feel the Constitution empowers the States to set voter qualifications and not the Federal Government. Unfortunately, the Warren court has ruled otherwise. But if we are to have Federal laws on this subject, they should apply to all the 50 States uniformly—and not to just a few States in one section of the country.

I include editorials from the Wall Street Journal, Washington Star, and a column by David Lawrence on this subject:

[From the Wall Street Journal, July 1, 1969]

UNCERTAIN GROUND

Back in 1965 Congress passed a voting rights act outlawing literacy tests, requiring prior Federal approval of changes in local voting laws, and allowing the Attorney General to dispatch Federal examiners to replace state officials ruling on voting registration requirements where he found local laws were being used to exclude voters on the basis of race or color.

This applied only to jurisdictions that met a specified formula, carefully and cleverly calculated to apply only to a few Southern states. Some of us complained at the time that the law raised Constitutional questions, and even more to the point, that legislating a double standard was not the way to accomplish a high purpose. The act was heartily

cheered, though, by liberals in general and civil rights leaders in particular.

Now the Nixon Administration proposes to extend the act, with two major changes. Prior approval of local voting law changes would no longer be required; instead the Attorney General would ask Federal courts for injunctions against those he considers unfair. And the law would apply everywhere in the nation. This, the liberals and civil rights leaders now tell us, is a contemptible sell-out to Southern segregationists.

The ostensible complaints are that any change in the law may delay its extension, and that nationwide application would dilute the effect in the South. Yet Rep. Celler, who is leading the complaints about the time factor, is the same man with the power to speed up the pertinent committee processes if he wants to.

Nor can we see that extending the law nationwide would necessarily dilute its enforcement in the South. Attorney General Mitchell denies that it would, and he's the one with the power to send voting examiners hither and yon. It seems to us any Attorney General will send the enforcers where the law is likely to be broken.

There is also a charge that Mr. Nixon is paying off political debts to the South, an allegation that puts a pretty cheap price on Southern votes. The Southern states will still have Federal voting examiners, since all they got was elimination of the double standard's insult. They were entitled to that not through politics but through justice; punitive legislation typically does more harm than good.

None of this, it seems to us, justifies the charge that this is a "sophisticated, calculated, incredible" effort to sabotage the law. Still less that it would lead to "cross burning and the slaying of the Negro who has no desire other than to vote." Such talk, we regret to say, comes not from the representative of the Black Panthers, but from that of the National Association for the Advancement of Colored People.

The moving assumption seems to be that because Mr. Nixon refused to anathematize the South during his political campaign, he must be a segregationist tool. Rather uncertain ground, we might venture, on which to lay the foundations of rhetorical overkill.

[From the Washington (D.C.) Evening Star, June 30, 1969]

VOTING RIGHTS

The 1965 Voting Rights Act is bad legislation in the sense that it seeks to remedy injustice by embracing inequity. If it were to lapse this year, at the end of its five-year statutory life, there would be no occasion for mourning.

The 1965 law moves along two main lines. It bans literacy tests in certain Southern states as a prerequisite to voting. And it requires those states to come to Washington and obtain the O.K. of the attorney general or a federal judge before any change can be made in their voting laws.

Now there is no doubt that literacy tests had been misused in the South in some instances to discriminate against potential Negro voters. And this certainly should not be tolerated. But the impact of the 1965 law is not based on any claim or showing of voter discrimination. Instead, its authors merely decreed that the law would become effective in any state or county in which fewer than 50 percent of the people of voting age failed to vote or were not registered to vote in the 1964 election. If 50 percent voted, a state was in the clear. But not so if only 49.9 percent of the eligibles went to the polls.

It turned out, by coincidence if one likes to believe in fairy tales, that this formula covered Alabama, Mississippi, Georgia, Louisiana, South Carolina, Virginia and 39 of 100 counties in North Carolina. Literacy tests in 13 non-Southern states were not affected.

Condemning this as "regional" legislation, Attorney General Mitchell has opposed a simple renewal of the 1965 law. He prefers new legislation which would ban all literacy tests and which would drop the requirement that Southern states come hat-in-hand to Washington for approval of any change in their election laws. As an alternative, Mitchell advocated legislation empowering the Justice Department to obtain injunctions against any discriminatory state law affecting voting, and which would also authorize the Attorney General to send observers and examiners into any state to guard against discrimination or voting frauds.

It has not been our view that a simple literacy test, given without discrimination, is an evil thing. Illiteracy and an informed electorate hardly go hand in hand. This country needs more rather than fewer voters who can at least read and write their names.

Since Congress obviously will take some action, however, we think the Mitchell approach is much better than perpetuation of the existing law. By all means, discrimination whether in tests or state laws should be struck down. But this should not be done through a federal statute which is both disingenuous and singularly invidious in its own discriminatory application.

VOTE LITERACY TESTS: PRO AND CON

There's a peculiar irony in the statements made recently by persons inside and outside of Congress criticizing the South Vietnamese government for not having prevented corruption in elections.

For this malpractice unfortunately occurs right here in the United States, and it may increase in future years. There now is before Congress a proposal to end literacy tests throughout the country so that hereafter all persons who can neither read nor write will be permitted to vote. This opens up the way for bribery of voters and the commission of voting frauds.

The present dispute started when Congress passed the Voting Rights Act in 1965, declaring that literacy tests were to be suspended in those states which had such tests and where within the state or political division thereof less than 50 percent of the people of voting age had voted or were registered to vote in the 1964 election. This supposedly broad prohibition actually applied only to seven states in the South. Atty. Gen. Mitchell now has proposed that none of the 50 states or political subdivisions thereof "may require any person to pass a literacy test or other tests or devices as a condition for exercising the fundamental right to vote."

Many of the representatives from Northern states are objecting to this, but members of Congress from the South have long been saying that it is discrimination to single out the Southern states and that any laws of the land should apply everywhere.

As for voting frauds, just after President Nixon was nominated in 1968, a group consisting of 100,000 volunteers was organized by his associates to prevent some of the "irregularities" which occurred in the 1960 presidential election. Louis B. Nichols, a former assistant director of the FBI, was head of the organization, known as "operation integrity."

In an article in Reader's Digest this month, Nichols says that from time to time in the 1968 primaries in each state, poll-watchers were intimidated by opposition goons, ejected physically from the polls and even arrested on trumped-up charges. He declares that many "ghosts" were found to have registered—in one case, 21 from a single building that had been destroyed months before. The same kind of thing occurred in the registration processes in different states.

But the effect of having the poll-watchers was dramatic. In one ward in Chicago the total vote in 1960 had been 22,236, but when poll-watchers were stationed in 28 out of the 50 precincts, the vote fell to 16,049 in 1968.

This, Nichols says, was "A fair measure of the illegal and ghost votes" previously cast.

Nichols points out that in the 1960 election, which Nixon lost, the latter trailed John F. Kennedy by only 122,702 votes out of the 69,000,000 cast, and that shifts of 23,117 votes in Texas and 4,430 in Illinois would have given Nixon 51 decisive electoral votes and made him president. Nichols says there was ample evidence of voting "irregularities" at that time in those areas.

John N. Mitchell, who now is Attorney General, was the man who acted on behalf of Nixon in 1968 in helping to set up, with the assistance of Nichols, the bipartisan army of 100,000 volunteers who worked to insure an honest election. Mitchell recommended to Congress last Thursday that the Attorney General be empowered to send federal examiners and election observers into any county "if he determines that their presence is necessary to protect the right of citizens to vote."

Mitchell proposed also that a presidential advisory commission be established "to study the effects which literacy tests have upon minority groups, to study the problem of election frauds, and to report to Congress its findings and recommendations for any new legislation protecting the right to vote." He declared that "responsible citizenship does not necessarily imply literacy" and that "responsible voting does not necessarily imply an education."

But the truth of the matter is that illiteracy makes it easy for election irregularities to occur. Unless the whole subject of literacy is re-examined impartially, it may turn out that the opportunities for fraud and the bribery of voters will be increased if all literacy tests are abandoned.

WE BELIEVE IN GOD, IN AMERICA, IN HONESTY

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. SCHADEBERG. Mr. Speaker, it is my privilege to call to the attention of my colleagues an advertising message which is being carried over radio stations in my district. This message is the result of the individual efforts of an outstanding American, Mr. Elmer M. Hanson of Williams Bay, Wis., in reminding his fellow citizens of how much we Americans have to be thankful for.

Through the use of this simple message, Mr. Hanson reminds us that we have been far too tolerant of organizations which seek to destroy our form of government; of groups of students whose only purpose in the university is to disrupt; and of those persons whose activities flaunt the rules and laws of our society.

Mr. Speaker, I am pleased to enclose this stirring message, as follows:

(Background music, "America the Beautiful")

We believe in God, in America, in honesty. Yes, these three attributes blended together will help produce a healthy, happy America.

We call upon parents, schools and churches to cultivate patriotism in our youngsters.

We call upon our national and local leaders to think American, act American, and be American, be American enough to condemn and destroy the foreign "isms" that are determined to destroy our wonderful way of life in the greatest country in the world, America.

THE TYRANNY OF OUR TECHNOLOGY

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. MOORHEAD. Mr. Speaker, Art Buchwald, in his column "MIRV's Just a Kid" in the Post, scored again with his wit and humor. However, the message is ominous and what is more I think he is right on target. We are indeed becoming slaves to our own technology as we forge ahead to the much-feared SASCHA.

For the consideration of my colleagues, I would like to juxtapose Mr. Buchwald's article with "The Vicious Acronyms" of Ralph E. Lapp, who is, of course, a well-known physicist, weapons expert, and author.

Mr. Lapp points out:

Again we face a tyrannical ogre, a remorseless technology, a dictator compelling both us and the Soviets to bring forth whatever weapons systems can be made.

I do believe, however, that, if we can act and act immediately to stop our MIRV testing program that we have a unique opportunity to freeze the nuclear arms race in its tracks. Otherwise, I fear that Mr. Buchwald and Mr. Lapp are right—that we are to become slaves to this tyrannical ogre—our remorseless technology.

Mr. Speaker, I would like to include both these articles in the RECORD for the thoughtful consideration of my colleagues:

MIRV'S JUST A KID—MULTIPLICATION TABLE
HAS ONLY STARTED IN NUCLEAR WEAPONRY

(By Art Buchwald)

I know he doesn't mean to do it intentionally, but every time Secretary of Defense Melvin Laird opens his mouth, he scares me. In order to get support for the antiballistic missile (ABM) program, Laird has thrown more Soviet missile threats at us than all the former Secretaries of Defense put together.

We're told that if we don't build an ABM system to protect our Minutemen, the Soviets will be able to wipe them out with their MIRVs (multiple re-entry vehicles), which they have developed as a first-strike weapons capability in answer to our MIRV—a multiple independently targeted re-entry vehicle. Our MIRV carries clusters of nuclear warheads as compared to the old-fashioned nuclear missiles, which could only be shot off one at a time.

You would think that MIRV would be the ultimate Doomsday weapon in our arsenal, but this is not the case. MIRV will open up a whole new generation of nuclear hardware, and we might as well be prepared for it.

I have a friend at the Pentagon who said: "MIRV is nothing compared to what we've got on the drawing boards. You should see IRVING."

"What is IRVING?"

"IRVING is the intercontinental re-entry vehicle injector nuclear group. It not only has clusters of missiles, but each cluster reproduces a new generation of missiles while in flight."

"My God," I said "that should certainly give us more than parity with the Soviets."

"It would, except that we know they're working on IVAN."

"What is IVAN?"

"An independent vehicle anti-IRVING nuke, which has clusters of hydrogen war-

heads set in nitrogen bombs, which can explode within 200 miles of an IRVING."

"I'm sure we've got an answer to it."

"We have it in BERNIE."

"BERNIE?"

"BERNIE stands for ballistic engineered re-entry nuclear evaporator. It has 10,000 rockets which, when ignited by a cluster of IRVINGS, can hit every major capital in the world."

"Good for BERNIE," I said. "I'm sure the Russians wouldn't start anything once they knew we had BERNIE."

"They know it, and we know that by 1987, their answer to it will be MISHA. As you know, MISHA stands for multiple intercontinental supersonic atomizer. It is fired down instead of up, and when it hits the earth's core, it explodes and blows up the entire world."

"Then they have the Doomsday machine?"

"They will have unless we immediately start work on MORTY."

"I know it stands for multiple something," I said.

"Wrong. It stands for megaton oscillating re-entry thick yield. You fire this weapon through a hidden garbage disposal unit and in 20 seconds it produces a mushroom cloud not only around the earth but over the entire universe."

"Oh," I cried, "If we can only develop MORTY in time."

"Even if we did," my friend said sadly, "we'd still have to go on. You see, while we're talking, the Soviets are doing their preliminary work on SASCHA. Would you like to know about SASCHA?"

"Could it wait until tomorrow?"

THE VICIOUS ACRONYMS

(By Ralph E. Lapp, author of "The Weapons Culture")

The Nixon Administration is struggling with defense decisions that involve a rather horrendous technology, symbolized by three and four letter acronyms like ABM, MIRV and AMSA.

ABM is now a household gambit and MIRV is a "word" that has found its way into the vocabulary of the Secretary of State. The multiple, independently targeted, reentry vehicle is a technological development that is symptomatic of modern research and development. It is a kind of "technological happening" which has emerged from the idea stage into the reality of defense hardware mostly because it was possible. Like the H-bomb, when it became technologically "sweet", it became ineluctable.

How did MIRV come about? It is generally assumed that MIRV was a development "hedge" against the possibility that someday the Soviets might deploy an ABM system. That is, each US missile such as Minuteman or Polaris could be fitted with multiple warheads in order to penetrate a ballistic-missile defense. But last summer Senator Mike Mansfield asked the Pentagon's research chief, John S. Foster, Jr., the following question:

Is it not true that the US response to the discovery that the Soviets had made an initial deployment of an ABM system around Moscow and possibly elsewhere was to develop the MIRV system for Minuteman and Polaris?

Answer: Not entirely. The MIRV concept was originally generated to increase our targeting capability rather than to penetrate ABM defenses. In 1961-62 planning for targeting the Minuteman force it was found that the total number of aim points exceeded the number of Minuteman missiles.

Buried on page 2310 of Part IV of the Senate hearings on defense appropriations, this response is a pure shaft of candor illuminating dimly lit rooms in the Pentagon. A Soviet planner would surely interpret this answer as meaning that the United States was beefing up its strategic deterrent so as to have a first-strike capability.

Minuteman III, currently under testing, will throw three 0.2 megaton warheads at individual targets in the Soviet Union. Accuracy of the MIRV system is claimed to exceed that for Minuteman II. If the Minuteman MIRV system is now meant to override Soviet defenses, why the obsession with accuracy? Hard-headed Soviet planners must make the worst possible assumption about MIRV, namely, that it is silo-targeted. Whatever the reasons that have directed the evolution of US strategic deterrent power, the fact remains that in the 1973-74 period the US can have a throw-capacity of 10,000 MIRV's. The bulk of the throwable warheads will be aboard Poseidon, the follow-on to Polaris.

Each underseas-launched Poseidon missile can accommodate up to 14 MIRV's. To be sure, they are not as potent as those aboard Minuteman III. Splitting up the payload into 14 separate packages, each equipped with a heat shield, results in a very small warhead. This limits the nuclear bang to something in the range of the Nagasaki bomb. So Poseidon is more understandably a second-strike weapon since the accuracy requirement to knock out a Soviet silo becomes extreme. But will the Soviets believe it?

It may well be that Soviet leaders are convinced that the United States is aiming for a first-strike capability. This may explain why the SS-9, the triple-warheaded ICBM so much dreaded by Defense Secretary Laird and Mr. Foster is still being deployed. If so, we are then caught up in an arms spiral whose architecture was made-in-America. In a real sense we are all sacrificed on the bloody altar of a tyrannical technology.

Mr. Nixon, in his advocacy of the Safeguard ABM system, has stressed its nonprovocative nature and has viewed with alarm the dangers of escalating the arms race. But Secretary of State Rogers in his press conference remarks of June 4th seemed unperturbed by the potential of MIRV tests for destabilizing the arms equilibrium. The upcoming strategic arms limitations talks (SALT) could turn to water if MIRV technology is a *fait accompli* before agreements can be reached. In its zeal to possess new weapons, is the Defense Department steam-rolling MIRV to completion before the talks begin?

The United States and the Soviet Union face an inspection problem far tougher than that involved in the Nuclear Test Ban Treaty if they wish to police an agreement on the limitation of deployed strategic warheads. Our orbital intelligence-gathering devices may be relied on to observe ICBM installations in the Soviet Union. But these satellite sensors simply look down on the earth's surface; they cannot see through a silo-oober. Only an on-site inspector with a screwdriver can count the number of MIRV's concealed in an SS-9. Furthermore, the MIRV inspector would have to keep his eye everlastingly fixed on the missile to be sure that a new nuclear Hyrda was not slipped into place.

Many experts on arms control regard the MIRV problem as a dead end in reaching any limitations on strategic armaments. Orbital devices can count missiles if each nation should agree on some limit to the ICBM's. But given Mr. Laird's jitters about the SS-9's capabilities how could the two major nuclear powers arrive at a balance of power? The diehards in the US Senate would argue until doomsday that we could not trust the Russians. They would argue that if we agreed on 600 Minutemen with triple warheads vs. 600 SS-9's with triple warheads, we would never know when the Soviets might reft the SS-9 with 10 warheads. Then they would have 6,000 throwable warheads and we would have only 1,800. And one could never be sure of what was happening to underseas nuclear firepower.

If we consider what Mr. Nixon and the Republican arms stalwarts were saying before election, it is unlikely that they will accept

any disparity in nuclear weapon power. Just before election Mr. Nixon rejected nuclear parity because—in his words, "this parity concept means superiority for potential enemies." It's true that in his first press conference President Nixon referred to "nuclear sufficiency" but this rhetoric seemed to have little influence on the thinking of his defense secretary whose views on superiority are too well known to require recitation.

When Mr. Nixon sat down at his White House desk and took a look at the Pentagon's numbers on US vs. SU nuclear power he must have been struck by the fact that sometime before the deployment of Minuteman III and Poseidon multiplies the US striking power, the Soviets might equal or forge ahead of the United States in numbers of ICBM's. Coming in 1970 during the mid-term elections, this lack of superiority could be annoying. But it would be positively dangerous for this inequity to persist until Mr. Nixon's time of maximum political danger—1972. His detractors could argue that he had allowed the two decades of American nuclear superiority to slide away. His counter argument that US nuclear firepower would again top that of the Soviets in the future would be weak because it had been engineered by the Democrats while in power.

Sighting along this trajectory, it is easy to understand why Mr. Nixon opted for transforming Lyndon Johnson's Sentinel ABM program into a deterrent-protecting Safeguard system. He could point to his initiative in assuring the nation's security while self-righteously averring that he had not accelerated the arms race by being provocative. To be sure, Safeguard is a defensive system—so is the Soviet Galosh ring around Moscow, but this deployment of 67 missiles of questionable interceptory capability has certainly provoked the United States. In his June 3rd testimony before the Joint Economic Committee, former Budget Director Charles L. Schultze estimates the Minuteman III-Poseidon deployment as costing \$10- to \$11-billion. Incidentally, Schultze's analysis of US weapons systems is the most penetrating that I have come across.

If the Soviets react to Safeguard the way we responded to Galosh, the arms race will run at full throttle. Conceivably they have already set in motion defense measures based on Mr. McNamara's Sept. 18, 1967 announcement of the US decision to deploy a nationwide ABM system. This may account for the 1968 speedup in Soviet ICBM production—along the lines of Mr. McNamara's "action-reaction" dictum. Mr. Laird might argue that Phase I of Safeguard is confined to Minuteman defense in Montana and North Dakota and that this limited deployment of missiles and radars should not provoke any massive Soviet response. However, Phase II of Safeguard probably appears to the Soviets like a carbon copy of the 1967 Sentinel System—and as the first step toward a thick shield, i.e. a Nike-X defense to ward off the lash of a Soviet second strike. Pentagon officials have now openly admitted that the original Sentinel allowed such an interpretation.

As a matter of fact even the "action-reaction" concept is not really valid because reaction by deploying a weapons systems is impossible unless it is ready to be produced. In other words, the research and development has to be accomplished if reaction is to be demonstrated. Mr. Foster, the defense R&D chief, revealed his philosophy in this regard while testifying before Senator Stennis' Preparedness Investigating Subcommittee:

"Now most of the action the United States takes in the area of research and development have to do with one or two types of activities.

"Either we see from the field of science and technology some new possibilities which we think we ought to exploit, or we see threats on the horizon, possible threats, usu-

ally not something the enemy has done but something we have thought ourselves that he might do, we must therefore be prepared for. These are the two forces that tend to drive our research and development activities."

Again we face a tyrannical ogre, a remorseless technology, a dictator compelling both us and the Soviets to bring forth whatever weapons systems can be made. Once a nation makes a multi-billion dollar investment in a weapons system, then as Senator Fulbright has expressed it—the system may "soon acquire its own powerful constituency." In the case of the ABM, R&D costs mounted to \$4 billion—enough to buy quite a constituency.

Mr. Nixon cannot help but be aware of the ABM constituents, especially the aerospace contractors who will profit from the \$10-billion first installment of what may mushroom into a \$60-billion program stretching to the 1980's. Make no mistake about it, the aerospace industry is the hard core of the military-industrial complex. It accounts for well over half of all prime military contract awards. The care and feeding of the aerospace industry has become a federal responsibility.

When President Eisenhower warned of the dangers of the "military-industrial complex," aerospace sales amounted to \$17 billion per year, of which \$14 billion were to one customer, the US Government. John F. Kennedy campaigned for President on the basis of a "missile gap" at a time when General Dynamics inched toward the brink of bankruptcy. Kennedy's Apollo moon program gave aerospace a \$5 billion annual sales boost and his arms policies sustained missile-aircraft production—and such firms as General Dynamics and Lockheed. Federal contracts were further boosted by the war in Vietnam so that as of last year aerospace sales totaled \$30 billion. Needless to say the federal sales accounted for a lion's share.

Six companies—General Dynamics, Lockheed, North American-Rockwell, L-T-V, McDonnell Douglas and Boeing—racked up close to \$9 billion in space-defense sales. Each \$19,000 the government funds to this industry represents one worker-year and probably influences 4 or 5 votes. General Dynamics and Lockheed count on government orders for 85 percent of their business. Professor Galbraith has observed: "These firms are private only in the imagination." The geographic concentration of aerospace plants produces a political leverage that disrupts the normal checks and balances of a democracy. The geopolitics of defense is a triangulated process in which military, political and industrial components are tightly interlocked. Plants are located in states and districts of powerful congressional leaders, usually chairmen of appropriations and policy committees. Defense orders flow to these favored states and districts. Political leaders promote defense policy and programs that unleash a flood of funds to these contractors. It is not a conspiracy but it is sinister.

The significance of the great debate over ABM and Safeguard is that democracy is making a valiant attempt to bring the military-industrial-political complex under effective control.

Consider, for example, the stake of the aerospace industries whose economic fortunes are tied to ABM, MIRV, AMSA and the other acronyms. Their \$30-billion sales last year were propped up by Vietnam and partly by Apollo. Slackening of military needs in Southeast Asia and a failure to fund a post-Apollo program will cause aerospace sales to dip. Aerospace companies are looking for \$100 billion in new business for the 1970-1980 period. And they are looking to the Pentagon and Capitol Hill for the means to sell these programs. AMSA, the advanced manned strategic aircraft, is promoted by Laird and his associates as the essential follow-on to the

B-52. The Pentagon attaches a bargain-basement price tag of \$9 billion to developing and producing 200 of these bombers. While Mr. Laird professes to be scared stiff about the vulnerability of 1,000 Minutemen encased in concrete underground silos, he seems little concerned about 200 AMSA's each of which can be crumpled by a blast one-sixtieth that required to knock out a Minuteman.

The layman may well ask—can't the aerospace industry abandon its limpet adherence to the federal government and seek business elsewhere? A number of aerospace firms have reduced their dependence on federal dollars; for example, Boeing derives only a third of its income from the government. But when General Dynamics, for instance, attempts to cut loose it has to compete with Boeing for aircraft sales. Such commercial sales are not big enough to go around in the aerospace industry. When it comes to having these specialized aircraft-missile builders invade the non-aerospace commercial market, the prospects are not very bright. General Dynamics won't get very far making refrigerators in today's marketplace. The pull-and-tug of the free enterprise system could thoroughly wreck the economic fortunes of single-customer companies like General Dynamics.

Aerospace companies aspire to being classed as a growth industry and they therefore strive to get more federal business each year. The Dallas-based L-T-V (Ling-Temco-Vought) firm is a case in point. When LBJ was Vice President the company ranked 61st on the Pentagon's list of top contractors, having only \$47 million in orders. L-T-V jumped to 8th place last year with \$758 million in defense awards. Defense-based industry like L-T-V aspires to more of the defense dollar but when this short-changes its competitors, as a tightened Pentagon budget may dictate, the aerospace business will be in trouble.

A defeat on the ABM front would blight the fortunes of some of the Pentagon's largest contractors. Cutbacks in the F-111 program, the setback on the Cheyenne helicopter, the criticism of Lockheed's C-5A Galaxy super-cargo plane and an uncertain future for NASA are portentous. Accordingly, Wall Street has assigned record low price-to-earnings ratios for Lockheed and other aerospace stocks. The handwriting on the wall in this case happens to be quotations displayed on the board.

Defense industry, smarting, under accusations emanating from democracy's delayed take on the "military-industrial complex," has looked to its military-political patrons for help. Mr. Laird, the new man at the helm, appears to have thrown overboard not a life-preserver but an anchor. In the case of ABM, the Laird-Packard team could not leave well enough alone. Rather than doctor up the ailing Sentinel System, already funded under the previous Administration, they executed another swerve in policy on ballistic missile defense and invented Safeguard—a means of protecting the Minuteman silos. To backstop this new system, the Pentagon had to replace Mr. McNamara's "greater-than-expected threat" projections with what one defense critic called "greater-than-believable" threats. Stroke by stroke Mr. Laird painted himself (and Mr. Packard and Mr. Foster) into a corner. To make a case for the vulnerability of Minuteman, the Pentagon has to resort to stacking "worst possible assumption" on top of "maximum feasible threat."

The US Congress, which had obligingly appropriated over \$80 billion for strategic forces in the past decade, was suddenly confronted with the contention that these were suddenly vulnerable to a first strike. Cold War scholars, hard-line defense intellectuals and a chorus of ex-generals and admirals chanted their concurrences. But the incantations failed to mesmerize the defense-skeptics on the Senate Foreign Relations Committee. Secretary

Laird, seated at the console of the Pentagon's mighty organ, thumped out the regular notes of fear, but the ritual response was lacking. Vietnam, the Pueblo, the F-111, the Sentinel and urban chaos combined to create a new, questioning, mood.

No matter what the Senate vote on ABM, it must face up to the acronym's alter ego, MIRV. Mr. Laird's first-strike scare at least served to focus attention on nuclear policy and on the future of the arms race. It appears that the Senate Foreign Relations Committee was better briefed on MIRV than Secretary of State Rogers, who knew the meaning of the letters but not the significance of the weapons system. After his casual treatment of MIRV in his June 4th press conference, Mr. Rogers—to quote John W. Finney's report in *The New York Times* (June 6th)—"was given a quick course by the Senate Foreign Relations Committee today on the intricacies of nuclear disarmament." Emerging from Senator Fulbright's school of nuclear knowledge, the Secretary of State told reporters: "It might be that if MIRV tests are successful in the next few months, this will present new problems of inspection."

Students of decision-making might suggest that the State Department needs some high-level bridge across the Potomac to expedite communication on the strategic implications of arms developments. However, the mechanism for such dialog has been in existence for years in the form of the US Arms Control and Disarmament Agency. In fact, ACDA actually held a conference of experts on MIRV some years ago. Top men in the agency are fully aware of MIRV's meaning for arms control, but apparently they had not yet managed to conduct a teach-in at the State Department.

Meanwhile both nuclear giants proceed to lob multiple warheads at targets in the Pacific. It is as though the military on both sides want to perfect MIRV before their negotiators start talking. A little appreciated aspect of MIRV technology is that a first-strike system is more complex than a retaliatory system. In his analysis of a Soviet first-strike threat, John S. Foster, Jr., postulates a MIRV system capable of sensing if it directs a warhead off-course. In this case, the information is telemetered back to the launch sites and a back-up SS-9, with its 3 MIRV's targeted on silos left "uncovered" by MIRV malfunctions, is launched. This ultra-sophisticated MIRV system, self-sensing and automatically capable of rectifying its error, is one which the United States disavows. Neither the number of MIRV's aboard an SS-9 or a Minuteman or a Poseidon is ascertainable in silo or underseas—nor is the first-strike MIRV mechanism.

As in the case of underground nuclear tests, inspection proved to be an impenetrable barrier to agreement on a treaty, so it appears that the MIRV inspection problem is without technical solution. Nations of the world were able to agree on a limited or three-environment test ban, forbidding nuclear explosions in air, sea and space. A limited missile treaty does not appear to be very meaningful. Moreover, technology gives little hope of birthing a Hercules to slay the missile-Hydra. We are belatedly beginning to sense what Mr. McNamara had on his mind when he spoke of the "mad momentum intrinsic to the development of all new nuclear weaponry."

CRISIS IN THE MIDDLE EAST

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. REES. Mr. Speaker, I would like at this point in the Record to insert

three memos concerning Middle East problems and some suggestions as to future U.S. foreign policy there. These memos were developed by the Honorable Leonard Horwin, attorney, former mayor of Beverly Hills, and former U.S. diplomat.

It is my belief that Mr. Horwin's thoughts will be of interest to many of us concerned with the rising tensions in the Middle East.

The memos follow:

THE FACTS BEHIND THE MIDDLE EAST HATE PROPAGANDA

In the natural ardor of counsel to save the life of their client by establishing a political motive for assassination, the history of the Mideast is currently being rewritten to suit the purposes of a local courtroom.

Russia abetted by General de Gaulle has attempted the same re-write to condition the United States to accept Russia's "peace plan" for the Middle East. Basically this plan is to pressure Israel to return to the indefensible armistice borders of 1948-1967, without any prior negotiated agreement of political settlement between Israel and Russia's Arab clients.

The theme of the re-write is that Israel merits the hate of Russia's Arab clients. On this basis, acts of assassination or of murder and sabotage by Arab irregulars or of pressure by Russia to force Israel's return to indefensible borders, are justified as a means of appeasing the haters.

But is this Arab hate justified? Or is it instead ill founded, contrived and pressure tactics?

The principal charges of Russia and her Arab clients, and the facts, are as follows:

(1) Does Israel constitute a threat to these Arab states? No. Israel occupies about 8,000 square miles with 2,500,000 population contrasted with about 80,000,000 population and 1,200,000 square miles of territory including vastly richer area, available to Russia's Arab clients.

Israel offered and offers to cooperate with its Arab neighbors to their enormous mutual advantage including by the Eric Johnson plan for a unified Jordan waterway, the Eisenhower plan for joint development of water resources, the desalinated water program, free port project for Jordan at Haifa, and in numerous other ways. Thus far, Russia's Arab clients have rejected all overtures, preferring instead to destroy Israel.

(2) Did Israel poach on Arab preserves? No, about 70% of Israel was crown land of the Turkish sultanate and thereafter of the British mandatory government until 1948. Most of Palestine was wasteland until the Israelis reclaimed it from desert, swamp and barren slope. Most of those Arabs who claim present-day attachment to Palestine, came, or their parents came there, since World War I, attracted by the jobs, profits and opportunities created by Jewish reclamation.

(3) Has Israel displaced any existing Arab state? No. None of the Arab claimants to Israel territory including the frontiers as made by the cease fire of June 11, 1967, have any prior right. Israel has 3500 years of connection with its domain and letters patent written in holy writ which is the common heritage of much of the civilized, including Arab, world. On the other hand, Jordan was created by Britain, Syria by France, both after World War I, and Egypt has no entitlement whatever to any part of Palestine including the Gaza strip. No Arab state of Palestine or Israel ever existed.

(4) Has Israel driven Arabs from their homes in Israel? No. Those Arabs who left Israel in the war of 1948, did so at the call of fanatics, invited to return with the invading Jordanian and Egyptian troops to loot and kill the Israelis. That they thereby became refugees instead of victorious looters, does not entitle them to support in refugee

camp largely at the expense of the United States while they continue to spurn offers of negotiation for indemnification, resettlement, reemployment, and peace, and plot instead for war, regular and irregular.

Nor did Israel drive Arabs from their homes in Palestine in the war of June 5, 1967. Those who left, did so notwithstanding the offer of the Israel Government that they remain.

(5) Has Israel mistreated its Arab citizens and residents? No. Israeli Arabs vote, are elected and appointed to office including as teachers, lawyers, judges, administrators, mayors and lawmakers (members of the Israeli Parliament called Knesset). They have equal access to the courts and social services, enjoy civil liberties including religious freedom, may and do employ Arabic as an official language, exercise the right of public education, are members of the official union (Histadrut), and generally enjoy a far higher standing of living than Arabs in surrounding countries.

Contrast the foregoing with the position of the many hundreds of thousands of Jews in Arab countries who were forced to flee their homes mostly to Israel since 1948, leaving their confiscated possessions behind. The lot of the remaining remnant in Arab lands is exemplified by the recent hideous executions in Iraq. This tragedy of Jews in Arab countries, has been the subject of numerous useless protests to the United Nations.

CONCLUSION

When asked by Russia or General de Gaulle to acquiesce in Russian plans for the Mideast out of sympathy for the supposed Arab victims of Israel, Americans will do well to consider the source and the facts, and judge accordingly.

THE AMERICAN STAKE IN THE MIDEAST

The American stake in the Mideast is economic to assure access to the oil resources; strategic to assure openness of the land, sea and airways through this crossroads; political to deny control of the area to Russia.

The existence of a strong Israel in co-existence with her Arab neighbors is crucial to these objectives. Therefore, the United States has reason to be concerned over the security of Israel, for the sake of the United States, as well as that of Israel.

Russia was friendly to Israel, from Israel's war of independence in 1948 until Russia found out contrary to its expectations that despite Israel's labor sympathies, Israel is pro-American in any contest between Russian and American power in the Mideast. Thereupon, in 1955 Russia threw its lot in with the Arab League and cynically espoused their anti-Israel kick.

Russia sees correctly that the ignorance, fanaticism, and instability of the Arab peoples, economies and states, are suited to Russian propaganda, influence and eventual control, whereas Israel is knowledgeable, democratic, independent, stable—all characteristics unsuited to Russian exploitation.

A strong Israel in friendly co-existence with the Arab states would mean the eventual lifting of the aspirations, capacities, and viability of the Arab states, leading away from Russian control and to an independent Mideast.

Since the purposes of the United States in the Mideast coincide with such development and independence, a strong Israel in friendly co-existence with the Arab states is in the American interest.

Conversely, destruction of Israel would mean the triumph of ignorance, fanaticism and instability in the Mideast, lead to Russian control, the denial of oil resources to American exploitation, the threat of closure of the Mideast crossroads to American traffic, and the increasing dependence of Western Europe on Russian decisions.

The American purpose of a strong Israel

in friendly co-existence with the Arab states, is disserved by any political settlement in the Mideast, which forces Israel to retire to insecure borders and depend upon an outside guarantee whether of the United Nations or of four powers. For such an outside guarantee, legalizes a Russian right of veto in the Mideast, just as it now exists in the Security Council of the United Nations.

On the other hand, the American purpose is served by encouraging a political settlement directly between Israel and her Arab neighbors.

The reason that this has not occurred, is because thus far the Arab states have counted successfully on outside power to gain their goals such as weak frontiers for Israel, acquiescence in the Arab boycott of Israel, etc. These goals are not available in a direct settlement between the Arab states and Israel.

If the Arab states become convinced that the United States is on to the fact that Russia will not intervene as long as the United States does not, and that the United States will not pressure Israel into a political settlement but leave such settlement to the parties who are Israel and the Arabs, the way will be open to a political settlement directly between Israel and the Arabs.

The current hate propaganda generated by Russia and Arab capitals will not be able to prevent that settlement. For it will then be clear both to Russia and the Arabs that hate-Israel propaganda is unproductive.

With political settlement directly between Israel and the Arabs, will come peace, co-operation, prosperity and independence for the Mideast—all in the interest of the United States, Israel and the Arabs.

WHAT TO EXPECT FROM RUSSIA IN THE MIDEAST

Whatever the occasional mouthings of Arab leaders for strictly foreign consumption particularly from Egypt, their leaders are compelled by the forces of fanaticism which they have incited including among the Arab irregulars, to demand concessions from Israel which are way stations to Israel's destruction. Fundamentally, these concessions are withdrawals from territory which enable Israel to defend itself successfully.

The experience of the Vietnam negotiations, is that Russia is not likely to compel its clients to recede from demands for such concessions.

In the case of the Mideast, this means that the vital accommodations must come from those who are not Russia's clients, in this instance, Israel. This means that Israel will be pressed to give up territory vital to it in a likely resumption of hostilities, for words which Russia's clients can be pressed to concede such as "non-belligerence" or conceivably even "de jure" recognition of Israel, or words of promise of eventual access to waterways or eventual relief from boycott.

Since Israel may be expected to balk at such an exchange which may well endanger its existence, the question then arises, is Russia likely to intervene with actual force on behalf of its clients?

The key to the Mideast problem, is that neither Russia nor the United States is likely to intervene with actual force, unless the other does. For no vital interest of either Russia or the United States is threatened, unless the other intervenes in a shooting war on behalf of the actual parties, in this instance, Israel on the one hand, and Russia's Arab clients on the other.

Neither czarist nor communist Russia has ever undertaken a shooting war against a major power except where Russia's frontiers have been threatened. Russia's frontiers are not even remotely threatened either by the dispute or even a recurrence of shooting war between the actual parties to the dispute in the Mideast.

Russia can be expected to intervene in a shooting war in the Mideast if at all, only if the United States were to intervene. Con-

versely, Russia is unlikely to intervene as long as it is clear that her doing so, would require the United States to do so.

Since Russia's doing so would jeopardize vital supplies of oil for the United States and its European allies, Russia must continue to assume, that the United States cannot tolerate actual intervention by Russia.

It follows that the current rash of propaganda about the danger of Russian intervention is designed to condition the United States to put pressure on Israel to return to the vulnerable 1948 armistice lines which invited two prior Arab threats to her existence.

This would be a rerun of the cheap victory and enormous credit with her Arab clients won by Russia in 1956, when President Eisenhower forced Israel, Britain and France to retire from the Suez and the Sinai, while concurrently Russia stayed put in Hungary.

If repeating its 1956 mistake, the United States were to put pressure on Israel to withdraw to the vulnerable armistice lines of 1948, the probability this time is that Israel would not acquiesce. This would put the United States in the intolerable posture of pressing a friendly state to risk its own destruction, or even worse, inciting Russia to armed intervention on behalf of its clients out of belief that the United States would not oppose.

If refusing to repeat its 1956 mistake, the United States refuses to put pressure on either of the disputants, the consequence is that Israel and Russia's Arab clients must settle their dispute between themselves.

If Russia's clients refuse to do so as is likely for the moment to be the case, they can either continue to shore up diseased governments by this essentially false issue, or resort to a shooting war with Israel in which event they risk a re-run of three prior debacles, or take the lesser risk of continuing to encourage the Arab irregulars to cross cease fire lines into Israel.

In the latter event, the United States can serve international law and the peace by an even-handed policy of refusal to join in any condemnation of Israeli reprisals, as long as Russia continues to veto any condemnation of violation of cease fire lines by her clients.

NATIONAL MERIT SCHOLAR SENTENCED TO 5 YEARS

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. CLAY. Mr. Speaker, I am truly astonished at the inequities of our present judicial system. Day after day, I read in the newspaper of cases where a felon receives a light sentence—whereas a concerned youth protesting the injustices of our country receives a severe penalty. The priorities of our judicial system are as askew as those of our Government.

Take these incidents of which I am personally aware:

First. Two robbery suspects, caught redhanded by the police, were dismissed on a technicality—the two men had strong political connections.

Second. Two young men using Nazi-like tactics to terrorize, to damage, and to harass businesses to the point that one fine bookstore was forced out of business—one of the men received a light fine and a year's probation—charges against the other were dropped altogether.

Can these crimes possibly be compared to social, economic, or political protest? Are they not more injurious to society than peaceful protest or assembly? Law and order takes a peculiar turn when protesting peacefully the unresponsiveness of university administrators, staging a sitdown strike in a discriminatory restaurant, or reading the names of Vietnam war dead—become grave crimes against society.

Yet, Mr. Speaker, the punishment of these acts speaks for itself. Today, I bring to the attention of my colleagues one specific case which concerns me deeply. One young man, a junior at Harvard University, placed on the dean's list all 3 years and a national merit scholar—has received the maximum penalty for destroying his draft card. This student's protest was prompted by the feeling of futility and frustration which followed the Chicago Democratic Convention last August.

This case has come to my attention through a touching letter from Michael B. Weissman's parents. They write, not to request political string pulling—but, as they put it:

If you have any advice, we would be grateful for it, but we are not really asking anything of you. We do think you should know the sort of thing that is going on in St. Louis. It is perfectly clear that our son is not a criminal.

I suggest that any Congressman who had received a similar letter with a similar outline of such a tragic situation—would feel as strongly as I do that these people have reaped more than their share of injustice.

A \$10,000 fine has been levied against this student and a 5-year penitentiary sentence. This, my friends, is how we are protecting society and rehabilitating criminal elements. If this were not enough in itself—I am more angered that upon the advice of his parents, the boy reapplied for a new draft card which was issued—and he was still prosecuted and subsequently convicted to the limit of the law.

Somehow, the authorities granted no consideration to this boy's previous record—his intent and action to reinstate himself under the draft—nor the obvious parental concern and guidance afforded him. The only thing the authorities did not do with this student—was name him to the Nation's 10 most dangerous criminals list.

There is no logic, no analysis, no compassion and no thought of individual or society's welfare in such a verdict. A boy like this—who asked for a chance—was totally ignored. Yet, time after time, deadly crimes committed by confessed criminals—are being rationalized and abated through the channels and rhetoric of law and order. It all depends upon the victim of crime.

If the crime is a threat to white society or a threat to a system perpetrated by white society frightened by change—no judgment is too strict. But against black, poor, Quakers, individual or group protesters—the limit of the law is sought and attained.

There is little doubt in my mind that the action taken against this student is the result of an attempt to stifle opposi-

tion to the war. The Government cannot afford to make examples out of a conscientious youth like this one who is concerned with the future of this Nation.

Senator FULBRIGHT has noted in his excellent book, "The Arrogance of Power," that it is extremely difficult for concerned Americans in the minority to protest the actions of the majority—even for a Senator—without having undue pressure brought to bear against them. He is right. I would take it a step further at this point in time, and say that majority protest against a minority who hold the strings of power is equally as difficult. Protest against the Vietnam war is such a protest.

The student in question broke the law—the law of this democracy which supposedly provides for "mitigating circumstances." In this body's case, the temper of the Nation after the Chicago convention, which was very disturbing to me, and the sincere efforts of the accused to mend his actions—should have overwhelmingly constituted "mitigating circumstances."

Inequities in punishments are not limited to Vietnam war protesters; they extend to the civil rights field as well. The St. Louis American reported on June 26, 1969, that a black man allied with a black militant organization received from an all-white jury an unprecedented 7-year prison sentence for beating another black man. The St. Louis American aptly called this punishment the stiffest sentence known in the history of black citizens of this community. One man remarked in a sadly humorous way that "They usually get only 30 days for killing each other." The black community of this country is used to the double standard of law and order—but it used to sit by and let such decisions pass as inevitable. Today, the black community will not sit by. They will act for principles in which they believe. In Watts, Detroit, Newark, and other cities, one can see that blacks no longer let pass the injustice that has burdened them for so many years.

Black people want equal protection of the law. They want crimes against black people by black people given the same consideration as white against white, black against white, or white against black. They are tired of murder ignored in black ghettos—and tired of harassment if their activities search for a change in the system. What they want, then, is equality—the same thing which has been recited to white people for 200 years.

Our country was founded in the spirit of protest. The Constitution preserves that right. The most pressing problems of our time—Vietnam and civil rights—will be protested in spite of fear of unjust punishments and repression.

Mr. Speaker—I am tired of repression whereby the system makes an unfortunate "example" of one or a group of people—just to keep other would-be followings in line. There must be changes in the handling of these cases or the present turmoil over Vietnam and civil rights will explode into proportions of which I am assuredly afraid.

Now—for the benefit of my colleagues—I insert a summary of the inci-

dent involving the youth whose case has prompted me to make this speech. I invite each of my colleagues to assess the crime and the penalty—and to console himself that this is a just nation seeking to protect the general welfare of society.

The summary follows:

CHRONOLOGY OF CASE AGAINST MICHAEL B. WEISSMAN

Michael B. Weissman was sentenced to 5 years in the penitentiary and \$10,000 fine in U.S. District Court in St. Louis on June 13 for mutilation of his draft card. The chronology of the case is as follows:

August 30, 1968. Michael tore his draft classification and registration cards in two and handed them to a plain clothes policeman during a demonstration in St. Louis in protest of the Chicago convention. This was a time when people all over the country, particularly students, were in a highly emotional state.

September 1. Michael wrote to his draft board disclosing in full what had happened and asking for new cards. This letter was probably not mailed until the next day. It was received by his board on September 4.

September 11. Michael was granted new cards by the board.

October 30. The draft board declared Michael 1A delinquent. There is some ambiguity over the facts here. The prosecution brief states that Michael was declared delinquent on October 11, but no notice was sent to him until October 30. It was established at the trial that an entry stating that he had been granted a 2S deferment was erased from his draft record in this period.

November 19. Michael was indicted for mutilating his card. This was more than two months after asking for and receiving new cards.

February 19, 1969. He had a personal appearance before his board, asked for reinstatement of his 2S deferment.

March 7. Trial in U.S. District Court. The judge refused to allow the defense to present character witnesses, saying that the defendant was a first offender and his good character was not in question.

March 31. Michael was again classified 1A by his local board, by direction of the state director of selective service, although the local board had written to the state director that Michael met all requirements for a 2S deferment. Michael has appealed his draft classification to the Massachusetts state board.

May 28. Verdict of guilty.

June 13. Maximum sentence imposed. No reason was given. An appeal has been entered.

Michael is now (June, 1969) 19 years old and has completed his junior year at Harvard University. He is a National Merit Scholar majoring in mathematics and has been on the Dean's list all three years.

I also insert this commentary carried in the St. Louis Post-Dispatch July 5, 1969.

PROBATION IGNORED

From the standpoint of saving potentially useful citizens for the future, what is the best thing for a federal judge to do with draft law offenders? Throw the book at them, by way of maximum sentences and fines, or put them on probation?

The question arises from United States District Judge Regan's imposition of the maximum five-year prison sentence and \$10,000 fine on a 19-year-old University City student, Michael B. Weissman, for mutilating his draft card. Young Weissman is a junior at Harvard on a National Merit Scholarship. He told Judge Regan after his conviction that he would advise his friends not to destroy their cards.

Judge Regan acted under provisions of a

federal law permitting him to commit the defendant to a federal institution for a 90-day period of "evaluation," which is supposed to provide him with detailed information useful in determining the ultimate sentence. After the 90-day period, the judge with evaluation in hand can cut the sentence or even order the defendant paroled. But to obtain this useful flexibility of action under the particular statute he must in the first place set the tentative sentence at the maximum level.

This statute has its uses, but if a judge believes an offender may qualify for probation after 90 days in prison the question is why he does not grant probation at once on the basis of investigation by federal probation and parole authorities. Most draft law defendants are first-offenders. Are they not more likely to be saved for useful citizenship if they are given a chance to behave themselves under probation than if they are sent to prison first? Throwing the book at them may relieve a judge's feelings, and show how tough he is, but the main question is the future of the young man who violated a law for reasons of conscience.

Judge Regan's colleagues, Judges Harper and Meredith, generally do not go even as far as he in considering this question. They almost invariably hand out five-year sentences to draft law defendants pleading conscientious objection to military service, disdaining both the option of probation or a sentence based on use of the evaluation statute. Throw the book at them! That is a lot easier than trying to understand. * * *

TO BE REMEMBERED

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. GAYDOS. Mr. Speaker, when the House passed the 10-percent income surtax extension, it in effect told the American taxpayers that no meaningful tax reforms would emanate from the House. The low- and middle-class taxpayer, who bears the brunt of the tax burden, does not regard repeal of the 7-percent investment credit as anything but tokenism, nor will promise of protest. Only by plugging the notorious loopholes in our tax structure and relieving some of the pressure from the little man can we fulfill our promises and obligations.

A recent editorial by John Orr of the McKeesport Daily News points up the fact that the promises we make are not forgotten. I submit the editorial for the RECORD and the attention of my colleagues:

TO BE REMEMBERED

During the current Congressional proceedings over extension of the 10 per cent surtax the American citizen should keep in mind the fact that President Nixon once promised to allow the thing to die at its original termination date last Monday midnight.

Indeed, the President, during the heat of the 1968 campaign, was asked pointblank at a press conference his intentions about the Johnsonian levy and replied unequivocally that he would oppose its continuation beyond June 30.

Once elected, the President changed positions. He found that the tax was needed, he explained, to "fight" inflation. He then put pressure on a reluctant Congress, tuned into the tax revolt at home, and today seems to be getting his way. The House has approved

the extension by a five-vote margin. It now is in the Senate.

Of course, the President made an amendment. He suggested the "new" formula by which the levy would go on at the 10 per cent rate for six months and then drop to five per cent for the next half year. But who now can believe anything he has to say on this particular subject?

No matter how hard the White House tries to rationalize the present Nixon stand, we still have in this issue the spectacle of a President who was not candid with the voting public. Rather, he could be accused of winning his "squeaker" election on this deception alone.

Why, it can be asked, did it take a victory at the polls for the President to see that the surtax had to be kept as an anti-inflation measure? Inflation was taking place before and during the campaign. President Johnson originally had demanded the added sacrifice from the people for that very purpose. And still Candidate Nixon promised that he would let it fade away when the time came.

This about face of the President cannot be passed off even in the excitement of Treasury Secretary Kennedy's warnings about the inflation menace because, first of all, it constitutes the most brazen of broken campaign promises and, secondly, President Nixon has alternatives to a tax extension. He could cut federal spending to achieve the same deflationary result and also he could have helped to stem the inflation by a personal example which he failed to give.

The President had the chance to dramatize the need of personal sacrifice by smashing at the outset of his administration the shameful Congressional money grab which had the effect of loosening upon the nation the wage and price boosting spree that remains unabated to this day. He bears a great responsibility for this spree inasmuch as he accepted a \$100,000 salary raise for himself as part of the bargain with a venal Congressional majority. This will not be forgotten as the average American, beaten both by taxes and prices, continues to ante up to fight an inflation against which his supposed representatives in government so cleverly insulated themselves.

CONGRESSMAN DON EDWARDS' STATEMENT ON CRISIS FACING NURSES

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. EDWARDS of California. Mr. Speaker, a nationwide crisis today faces the nursing schools of the United States. Already many of the nursing schools have been forced to close their doors because of rising costs and inability to finance needed training. Today there is an estimated shortage of 141,000 nurses. By 1973 that shortage will grow to 186,000.

The Federal Government has promised to help, but like so many of the promises of this administration, this one, too, is being broken. It appears that we can only finance the Vietnam war and that we are unable to finance adequately any program needed to meet our civilian needs.

In the case of schools of nursing, the situation is particularly tragic.

Let me give you one specific example from my own congressional district in

San Jose, the example of the San Jose School of Nursing.

The San Jose Hospital Foundation, Inc., which runs the school, a nonprofit voluntary organization, has been working desperately to increase its freshman enrollment to meet the critical need for nurses in the Santa Clara Valley. It has been successful, with the number of freshmen nurses growing from 18 in 1966, to 36 in 1967, 48 in 1968, and 70 in 1969.

Today, however, that program lies in ruins. It lies there because of the unkept promises of the Federal Government.

In order to meet its increasing enrollment the San Jose school, which serves many low income and minority students, has relied heavily on the Federal Government student loan programs.

This year the school applied for \$188,820 in loans.

For 4 years it had received all that it had requested in the way of student loans.

I have been informed that instead of \$188,820 the school may receive as little as \$15,100. It will not receive a great deal more.

Robert B. Kennedy, executive vice president of the San Jose Hospital Foundation, Inc., has outlined the situation facing the school in these words:

We will have to go back to parents and students who made application for these loans and tell them that they are only going to get half the money they expected. (On the basis of incomplete information, Mr. Kennedy believed the funds would be cut only in half.) If they are going to continue school they will have to make up the difference. Most of our students are not going to be able to make up this difference, for that is why we went for the loan in the first place. They just didn't have the money.

The tragic predicament faced by this school is not a simple one. In the past adequate funds have been available for all who applied for student nursing funds.

First, these funds have been cut.

Second, the number of schools and students applying have increased sharply this year. Last year 694 schools applied; this year, because of new accreditation standards, 907 schools applied.

Instead of having enough funds, there were not enough.

The schools applied for \$22,084,231 with only \$12,281,000 available.

As a result, a statutory formula was applied, a formula which is vastly unfair to small schools such as the San Jose Nursing School.

The formula is complicated, but I will try to simplify it in an accurate way. I may not altogether succeed, but I hope you will bear with me.

All of the students in all of the schools applying, not just the students needing loans, are added together. Then, each school, counting all of the students again, has its total number of students divided into the total number of students from all schools. Thus, the ratio is established for obtaining funds.

As an example, if all of the schools had a grand total of 1,000 students and one school had 100 students, that school would be eligible to receive up to one-tenth of the funds available.

Obviously, the smaller the school, the less funds it will get.

I am told 85 percent of the schools applying for student loans will receive all of the funds they request. The remaining 15 percent, including San Jose, will be cut sharply—some of them butchered.

I also have been told some of the schools will be hurt even worse than San Jose.

Many of the schools so hurt are small struggling schools of nursing in poor areas, which need help far more than the larger schools.

We all know that many needed programs are being cut this year in every field, including health education.

But in this case a selective and permanently damaging harm is being done.

In this special case, I urgently urge that the appropriation of the student nursing funds be increased so that this long-range and valuable program can continue.

We will need more time to revise the formula to insure fairness, but we can at this point save the programs already underway.

The need is for \$22,084,231 in the nursing student program, instead of \$12,281,000. I would hope the appropriation will match the need.

For those who fear that our economy will be overburdened by such an increase, let me remind you of our recent actions. Just yesterday we approved a \$38 million increase in expenditures for military operations in Southeast Asia.

I believe we also can appropriate the funds needed to provide us with nurses.

A YOUTHFUL LEADER SPEAKS OUT ON THE MEANING AND FUTURE OF AMERICA

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. BROCK. Mr. Speaker, on Friday, July 11, Jack McDonald, chairman of the half-million-strong Young Republican National Federation, will deliver a major address concerning America's future and the positive role which the decent majority of our young people will play in it.

Delivered in Chicago, at the national convention of the YRNF, it will set the tone for a rededication to basic American goals and values for all young Americans, regardless of party. Because of the importance of this excellent speech, and because it so eloquently speaks for the "silent majority" of our younger citizens, I include an advance copy of it in the RECORD:

REMARKS OF JACK McDONALD, CHAIRMAN, YOUNG REPUBLICAN NATIONAL FEDERATION (Delivered to the biennial convention of the Young Republican National Federation, Friday, July 11, 1969)

In recent years, newspaper, radio and television reports of today's America have become filled to overflowing with the sounds of anarchy and destruction; and the pictures of fists upraised in rebellion and guns carried

by the bearded revolutionaries of the American Left. As I hear them cry out "Go left, young man, go left", I cannot help but recall a few months ago as I stood on a raised platform in West Berlin and looked across that dark grey Wall and came face to face with the stark horror that is the reality of Communism. I saw the barbed wire—the machine gun nests—the guards with bayonets fixed—and the dogs trained to attack anything that would attempt to escape from what they call the People's Paradise. Beside the Wall stands a simple cross placed there to memorialize the courage of a young man named Peter Fechter, who at age 18, made the dash for freedom, but was shot down in cold blood as he tried to tear himself loose from the barbed wire. As I think back to that moment, I can only wish that every young Leftist that cries out that "Communism is the only way for America" could stand at that wall and see for himself that total, complete and utter repudiation of Communism. For our part, let us stand tall and proud for America, and thank God for our freedom for which so many have died but which we take so much for granted.

A part of that freedom is to meet, debate, listen and vote as we do today.

Two years ago, I stood before you as your newly elected Chairman and issued a challenge, and sounded a battle cry to the hundreds of thousands of Young Republicans from across our nation represented there. At that time I asked you to join me in the political arena so we could together harness our sincerity, our dedication, and our conviction to change the leadership of this great nation.

And together we labored—with our hearts, our minds and our hands—We registered newcomers, found absentee voters, rang doorbells, manned phones, and transported voters to the polls on Election Day. And because you and I and millions of other little people became involved in that great Presidential election in 1968, America today is marching up the hill to responsible government.

We have seen changes in America in the last six months—some small and some large. I just came from Washington and even the air seems clearer there, maybe that's because the fog of the credibility gap has been lifted from that city. The tourists are back, and maybe that's because the American people feel more comfortable about visiting their nation's Capitol with Richard Nixon in the White House than they did while Johnson was there. Even the local ball club, the Washington Senators, seem to be playing better ball; and there is another group of Senators who will be playing a different kind of ball after the 1970 elections when some major changes will be made in that group.

But today, as I prepare to step down as your Chairman, I issue a different call than I did two years ago, and offer to you a new challenge. I ask more than simply that we take the lead in a narrow partisan battle. I ask rather that we take the lead in rebuilding the spirit, the faith and the dream that is America. Because today, our nation is suffering from a deep loss of faith. As we gave up our dependence on God and our dependence on our fellow man, and replaced it with a dependence on government in Washington; we also gave up some of our faith in God and our faith in our fellow man, and even some of our faith in ourselves; and we tried to replace that with a faith in government. But in recent years that faith in government has been deeply shaken because we have learned not only what government can do but also what it cannot do. Government can lead; government can encourage; but the true and lasting answers to most of the problems of our nation lie not with government; they lie rather in the "people power" of America.

For too long our nation has experimented with alien ideologies—there are those who have tried to tell us that man can live by bread alone; but America has come to know

we must rebuild the deep faith and spirit of this nation. There are those who have tried to use American lives as the pawns in a no-win war; but we have learned that if we are going to go into a war, and if we are going to keep faith with those whose blood is to be bravely shed in that war, then our sacred honor demands that we use every ounce of strength our nation possesses to win the victory that can be ours. Our highest court has in effect made laws that coddle criminals, rioters and looters rather than protecting the innocent and law-abiding; but America has learned that when law and order ends, a civilization is on the brink of collapse. Power-seeking politicians have tempted us to taste the fruits of paternalistic government. For a few moments we have been thrilled by the sweetness of their promises; but we have left their table sick with the bitter after-taste of riots, crime and simmering revolution across our land.

In short, the shock of the last few years of American life has demanded a new direction for our nation. And if there is one thing we have learned from our ventures in social experimentation, it is that government alone cannot provide that new direction. The responsibility lies more than ever with us—you and me and the hundreds of thousands of young citizens we represent.

We are young people in a nation which declared its independence in a document written by Thomas Jefferson at the age of 34. The revolutionary soldiers who fought for that freedom averaged only 18 and the firebrand orator of that day was Patrick Henry who was 33. We live in a nation which has traditionally listened to its younger citizens. We are leaders in a land that cries out to be led into the greatness that can be tomorrow.

We are Americans in a world that still looks to America as the land where dreams come true. We stand at the threshold of greatness—leaders whose time is now and whose place is here.

For too long we have listened to those who would save our consciences by sending every problem to Washington. These PHD ghetto watchers, these empire builders of government have proven time and again that their fuzzy theories are long on promises but woefully short on results. Let us instead harness the strengths that built this nation—our Civic Organizations, our Charitable Foundations, our Free Enterprise System, the "People Power" of America—and bring them to bear on solving our nation's problems. Let us, with our hands, our hearts, and our sweat lead the way to a new involvement by the people of America in solving the problems of America.

For too long we have allowed our government to permissively spend beyond its means—thereby creating inflation—under some weird and wondrous theory that we owe it to ourselves. The costly dreams of the politicians always become the expenses of the people either through increased taxation for all of us or through insidious inflation which inflicts its greatest pain on those who must live on social security. The time has come in America to play fair with our working man, our housewife, and our older citizens by making our commitment to a stable dollar a sacred pledge of honor.

For too long our welfare system has allowed and even encouraged able bodied men and women to nurse at the public trough; and we have created a system of welfare slavery that feeds a man's belly but destroys his soul. The time is here to massively overhaul our welfare system so that it works to build a man up rather than tear him down—so that it captures the spirit of the Chinese Proverb that says "Give a man a fish and you feed him for a day—teach a man how to fish and he can feed himself for a lifetime."

For too long we have seen our campuses torn apart by a few revolutionaries who put getting their pictures in the paper first and

getting knowledge in their heads second. The best solution to America's college problem lies with those of you that are today in our colleges. Responsible leadership from you of the student majority can easily defeat the aims of the SDS minority. Humor can be a weapon, too, because there is nothing more humiliating to these throwbacks to Nazism than to be laughed off a campus. And if your university administration lacks the plain old fashioned guts to deal strongly with onrushing anarchy, then lend them some of your courage by getting a court order requiring them to provide you with the education you paid for—and any court knows that the first prerequisite of education is an atmosphere of learning rather than chaos.

For too long we have tolerated those who would sneer at patriotism and destroy the great religious heritage of this land. Let us be done with those who would burn their draft cards, our flag, or otherwise desecrate the very soul of America. Let us rekindle that deep love of country and honest faith in God that were our nation's guiding lights many years ago when our forefathers carved an empire out of a wilderness.

For too long, we have allowed crime and mob rule to be the order of the day in our nation. The time has come in America for majority rule rather than minority license—and I mean a majority of Blacks as well as Whites, because the real majority is made up of all Americans who know that no civilization can long endure when mob rule takes the place of law and order.

What I am really saying is that today millions of Young Americans are searching for a type of leadership that government alone cannot provide—searching for leadership that gives honest answers in response to their probing questions—leadership that gives bold new imaginative approaches to their desire to build a better world—leadership that gives an open door to their search for involvement—leadership that gives encouragement to their idealism.

This is our greatest challenge—not for ourselves or for our Party, but rather for our Nation. Let us so conduct ourselves that when the history of our times is written, it will record that WE were the people who had the courage to stand proudly and courageously before our nation and say "America, your future, your greatness, your dream, shall not be allowed to die."

MASS MAN IN A TECHNOLOGICAL SOCIETY

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. CULVER. Mr. Speaker, the distinguished columnist and Washington correspondent for the St. Louis Post-Dispatch, Marquis Childs, has made a useful contribution to a greater public understanding of the social issues which our increasingly technological society must face, particularly as they relate to young people.

I insert Mr. Childs' thoughtful remarks made at the recent University of Iowa commencement in the RECORD at this point:

MASS MAN IN A TECHNOLOGICAL SOCIETY

I hope you will forgive a personal reminiscence. Little more than half a century ago, in the span of the human species on this planet a mere eyewink, as a youngster growing up in Iowa through a mail order catalogue I got something called a crystal set.

By tinkering with this device you received out of the ether faint signals in Morse code. It was wireless, a mystery that to a boy in that simple time had something of magic about it.

In the intervening half century, that eye-wink on the immeasurable face of time, this primitive device has evolved into radio and television with instant communication around the globe. When the Pacific telstar is in place, we shall see events in Tokyo and Bangkok while they are happening, just as we now see events in Europe. The stone age Indian in the high Andes hears with his transistor radio the voice of Peking or Washington as it is uttered. In the same 50 years the jet plane has abolished the great oceans and the land masses with something that our forebears would have seemed like instant travel. The greatest transformation of all, still in its infancy, is being worked by nuclear fission. Whether for good or evil, creating a new earth or bring annihilation in the ultimate and final war, this new force is an agent of destiny.

But while the revolution in the environment, the greatest transformation in recorded history, has been going on, man's political and social institutions have changed scarcely at all. That failure, the failure to enlarge the political and social frame to try to encompass these astonishing new forces, is at the root of much of what is happening today. I believe it explains the worldwide phenomenon of the student revolt, the deep discontent and frustration that take so many different forms. There is a profound feeling, often intuitive, that the old institutions cannot contain these new and hitherto undreamed of forces. To try to confine them in the ancient mold is to do violence to the human spirit, to the individual's freedom of choice, to the very qualities that set him apart from the species bound by instinctive response.

What is the place of the young—your place—in a highly organized technological society? No one, it seems to me, has given a satisfying answer to that question or not, at any rate, an answer that many of the young, and among them the most brilliant and searching of their generation, will accept.

On a recent trip to the Far East, I had a glimpse from the periphery into the riddle that is Red China. Perhaps because of the curious irony of the motivation and the disastrous consequences, we have something to learn from the very wrongness of the Red Guards' revolution. As the old dictator, Mao Tse-Tung, unleashed the militant young, it had the look of a deliberate act of self-destruction. And in its consequences, approaching in many areas of that vast land open civil war, it seemed to be just that. But a glimpse through trained and experienced observers revealed what was a rationalization for inciting revolution. Obviously Mao wanted to stamp out what he saw as a revival of bourgeois materialism. But there was a further rationalization and that explains why, now that the revolution has been damped down, a massive forced movement of professors, intellectuals, bureaucrats, specialists of every kind from the cities to the countryside is taking place. Mao, the old revolutionary, the master of the Long March, dreams of a populist society. He dreams of the homogenized man who can be a specialist in, say, electronics, and can at the same time go out and work in the rice paddies. In a technological age, calling for the most highly developed specialization, it is a futile dream. Imposing it by force may make it impossible, on top of the disasters of the Great Leap Forward and the Red Guards revolution, for China, despite the formidable brain power of her people and their capacity for disciplined effort, to build a modern state.

If homogenized man is an impossible dream, how in advanced western technolog-

ical society are we to come to terms with the demands of specialization that seem to condemn the individual to a slot in which he performs a more or less mindless function? Rarely, if ever before, and perhaps because of those forces of which I spoke earlier, have the differing societies which man has organized been subject to such intense critical examination. While this is partly veiled in the Communist world, where the rigidities of dogma and doctrine have sought to lop off the human figure to fit in to the arbitrary frame of Marxism, the critical examination, an upsurge of protest, is nonetheless real in Eastern Europe. We see it in its most valiant form in Czechoslovakia, where the brutal force of repression seeks to strangle a deep-seated movement for freedom of choice. The Czechs and the Slovaks have suffered much in two wars and the aftermath of those wars. It may be significant that Czech literature, in the novels of Franz Kafka and in the play, *RUR*—Rossum's Universal Robots, by Capek—which had wide popularity in the 1930's gave a pre-vision of the torture of a people subjected to authoritarian rule imposed by the advanced methods of a technological society.

In his nightmare of an automated world, the individual reduced to a submissive unit, George Orwell in "1984" struck a note drawing a wide response among the young everywhere. They are asking whether the conventional rewards have any meaning in a society dictating the narrow range of choice in which they must find a place. For some these rewards—security, a car, a family—may be enough. But we are seeing here at home how many of the young are voting no, in a variety of ways, by simply opting out, by eccentric dress, by drugs, by anarchic behavior certain to bring a strong reaction.

It is not 1984 either on the calendar or in our way of life. Yet among the sensitive and the concerned, the signs of an automated existence, with the arbitrary choices dictated by a small self-perpetuating elite, are all too evident: a handful of men in Washington shaping the pattern of research and development through the ever expanding power of the defense establishment; a handful of men in New York and Hollywood determining what we shall see on television and in motion pictures, a determination made with almost the single motive of profit. Here, I suggest, is one of the principal causes of rebellion. We shall not, say the rebels, be merely the submissive servants of this establishment.

If the only alternative is to try to break up this establishment by anarchic acts of violence and destruction, we are in for a very bad time indeed. A technological society cannot be dismantled by force and violence without consequences as disastrous as those that have brought China close to breakdown.

I believe there is another alternative. It lies in the realization that fragmented man living his own isolated life within the sterile frame of the motions that he must make to earn a living, is his own agent of self-destruction. The evidence accumulates. The vandalism of public buildings, particularly public schools, at a cost in millions, if not hundreds of millions, of dollars a year, is a symptom of a profound sickness. I scarcely need to speak of the constantly rising rate of crime, the delinquents, the dropouts. What happens in the ghettos may be cause and effect. What happens in the affluent suburbs is far more reason to inquire into the nature of our sickness. It is not enough in the current fashion to talk about permissiveness and the need to apply stern discipline. That may be part of the cure, but only a small part. The sources lie deeper.

I believe it is essential to add a new dimension to the life of the specialist in our highly specialized society. With ever-increasing leisure, and the four-day week is not too far off, gadgetry, more cars, more boats, more

private planes, is not enough. The answer is relatedness. The man or woman who operates a computer, runs a switchboard, pilots a plane must contribute to the larger good. I wish I could tell you how this is to be done. But I believe a way can be found for the individual to relate to a larger life of which he now is either unaware or toward which he feels a hostility reflecting his ignorance.

At the start of the Kennedy administration in 1960, some imaginative and creative proposals were put forward. The Peace Corps, Vista Volunteers, the Teacher Corps, opened a way to serve the nation. "Ask not what your country can do for you—ask what you can do for your country." The response to these proposals was proof of the desire of many Americans to serve a larger cause than self-interest. But they called for an interruption in the normal course of life for varying periods of time. It should be possible to serve in a variety of ways as part of one's normal career without such an interruption.

Almost every foreigner examining the American way of life, beginning with Alexis de Tocqueville, has been impressed with the power of voluntarism. Having its origins in the cooperation enforced by the nature of pioneer life community, self-help has been codified in a thousand and one practices. In no other nation do so many volunteers serve in such a variety of ways. It is a phenomenon that still astonishes the foreign visitor and particularly the visitor from Asia and Latin America where by long tradition responsibility ends with the family circle. While partly this may be busyness, merely spinning the wheels, volunteer service, this manpower, and above all this womanpower, is a constructive force. Related to a larger end I believe it can help to provide the coherence so sadly lacking in our fragmented nation. It is a new dimension that we must discover.

President Nixon has just called for an expansion of this volunteer service to be coordinated in some as yet unexplained fashion with the functions of government. The announcement, related to a pledge Mr. Nixon made during his campaign last year, was ambiguous. It was rhetoric of an era that must seem in this time of turbulent change to have all but disappeared. Taken at face value as first unveiled, it resembled, in degree if not in kind, the unreality of Maoism.

The service of the volunteer, if it is to have any meaning today, if it is to provide a new dimension for those whose lives seem isolated and sterile in lonely anonymity, must be more than a palliative. Working with boys' clubs, serving as a hospital volunteer, is excellent. But it will not satisfy the need for participation in the larger process of determining how one's life is to be ordered. Volunteer service must evolve toward sharing in decision making.

It must be an adjunct of the political process. If only because that process has itself come to seem to many frozen so fast with a rigidity denying the potential of really significant movement, a new element, a new mode of being, is the urgent need. Let me say again that I cannot tell you how this is to be achieved. But it is not an impossible dream. A creative, imaginative union of government and the forces working for change can mean a peaceful revolution.

I hardly need to tell this audience that the center of the turmoil is in the universities and the colleges. Long pent-up discontents with the institutions of higher learning coincide with the deep divisiveness of the Vietnam war and its shattering effect on the young to make the university a focal point of disorder and disruption. Higher education is in a sense the victim of ills long at work in the body politic. This is not to say that the universities are blameless. A conspicuous failure has been in education in the liberal arts; a failure to give the young any broad understanding of the world in which they

find themselves. Even in the liberal arts it has been education for narrow specialization. A distinguished educator, President Howard Bowen of your own university, expressed it very well in a recent searching and critical examination of the function of the university and the college.

"The university," he said, "has unwittingly become a handmaiden of the established order and finds its main purpose in training professionals to serve it and in carrying on research and service to support and perpetuate it. Vocationalism supersedes general education. The university's involvement with the established order robs it of its role and its contribution as disinterested critic of society and thereby reduces its capacity for liberal education."

I venture to say that this gets to the heart of the student revolt. I am emboldened to say that for all its calamitous aspects that the rebellion may have served a healthy purpose in alerting us to what is wrong with higher education and in the larger aspect with the society itself. I add that this is true only if the universities and colleges show that they can quickly put their own house in order while at the same time carrying out long needed reforms. I see signs that this is happening. At Stanford, the University of Chicago and elsewhere, faculty-student councils and even faculty-student-administration councils are sitting in judgment on the violent offenders and laying down guidelines to insure freedom of protest while barring destruction and intimidation.

Here are volunteers at work on an urgently needed function. They are sharing in decision-making, they are experiencing the burdens of shared responsibility. Is this not an example of the direction toward which a society of shared responsibility can move? Is it not possible that in a larger context these same councils may carry out the reforms in curriculums and administration so imperative?

It is presumptuous of me to say these things to a university audience. But I speak out of concern over the growing evidence that extremists on a relatively few campuses have touched off a backlash, a counter-reaction. Forces that have long waited to bring the academic community to heel, forces with no comprehension of, nor consideration for academic freedom, are only too eager to swoop down and impose their narrow authority. The time is short. But I am confident that an aroused and alert generation can show the way to a new and more generous order.

I come back to the youngster fiddling with the crystal set in that far-off day. The faint message in Morse code was unintelligible. So was the signal of what this strange new device was ultimately to mean. We can never again afford to misread those signals. They will utterly destroy the comfortable pattern of the past unless we enlarge the sphere of our lives to encompass the forces technology and science have unleashed.

THE INCREDIBLE DREAM: A WALK ON THE MOON—PART IV

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. MURPHY of New York. Mr. Speaker, while most earthlings will follow in awe the historic flight next week of Apollo 11, astronauts Neil Armstrong, Michael Collins, and Buzz Aldrin, they will have a select group of men on the ground who will virtually sweat out the moon trek with them. These are the un-

sung men of earth control at the Manned Spacecraft Center in Houston. In his continuing series of articles preceding man's first moon walk, New York Daily News science editor Mark Bloom pays tribute to the men who serve by staying behind. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include his blastoff minus six report:

THEY ALSO GO WHO ONLY STAY AND SERVE
(By Mark Bloom)

When Columbus sailed westward across the Atlantic and Lindbergh made the return trip by air, they were on their own.

If Columbus' vessels had sunk, the world might have remained flat for at least another generation. If Lindbergh had gone down at sea no one would ever have known how it happened or what went wrong.

But for Apollo 11 astronauts Neil Armstrong, Michael Collins and Buzz Aldrin, it's a different story. A group of men in a three-story windowless building about 26 miles east of Houston will be virtually inside the spacecraft and on the moon with the astronauts.

At almost all times, these men will have at least as good a knowledge, if not better, than the astronauts will have of the performance of the Apollo 11 spacecraft.

These men will have better information on where the astronauts are in the chartless void of space than the astronauts themselves.

They will be able to chat with the astronauts any time they have anything to say.

They will be the men of earth control at the Manned Spacecraft Center.

Under the direction of the flight director in charge, these men in round-the-clock shifts will receive a continuous flow of data from Apollo 11 via a \$500 million world-wide communications and tracking network.

When Apollo 11 is in earth orbit for check-out to make sure everything is "go" before heading moonward, the data and voice communications will be relayed by 14 ground stations, four ships and half a dozen jet aircraft. Key to this network are ten 30-foot diameter antennas spaced around the world.

At an altitude of about 10,000 miles, three 85-foot-diameter antennas—in Spain, Australia and California—take over the primary tracking and communication task. For television from the lunar surface, the giant 210-foot-diameter antenna at Goldstone, Calif., will be used.

All these receiving stations feed data into the \$117 million earth control center where batteries of computers digest the flow, routing some of it "live" to flight controllers, and storing the rest for use later if needed.

Much of the data is on the condition of the spacecraft. Some of it is critical information on where Apollo 11 is at any given moment.

One entire battery of computers keeps up with the exact position of the spacecraft. Another battery of computers uses this information to grind out continuously updated information on such questions as what mid-course steering changes to make, or what kind of a steering rocket burst will be needed to fly into lunar orbit.

There is information, of course, on the physical condition of the crew, and this network also relays voice communications between Houston and space.

The nerve center of earth control is a buff-colored room on the second floor. It is dominated by huge displays on the front wall of the moon or the earth or Apollo 11's trajectory in space—or just about anything the flight director wants. There is also an enormous television screen.

The room is 60 feet long and 50 feet wide. It is filled with four tiers of consoles, a dozen in all, each with little TV screens for the specific information a given flight controller might want.

At the middle console in the second tier from the rear sits the flight director. At

the console in front of him is the "capcom," an astronaut who does most of the actual talking with the men in space.

At other consoles sit space agency physicians, flight dynamics specialists, guidance officers, communications experts, public information officers, and other key controllers.

Backing up these men in specially equipped "side rooms" are teams of engineers who can carry out any special assignment which problems encountered in a mission might require.

In charge of operations at earth control is a man with the historically proper name of Christopher Columbus Kraft Jr.

Kraft, flight operations director at the Manned Spacecraft Center, has been in overall command of every manned space flight the United States has flown, a total of 21 including Apollo 11.

While he lets his junior flight directors run the show these days, Kraft is always in earth control when critical events take place in a mission.

Kraft was in the flight director's chair himself for all six one-man Mercury flights, and for the first six two-man Gemini's.

When Kraft was flight director, it was earth running the mission. These days, some of the younger flight directors give the astronauts more leeway.

One Mercury astronaut is known to have so displeased Kraft in the way his mission was flown that after splashdown the flight director told the astronaut that his space-going days had just ended forever.

Kraft was also tough with his subordinate flight controllers—when necessary.

In one incident during Gemini, talking on a channel heard by newsmen, Kraft asked a flight controller at a tracking and communications station half way around the world for the "PQI" of the spacecraft passing overhead.

"PQI?" asked the flight controller.

"Propellant quantity indicated" said Kraft.

"Oh," said the flight controller.

"That's flight control talk," snapped Kraft.

But Kraft is also generous with praise for work well done, and during Gemini made a point of bringing lesser known flight controllers to daily press conferences so they could explain their jobs to newsmen who are not allowed inside earth control when a mission is in progress.

And despite the closed-door policy at earth control, Kraft is one of the few senior officials of Nasa who understands the value of public relations.

At 45, Kraft is the grand, old man of earth control where most of the flight controllers don't trust anyone over 30.

Kraft's ranking flight directors, the men who will run Apollo 11 in shifts, are Gene Kranz, 35; Clifford Charlesworth, 37; Milton Windler, 37, and Glynn Lunney, 32—altogether younger than all three Apollo 11 astronauts.

For Franz, it will be the 10th time he has been a flight director of a manned flight, dating back to Gemini 3 in 1965.

As the man who has been working for Kraft longest, Kranz is the most like his boss of the four. A crew-cut blond midwesterner with a flat voice that sounds something like Maxwell Smart of TV's "Get Smart," Kranz is an absolutely no-nonsense flight director.

When problems crop up, he demands immediate answers from his subordinate flight controllers. His toleration of inefficiency is minimal. Also, like Kraft, Kranz is on extremely good relations with newsmen.

Windler, whose first manned mission as a flight director was Apollo 10, is an expert on landing and recovery of Apollo spacecraft. He has been involved in manned space flight since 1959.

Lunney, who started working for the nation's manned space program at the age of 22, is another man who has learned how to handle a news conference, having had ex-

perience as a flight director in seven previous manned missions.

Lunney runs a more relaxed earth control than Kranz, but he seems to get the same results. He is known as an incurable optimist.

Charlesworth, a soft-spoken physicist who exudes infinite patience with a deep Mississippi drawl, was named "prime flight director" for Apollo 11, a largely honorary title for this flight. He was also prime flight director for Apollo 8, man's first trip into lunar orbit.

Charlesworth will be flight director when man takes his first steps on the moon. Kranz will be running the show when the lunar module sets down on the surface.

But no matter which member of the team is sitting in as flight director, there is no doubt about who is really in charge. "Everyone is aware that if anything really serious ever happened," a high space agency official conceded recently, "Chris Kraft would be the one making the decisions."

PRAYER DAY

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. MILLER of Ohio. Mr. Speaker, at a time when our country's deeply held religious traditions are under attack from many sides, it is highly appropriate that the Congress has designated a "Prayer Day" so that Members may record their feelings on this important matter.

Our great Nation was founded in prayer. The Mayflower Compact that bound the Pilgrims together as they ventured into the New World began with a prayer:

In the name of God . . . we, do solemnly and mutually in the presence of God, and of one another, covenant and combine ourselves together into a civil body politic.

The Declaration of Independence acknowledges that the rights of free men are derived from the Deity:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.

The great leaders of our country are known to have turned to God for spiritual sustenance. The kneeling figure of George Washington praying for divine strength and direction during the bitter winter in Valley Forge is a part of this country's religious heritage that will always be remembered. Abraham Lincoln once revealed:

I have been driven to my knees many times, for I have had no place else to go.

Every Presidential inauguration begins with a prayer.

Recognition of our obligations to the Deity is established throughout our governmental institutions. Our coins and currency carry the inscription "In God We Trust." Both Houses of Congress begin their daily sessions with a prayer. Chaplains accompany our fighting men as they face death and danger in all parts of the world. Witnesses in court hearings pledge to God that they will tell the truth.

I call on every Member of Congress to heed the ground swell of public opinion

opposed to Supreme Court antiprayer rulings. We must restore the rights of the vast majority of our citizens who do not want prayers denied to our schoolchildren. We must insure that the religious foundation of our moral strength is not undermined.

A NEW LOOK AT THINGS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. WOLFF. Mr. Speaker, the ever-increasing number of student protests, violence on campus, drug abuse, and general student unrest has caused us to overlook the significant contributions that youth can make toward solving educational problems. We often have the tendency to ignore the capability of youth in preference to catchall phrases like "generation gap" and "irresponsibility of youth."

A case in point was recently brought to my attention in the June 19 issue of the *Locust Valley Leader*, published and edited by an exceptionally capable woman, Edith Wycoff, whom I have known for a number of years. Since it tells a significant story, regarding a bright and concerned young man, Tony Corbo, whom I have the pleasure of knowing, I would therefore like to include it in the RECORD:

A NEW LOOK AT THINGS

Tony Corbo came to see us the other day. He is the vice president of the *Locust Valley* high school student council and the young man who led the recent student march urging a yes vote for the budget of central school district 3. Tony, a bright, pleasant and self-assured young man said that several points in last week's *Leader* story concerning the march "irritated" many of the students. The day before the march, over the high school public address system, Tony urged students to come out for the march to show "that woman on Birch Hill road how we feel about the budget." Even though the march was planned before the *Leader's* editor suggested a no vote as a protest against many wrongs within the system, Tony's comment on the school radio gave the impression to most students that the primary object of the June 7 march was to protest the *Leader* editorial. Nevertheless, said Tony, this interpretation "irritated" some of the students. Students also were "irritated" by the report that many of them left the march as it passed the elementary school fair. Tony said only four students left the march. The *Leader* was told that many more cut their walk short. It is probable that no one ever will know for sure which figure is accurate but these differences of interpretation of events surrounding the march are not nearly as important as the things Tony said after we began to understand each other better.

He has a few ideas for improving communications between students, the school board, faculty and community. His ideas are not radical, nor are they original. They are simple, practical and new to *Locust Valley*. They deserve consideration. Tony suggests the formation of a committee made up of three students, three members of the faculty and three residents of the school district. Unlike the many previous advisory committees, which for the most part have been ineffective and short lived. Tony suggests that the new

committees be appointed by the student body, the faculty and the community, not, as in the past, by the school board. The new committee would attend all school board meetings and work as closely with the board as the board would permit.

Such a committee properly formed and oriented is necessary if there is to be improvement in communications between the school board and those segments of the community with which it needs much greater rapport. For too long the school board has worked in a sanctimonious vacuum, certain that what it has done is right, rarely reacting to much well earned criticism. Reform is needed desperately in all areas of education. No reform will come without heavy and continual pressure from all of those concerned. The tax structure needs a complete overhauling. The defeat of nearly 50 Nassau budgets has moved Democratic legislators to request a special session of the legislature to consider additional state aid to education. If all Nassau districts had vetoed their school budgets the first time around then perhaps the Republicans might have joined the Democratic request and if every school district in the state had voted no the governor would have been forced to call the special session.

All school boards must insist that what the state mandates, the state finance. Education must be made more exciting and meaningful. Except in isolated cases this cannot be done until the stale air of total mediocrity is blasted out of the hierarchy that sets today's educational tone and standards. This will be the most difficult need of all to satisfy for the educational hierarchy is a smug self-protective group that deplores new ideas. Ways must be found to control budget appropriations. Painful though this may be, there is no business, including schools, that cannot benefit from tighter budgeting. This does not mean that the district must become parsimonious, only that its expenditures must be better managed and controlled. Permissiveness has failed. It must be replaced by the kind of discipline that demands responsibility and inspires respect. Firm control must be kept on the sale and use of narcotics on school property. High standards of dress and behaviour must be worked out and once determined and agreed upon must be strictly enforced.

There is so much that needs doing it no longer can be done by part time school boards without multifaceted help from the community. The professional educators have done their jobs so badly all of us should be grateful that there are students, parents and teachers willing to help accomplish a job that desperately needs doing. We look to the Tony Corbos, the Ron Gidmans and their like to help guide us out of the expensive rut in which today's education is sinking deeper and deeper.

MANPOWER PLANNING IN A FREE SOCIETY

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, during a career which spans almost 30 years, Prof. Richard Lester, a staff member of the industrial relations section of Princeton University, has established himself as one of the Nation's leading labor economists. In a book entitled "Manpower Planning in a Free Society," Dr. Lester examined the manpower policies of several European countries and analyzed their relevance

for manpower development and training in the United States. As we now attempt to move in the direction of a more systematic and comprehensive national manpower policy, many of the observations and recommendations in Dr. Lester's concluding chapter should receive our most careful consideration. I would therefore like to include this material as a part of my remarks at this time:

MANPOWER PLANNING IN A FREE SOCIETY

(By Richard Allen Lester)

CHAPTER 9—CONCLUSION

We live in a job economy. Less than 15 per cent of the nation's work force are self-employed. The rest are jobholders and job-seekers. Paid employment supplies most of their income and occupies most of their days. Hence, preparing for work, securing employment, and moving up occupational ladders are matters of crucial importance to the American people.

Manpower planning seeks to improve the human resources of the country and to enlarge their work effectiveness over the long run. Thus it aims to raise the productivity of the economy. It is part of the nation's overhead investment in a worthwhile and creative life for the gainfully employed population.

Democratic values and the large view

In a free and democratic society, manpower responsibilities are widely diffused. Labor mobility is not centrally controlled. Workers and managements freely make their own decisions about employment, and enjoy or suffer the consequences.

What society through government can and does do is to lend a helping hand. It offers intelligent guidance and facilities to aid in the achievement of proper mobility of labor between occupations, areas, firms, and industries. The government's help should include the best available job information and expert assistance and advice in the matching of individuals and jobs. Employment analysis and the spread of knowledge about jobs expands the horizons of workers along with their occupational opportunities. Through a properly functioning system of public employment exchanges the freedom of the individual is enlarged.

Thus a well-conceived manpower program promotes the well-being of the individual and the individual firm. It affords support to democratic values. By assisting workers in self-development, manpower planning and programs enhance the dignity of the individual, enlarging his opportunity to shape his own work destiny.¹

The helping hand of government needs to be guided by a broad, long-range view of manpower problems and their solutions. This "large" view necessarily means central use of foresight and over-all planning. Some general oversight is necessary to see that the nation's human resources are used effectively in the national interest. The national interest must be considered along with the interests of individuals, individual firms, and the locality. For the most part, compatibility and mutual support exist among all those interests. It is the national government's responsibility to provide manpower information, perspective, and leadership in promoting the goals of a free and democratic society.

Reliance on persuasion to achieve manpower goals means that considerable attention must be devoted to the communication of the information and guidelines developed at the national level and to their application and administration at the local level. The balance between the central and local

¹ For an elaboration of this theme see Henry David, *Manpower Policies for a Democratic Society*, Columbia University Press, New York, 1965, especially pp. 9-14.

functions and responsibilities changes, of course, with developments in the economy and in our understanding of manpower problems.

Under manpower planning in a free and democratic society, shifts in function and responsibility between national and local levels occur in both directions. Manpower policies, because they bear so directly on the lives of individuals, must always be applied locally, and the quality of local application largely determines the success of the whole program.

It is with such considerations in mind that the manpower programs in the United States, Great Britain, West Germany, and Sweden were examined. That examination has led to a number of recommendations designed to improve manpower operations in the United States in line with the spirit of our democratic institutions. Stress has been placed on specific proposals that seem practical and highly desirable at this time. They do not, of course, constitute a complete manpower program.

Summary of major proposals

At the ends of Chapters 3 through 7, major recommendations that grew out of the discussion in those chapters were summarized. Those eleven recommendations, restated somewhat differently, are as follows:

1. A program of vocational instruction for school youngsters should be instituted as part of the regular curriculum in the high schools, preferably spread over three years, the instruction being supplied by school "career counselors" whose training and pay would be shared by the Employment Service and the school authorities as in Sweden.

2. A national clearing center should be established and operated by the U.S. Employment Service for the purpose of providing job-exchange service for relatively scarce, high-talent manpower that has a nationwide market, such as high-level managerial personnel, professional-school graduates, and college and university graduates generally.

3. The Employment Service, particularly at the Federal and State levels, should have its own tripartite boards (representing employers, labor, and government) that would have an important, direct role in policy determination and would provide channels of communication between client groups and the top Federal and State managers of the Service.

4. Resident training centers should be established and operated jointly by the Federal Government and the States in each region for the additional training and broadening of high-level personnel in the Service, such as top staff in State headquarters, in the regional offices, and in city offices.

5. Companies should reexamine their hiring standards in the light of new knowledge and conditions; hopefully, some lengthening of the probationary period specified in collective agreements can be negotiated so that formal barriers may be lowered for certain groups of applicants who may have educational and other shortcomings that could be remedied.

6. The manpower program should include Federal support for sheltered workshops as a means of preparing seriously disadvantaged workers for commercial employment, and the manpower authorities should experiment with a program of job creation in the household services area.

7. The gap between employment (or demand) planning and manpower (or supply) planning in this country should be bridged more effectively at the Executive and Congressional levels, in part by giving the manpower authorities some role in demand creation.

8. The Federal Government should develop and use a set of mobility guidelines for operating purposes and to encourage informed movement of workers and discourage ill-ad-

vised moves, both geographically and occupationally.

9. The Federal-State program for education and training in preparation for work is currently too short run and parochial in its emphasis; the entire program should be re-examined from the point of view of national mobility requirements over the next decade.

10. The size of the nation's total manpower program and the role of each of the various functions should be reexamined in terms of current and prospective needs and in the light of benefit-cost analysis and other systematic approaches to budget-making.

11. The financing of the Federal-State Employment Service should be reviewed in the light of its new role as a manpower agency and on the basis of an analysis of the various benefits it provides to workers, employers, and the government.

In addition to these eleven specific recommendations this book has urged that more stress be placed on knowledge-generating research and on the distribution of useful information about manpower needs and opportunities. Research is the source of valid new information and is basic to conceptions for guiding the whole program. However, it is by extensive communication of information that the essence of research findings and analysis is brought to the local level where practical application of that knowledge must take place. In the manpower field, information is the connecting link between improved understanding and rational action.

This book has set forth a pattern of thought and a program of action. The two should be inseparable. With enlightenment plus communication plus willpower, the desired results can be accomplished.

PRAYER

HON. HARLEY O. STAGGERS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. STAGGERS. Mr. Speaker, to most of us, prayer is a human right. The exercise of that right goes far back into the past, far beyond the reach of history. Nobody knows how or why it started.

Almost the first act recorded regarding the original discoverers and settlers from Europe in the Western Hemisphere is that they knelt in prayer. This is as true of the French and Spanish and others as of the English. In all of America, we were praying people from the beginning.

When the framers of our Constitution met with apparently insoluble problems, no less a personage than Benjamin Franklin suggested prayer. Prayer became an integral part of public life from the beginning, to say nothing of private life. Prayer was almost universally taught to our children, even when we as parents neglected our right to acknowledge our dependence on Deity.

Consequently it came as a shock when the practice of all prayer in public schools was ruled as unconstitutional. Except for a small minority who profess to believe that there is no God, the Nation believes that the ruling is an abridgment of the freedom of religion guaranteed by the first amendment.

I should be most happy to support legislation that would return voluntary prayer to the public schools. If a constitutional amendment should be necessary

to accomplish that purpose, I would support it also. In this position I am confident that I would have the active approval of my constituency, regardless of political faith, to an extent that I could never hope for in a political campaign.

TRIBUTE TO DR. Y. BARON GOTO— THE JOHNNY APPLESEED OF THE PACIFIC

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. MATSUNAGA. Mr. Speaker, special tribute is due a citizen from Hawaii who has been called the Johnny Appleseed of the Pacific. For nearly 41 years, Y. Baron Goto has traversed the Pacific basin and tried to improve the production and living conditions of farmers. Himself the son of an immigrant farmer, and a deeply patriotic man, Dr. Goto once remarked in speaking of the poor people who exist in such great numbers in the Orient:

These people are me. They're what I would be, except for the chance America gave my father.

As a good will ambassador for our country, he has also tried to engender the warm spirit of aloha which he has known in Hawaii.

We may be Filipinos, Japanese, Chinese, or Caucasians, but we all feel at home in Hawaii.

He has explained:

I think we do because Hawaii has a unique atmosphere of tolerance to newcomers and to anything strange. This is the spirit I've tried to spread during my life.

For the past 7 years Baron Goto has been the vice chancellor of the Institute for Technical Interchange at the East-West Center, Honolulu, Hawaii. Here students from the Pacific Basin countries have been able to share ideas and methods for solving different problems. A most significant feature of the institute's work has been the tailoring of programs to the specific needs of the people involved—and not what Americans have thought to be good for them. With respect to the work of the East-West Center, Baron Goto has explained:

We are not trying to sell America. We are not trying to impose American skills, American culture, or American knowledge on them (grantees). We are only trying to expose them to different methods and ideas and then letting them decide.

Last week Baron Goto finally retired from his position as vice chancellor after his retirement had twice been postponed by the board of regents, University of Hawaii. A man whose dedication has long commanded my personal respect, Baron Goto has agreed to continue as a consultant on food and agriculture. Although he regards the future of the East-West Center as "still bright," he has noted that its continued success will depend largely on the amount of funds appropriated by the Congress.

I am sure that my colleagues will want to join me in congratulating Baron Goto for his life's accomplishments and wishing him the best of everything in his well-earned retirement. Believing that my colleagues and other readers of the RECORD would also want to know more about Dr. Goto's work in the Pacific Basin area, I am submitting for inclusion in the RECORD a truly excellent article by Honolulu Advertiser staff writer, Anthony Chan, which appeared in the June 29, 1969, issue of the Sunday Star-Bulletin & Advertiser:

BARON GOTO—"THE JOHNNY APPLESEED OF THE PACIFIC BASIN"

(By Anthony Chan)

At Sogeri, 30 miles from Port Moresby in New Guinea, they remember Baron Goto. Once he spotted Hemileia leaf rust on the coffee trees there and quickly advised them: "This is dangerous! You must start immediately spraying with copper fungicide."

They did as he told them and he saved their coffee crop. He remembered that in the 19th century the same leaf disease ruined the coffee industry on Ceylon. But he knew the cure and he knew it was 99 per cent effective.

All over the vast stretches of the Pacific Basin they know Baron Goto and his magic wand. All through the tropical countries of Asia, in Thailand, in Burma, in Laos, in Vietnam, in Indonesia.

"I wish we had a regiment of Baron Gotos," a high-ranking U.S. official once said.

Baron Goto has roamed the world and brought knowledge about farming to all the lands he visited. They know him in the barrios, in remote Papua, in Tonga. Something bloomed because he touched it.

Once in Vietnam the government flew him to the far north country and said, what shall we plant here? He surveyed the place and said, "Plant corn, peanuts, and fiber crops, such as ramie and jute."

Author Bill Lederer once called him "The Johnny Appleseed of the Pacific."

A 41-YEAR CAREER

For nearly 41 years, Y. Baron Goto, vice-chancellor of the Institute for Technical Interchange (ITI) at the East-West Center, has been trying to improve the production and the living conditions of farmers in Hawaii and the Pacific Basin. With a number of his goals accomplished, Goto, 67, will retire as vice-chancellor tomorrow.

His retirement, however, will not mean a complete end for him in agricultural extension work.

Although he said he would "not be doing anything special" after his retirement, he said at the same time, "I have been asked to be a consultant on food and agriculture for the East-West Center, and I have accepted that offer."

"I also hope to spend a few months preparing a report summarizing the work of the center from its beginning in 1962. We have handled over 9,500 people in that time, and most of them have been involved in pilot projects. Many of the pilot projects should, of course, be continued. Some of them, however, should not. The report could help in evaluating what has been done in order to plan for the future."

Born in Japan in 1902, Goto came to the United States with his parents when he was 7 months old.

His father, who realized very early that he would never get ahead working on a plantation, went into honey farming as soon as he had saved a few dollars.

Goto was brought up in a rural part of Kohala on the Big Island.

"It was a sugar cane growing area largely inhabited by Hawaiian people. I grew up in that happy, carefree atmosphere that Hawaiians are famous for," he said.

TO MID-PACIFIC

By the time he reached the fourth grade, he was sent to school in Kona. The principal selected Goto as one of four students to go to Mid-Pacific Institute in 1915 on a scholarship.

"It was at Mid-Pac that I had the first taste of milk in my life," he said. "It was also there that I had my first training in English. Before that, I had spoken Japanese as my mother tongue, and I had picked up pidgin English as my second language."

Goto recalled that at Mid-Pacific he lived for the first time under the same rules and the same conditions of life with people of many different ethnic groups.

"I lived the same type of life at Mid-Pac as did my Chinese, Hawaiian, Japanese, and American schoolmates and teachers. As I look back on it now, they were already beginning something like the East-West Center there," he said.

After graduating from Mid-Pacific in 1920, Goto entered the University of Hawaii, which then had an enrollment of 160.

He returned to Kohala to manage the Puako Ranch in 1924 after graduating from the University.

It was while he was managing the ranch that Goto was first approached with the idea of going into agricultural extension work.

"President David L. Crawford of the University approached me about going into extension work. He told me that many Nisei were going into medicine and law but that because the majority of Japanese in Hawaii were still farmers, there was a real need for someone like me to go into agriculture extension work. He offered me a job with the University's extension service."

"Crawford convinced me that there was a need for someone to devote his life to this field. Farmers were being cheated left and right by merchants, and they needed scientific help and information. There was no effort by anyone to improve their living conditions, which were so poor in comparison to other fields."

"Small farmers lived in unpainted shacks. Mother had to cook in antiquated kitchens. Living conditions were so bad I knew also that young people would never continue to live on the farms. I was convinced that I had to devote my life to improving these conditions," Goto said.

Goto began his career in agricultural extension work in Kona as an assistant county agent in the Hawaii Agricultural Extension Service (HAES) of the University in 1928.

In 1935, he was transferred to Honolulu to be in charge of 4-H Club work.

After serving in the Army in World War II, Goto rejoined the HAES as county agent supervisor. He became assistant director in 1948. In 1950, he was promoted to the position of associate director.

In 1954, he was loaned by the HAES for a year to the Territorial government to develop the International Co-operation Center in the Governor's office. The center was started to provide technical training for people who came here from various parts of the world.

He returned to the HAES in 1955, as director and remained there until 1962, when he was appointed vice-chancellor of the ITI.

Goto has received two honorary doctorates: one conferred by the University of Oregon in 1959 and another by the University of Hankuk in Korea this year.

Goto's retirement was extended twice by the University's Board of Regents. The University requires all faculty members to retire when they reach 65. Goto's retirement was extended for a year in 1967, when he became 65, and then again in 1968.

During his years at the HAES, Goto was involved in what he called "a very practical way of adult education."

"We sent extension workers out as home economists and field advisers. They trained

people with simple teaching methods to improve their lives as they wanted and needed their lives improved. We did this through radio, television, the newspapers, meetings, and actual demonstrations, whatever seemed appropriate for the situation," he said.

NEEDS OF PEOPLE

Goto said that the ITI has tried to follow this same philosophy.

"We have tried to base our programs on the needs of the people involved—not just what we think is good for them. In the Pacific Islands, we must take our work to the 'coconut root' level. In Asia, we must take things to the 'rice root' level," he said.

Goto described the work of the ITI as basically to upgrade the skills and the knowledge of the students who come to the ITI by allowing them to share ideas and methods for solving different problems.

"Our job is to organize intercultural groups to provide interchange and sharing of skills in the Pacific. We bring together different ethnic and cultural groups to allow them to interchange ideas and methods and then to select the ideas and methods which will be most applicable for them."

"We also act as a clearinghouse or clearing institution for knowledge among the people of the Pacific. In doing that, we are not trying to sell America. We are not trying to impose American skills, American culture, or American knowledge on them. We are only trying to expose them to different methods and ideas and then letting them decide."

"In doing this we have also moved far toward our goal of better understanding among the peoples of the Pacific. For instance, for the first time, we went to Hawaii's neighbors in the Pacific Islands, and we developed a new feeling of friendship with the people there that had never been there before," Goto said.

He said that the future growth and development of the center will depend largely on the amount of funds that Congress will vote for it.

ALL ARE DEDICATED

"Nevertheless, the future of the institution is still bright. The staff here is made up of dedicated people, and with continued work, it could develop into one of the most important educational institutions in the Pacific area. It has been a great source in developing good will."

"Moreover, you can't help but have faith in this institution when you look at the jobs its graduates have done after going home," he said.

The only major problem that the center has had, he said, was in having five different chancellors and acting chancellors in its eight-year history. He said that the different chancellors often have had different interpretations of programs, and this has often caused a great deal of personal frustration.

Goto felt that one new direction that the center might take is one that has already been proposed by Chancellor Everett Kleinjans. It is to develop problem-oriented programs. In those programs, all of the work would be directed towards the study of a particular problem, such as population.

Goto said that the center will play an even more crucial role in the future in developing international understanding.

"The world is a small one, and it is getting smaller. We will have even more contact with one another, and unless we have an educational institution which will foster understanding, the contact could well produce more and more collisions," he said.

HAWAIIAN SPIRIT

Goto said that all of the work he has done has been geared to developing in the rest of the world the atmosphere which he has found in Hawaii.

"We may be Filipinos, Japanese, Chinese, or Caucasians, but we all feel at home in

Hawaii. I think we do because Hawaii has a unique atmosphere of tolerance to newcomers and to anything strange. This is the spirit I've tried to spread during my life.

"I seem to be able to get along well with all races in Hawaii because I forget that I'm of so and so descent. I respect and tolerate anyone's beliefs and practices even if I don't believe in them.

"I think this is what we should all do. This is what we all must do if we are ever to have peace in the world. This is what the East-West Center is trying to do because interchange is tolerance and respect of other people's cultures," he said.

Why has Goto devoted his entire life to helping the people of the Pacific Basin raise their standard of living?

"I'm grateful to Hawaii and the United States for giving me the opportunity to live in a community where a man, through hard work, can improve himself intellectually, economically and socially. I've always tried to repay this debt by working for a peaceful world for all of us to live in. Also, because Hawaii and the U.S. have been good to me, I've always been sympathetic to other people and tried to be helpful to others.

"I am only passing this way once in my life, and I've only wanted to do what I could as best as I could, with the help of staff members, government officials, and private citizens, to help make a better world."

AMERICAN FLAG LAWS

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. BOGGS. Mr. Speaker, on July 4, America celebrated its 193d year of independence. A loyal American and a fine citizen, Comdr. Robert W. Collins, USNR, retired, has prepared an interesting and informative item entitled "Our Flag Laws—A Chronology."

Congress has enacted only two statutes regulating the design of our flag and ensign: the flag law of January 8, 1794, effective May 1, 1795, and our permanent flag law of April 4, 1818, effective July 4, 1818.

At this time, I think it very appropriate that we once again direct our attention to the laws which have shaped Old Glory, the symbol of our great Nation. Following is Commander Collins chronology of American flag laws:

OUR FLAG LAWS

(By Comdr. Robert W. Collins, U.S. Navy Reserve, retired)

THE STARS AND STRIPES

(Continental Congress, June 14, 1777)

Resolved, That the flag of the thirteen United States be thirteen stripes, alternate red and white; that the union be thirteen stars, white in a blue field, representing a new constellation.

THE STAR SPANGLED BANNER, MAY 1, 1795

(U.S. Flag Law, January 8, 1794)

Be it enacted, That from and after the 1st day of May, A.D. 1795, the flag of the United States be fifteen stripes, alternate red and white. That the Union be fifteen stars, white in a blue field.

OUR PERMANENT FLAG LAW, APRIL 4, 1818

Be it enacted, That from and after the 4th day of July next, the flag of the United States be thirteen horizontal stripes, alternate red

and white; that the union have twenty stars, white in a blue field. That on the admission of every new State into the Union, one star be added to the union of the flag; and that such addition shall take effect on the 4th of July next succeeding such admission.

YOUTH'S ROLE IN OUR NATION'S FUTURE

HON. WM. J. RANDALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. RANDALL. Mr. Speaker, on Friday, July 4, our senior Senator from Missouri, the Honorable STUART SYMINGTON, appeared before the DeMolay International Conference in the Municipal Stadium in Kansas City, Mo.

The theme of his remarks was that sound economic policies are as important to American security as military preparedness.

He proceeded to point out that true national security rests upon a platform supported by political, economic, and military legs. He said that while any platform can stand upon three legs, it is difficult, if not impossible to stand upon two legs. He emphasized that if we are to have a really secure future we must be strong economically with sound diplomatic policies, as well as military preparedness.

Several years ago it was my privilege to discuss this same theme in a meeting of the Missouri delegation in the Congress while Senator SYMINGTON was present. At that time I concluded that it was his premise that it is of little advantage to spend heavily for preparedness if we bankrupt ourselves in the process. He has long been an advocate of the integrity of the dollar. Moreover, he has recently taken the stand that there can be substantial and realistic reductions in our defense expenditures without impairing our national security.

Senator SYMINGTON has some very excellent credentials as an expert on military preparedness. He is a former Secretary of the Air Force under President Truman and occupies the unique position in the Senate as both being a member of the Senate Armed Services Committee and Senate Foreign Relations Committee.

The remarks made by Senator SYMINGTON before the DeMolay International Conference should challenge the thinking of all of us. The Senator believes that we must have the capacity to destroy any aggressor if he dares to attack us. But, he also believes in a balanced defense. He recognizes there are unprecedented problems in the areas of education, urban unrest, decline in family farm income, the need for air and water pollution control, and the control of inflation.

He said by implication that the failure to solve these domestic problems inside our country would endanger our security just as much as would an outside attack from an aggressor.

Because of the timeliness as well as the appropriateness, in light of the cur-

rent national debate over our defense posture, I decided that I should share with my colleagues in the House and Senate, as well as all who may read the CONGRESSIONAL RECORD, Senator SYMINGTON'S speech:

YOUTH'S ROLE IN OUR NATION'S FUTURE

It is indeed a privilege to be with you this evening. Thank you for asking me.

Over the years, I have enjoyed thoroughly my association with the DeMolay movement. It is an organization which represents all that is best in our society, one that has aided many of our former youth in their progress towards outstanding citizenship in later years.

Here in Missouri we are very proud of the fact that DeMolay was founded by a member of this community. Frank Land was a truly great citizen of this State and Nation. We have special pride in that through his efforts, the Order of DeMolay was created right here in Kansas City.

Lord Disraeli once said "The youth of a nation are the trustees of posterity." It is clear to those of us who know of DeMolay, and what its membership stands for, that this nation has many superb young leaders. As a member of the Senate Foreign Relations Committee, where there is steady interest in improving the prospects for world peace and understanding, I am aware of, and proud of, the DeMolay chapters in many other countries.

Frank Land once said: "At a time when greed is menacing the entire world, nothing is more essential than the development of citizens and leaders dedicated to the eradication of such a motive. DeMolay's entire teachings are predicated on good neighborliness. The way to achieve world peace is to eliminate greed, and that is DeMolay's major goal."

How proud we can be of those words of our founder, a citizen whose entire life was dedicated to helping build a better nation and a more peaceful world.

I would like to urge each of you and the millions of other young Americans to join those who are striving to find sound and constructive answers to our growing national and international problems.

Nothing could be more important to the continuation of progress by this great nation during the second half of this Twentieth Century than the ideas, talents, and dedicated services of our young men and women.

If we have learned anything from history, it is that civilization, as exemplified by the rise to power by great states such as these United States, court downfall if they ignore the changes brought about by time and technology.

For these reasons we must be sure that the democracy we cherish is capable of relatively rapid response and to that end we should be ready, at all times, to reevaluate our national priorities, and to take a new look at what we consider paramount in the way of values.

We realize that the hour is late, that the task is great; so let us as one united country—young and old, black and white—join in mutual and united effort to achieve years of fruitful progress here at home, along with better understanding and mutual friendship with the other nations of the world.

Seven years from this day, when we celebrate the 200th Anniversary of the United States, we will take count, and be held to account, with respect to the strength and character of our Government and our people; so let us be responsive now to future examination by being wise and constructive in the handling of the challenges we face.

President Roosevelt once observed: "Too many who prate about saving democracy are really only interested in saving things as they were. Democracy should concern itself also with things as they ought to be."

And I believe it is the youth of our nation who are especially concerned with things as they ought to be; for it is you here tonight who are re-thinking the true meaning of the American dream—its relevance to changed times and changed standards and changed needs. In doing so you are influencing the nation as no generation of youth has ever done before.

Your generation desires change; and much of what is desired is worthy and constructive, although it should always be expressed without violence and with respect for the law.

If our democratic system is to be as vital and as relevant at the end of this 20th Century as it was at the beginning, many of these wished-for changes must be realized; for surely the same institutions which serve 200 million Americans today are not either ready or equipped to serve the 300 million people who will be in this land within 30 years.

Change creates unrest and resistance. History has so taught us. But failure to achieve needed change can be far more damaging in the long run.

The question being asked today of all generations is whether, in spite of all the sickness and the unrest and the turmoil, do we of these United States nevertheless have the capacity as a nation to master our problems? If we do not, then our system and its institutions will fail.

But I believe in America; and so do you, and therefore working together, in such responsible organizations as the DeMolay, we can and will see to it that the right changes are put into effect, with confidence and without fear.

A great Missourian, Mark Twain, once said: "Courage is recognition of fear—mastery of fear; not absence of fear."

It would be tragic indeed if at a time when this nation is experiencing its greatest technological advances, we faltered in our efforts to overcome the political, social and economic problems being faced today.

Arnold Toynbee once observed: "Of the 21 notable civilizations, 19 perished not from external conquest but from evaporation of belief within."

There is sadness in both our cities and our rural areas, primarily because we have not yet achieved those basic living standards which are essential to what all men and women prize most highly—human dignity. But there is also hope, hope for a steadily better life for all citizens, hope for an America in which all citizens are relieved of the more grinding aspects of poverty.

As our resources dwindle in relation to the resources of other countries, as the danger of a domestic "credit" crunch in our financial markets becomes more interlaced with an international "currency" crunch abroad, we know that priorities for those increasingly limited resources must be established.

Another word for priorities is values.

H. G. Wells observed: "Civilization is a race between education and catastrophe." As just one illustration of current priorities, today our government is asking for over twice as much money for ammunition alone in Vietnam than the total amount being requested at the Federal level for all education, primary as well as secondary.

Some of you have heard me mention before my concept of our "platform" of national security and well being. One leg of that platform is political, one military, and the third economic; and whereas any platform can stand up with three legs, none can with two; and therefore the strength of all three legs is vital to our future security.

Which brings me to this question. What is a true definition of security?

Some people believe security lies in the building of an impregnable defense position, one so strong that we could never be defeated by an external aggressor. But in this nuclear

space age of intercontinental ballistic missiles, we know that no wall is high enough to prevent a lethal attack; and therefore, we must be certain of our capacity to destroy any aggressor after he dares attack us. That is the true deterrence, the logical interpretation of what Mr. Churchill termed "Balance of Terror."

True security lies in paying equal attention to those other two legs: (1) political relationship with the rest of the world, (2) sound economic policies at home and abroad.

Above all, the future of our country depends upon faith on the part of the people that the policies and programs laid down by their Government are wise and right for the well-being of the nation.

Confidence in our leadership is at least as much a part of national security as the latest and most modern weapons system.

America today has unprecedented domestic problems, problems which pertain to education, to the unrest arising in the hard core of our cities, to steady decline in family farm income, to increasing dangers from water and air pollution, to poverty and to race and to the bruising effect on millions of our citizens as the result of the continuing deterioration in the value of the dollar.

These are problems that have been with us a long time. They will not stand still. They will either get better, or they will get worse.

If the latter, a basic questioning could arise inside this country which would endanger our security just as much as would an outside attack from an aggressor.

To those who would question that observation, let me remind them that but a little over 100 years ago a great war broke out among our people which nearly brought to an end these United States.

President Truman summed it all up well in 1950 with these words:

"As we move forward into the second half of the twentieth century, we must always bear in mind the central purpose of our national life . . . We work for a better life for all . . . The real strength of our country lies not in arms and weapons . . . but in the freedom of our citizens and their faith in a democratic society."

That is the word I would leave with you tonight—faith. Militarily we are stalemated in a sad and tragic war. Politically there is growing division at home as well as abroad. Economically we are facing the most dangerous type of recession—that created through inflation.

But we have the past history and the present will of a great people. Above all, we have faith in America.

What do we desire as a people? A quote from Ernest Renan perhaps best expresses my own thinking about that goal:

"A nation is a soul, a spiritual principle. To have a common glory in the past, a common will in the present, to have done great things together, to want to do them again—these are the conditions for the existence of a nation."

LEAD POISONING: A DIET OF DEATH

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. RYAN. Mr. Speaker, one of the persistent and widespread diseases among children in our major urban centers is lead poisoning. According to recent studies conducted in Cleveland, Chicago, Baltimore, this disease afflicts 5 to 10 percent of the children in our major cities. It has been estimated that

9,000 to 18,000 children are afflicted with lead poisoning in New York City alone.

The disease, which in its most extreme forms can be fatal, is most often caused in small children when they eat—as many do—bits of paint and plaster that peel and fall from the walls and ceiling in delapidated housing. Although the more recent coats of paint in such apartments are usually free of the lead-based paints that cause lead poisoning, the lead content from paint applied in past years frequently comes to the surface when outer coats of paint peel off interior surfaces.

While most cities outlaw the use of lead-based paints on interior surfaces of housing, little has been done to eliminate the traces of lead-based paint that can cause the disease in children. One of the principal reasons for this failure is the critical lack of funds in most cities for strict enforcement of housing codes and for rehabilitating housing and eliminating lead-based paints.

Earlier in this session, I introduced three bills which would provide Federal assistance to cities for the elimination of lead-based paint poisoning.

H.R. 9191 establishes a fund in the Department of Health, Education, and Welfare from which the Secretary could make grants to local governments to develop a program to identify and treat individuals afflicted by the disease.

H.R. 9192, is directed at the problem of slum housing itself and the need to eliminate the causes of lead poisoning—the peeling and chipping of lead-based paint. This bill authorizes the secretary of Housing and Urban Development to make grants to local governments to develop programs designed to detect the presence of lead-based paints and to require that owners and landlords remove it from interior surfaces.

The third bill, H.R. 11699, would require that a local government submit to the Secretary of Housing and Urban Development, and carry out, an effective plan for eliminating the causes of lead-based paint poisoning as a condition of receiving any Federal funds for housing code enforcement or rehabilitation.

The situation in our major cities today, particularly with respect to the lack of available funds to eliminate lead-based paint poisoning, requires that the Federal Government assist cities in their efforts to eliminate the causes of lead-based paint poisoning among children. The three bills I have introduced constitute a substantial and effective means of realizing that objective.

I urge that these bills be given prompt attention by the Congress. For as the recent death of still another child in New York City of lead poisoning and another in Newark, N.J., show the consequences of inaction will be tragic to the welfare of the children of our big cities.

Mr. Speaker, I include at this point in the RECORD an article from the June 22 New York Sunday News by Bert Shanas on lead poisoning among New York City children:

LEAD POISONING: A DIET OF DEATH
(By Bert Shanas)

The coming of summer and sunshine may mean joy and play to most youngsters under

5, but to some it may mean disability and even death if they live in the city's slum areas. The danger is lead poisoning, principally caused by lead-based apartment paint. The toll of children is astonishing.

Last year there were 863 known cases of lead poisoning in New York, with Manhattan and Bronx accounting for about half. Yet, that figure is misleading, for Department of Health officials estimate there are 35,000 cases of lead poisoning in New York annually.

The number of known cases of lead poisoning so far this year is already more than twice what it was this time last year, with the crisis period just around the corner.

OLD PAINT EXPOSED

Lead poisoning should not even be a problem today. The lead-based paint that is responsible for it was outlawed 10 years ago. But in many slum areas, where maintenance and upkeep of apartments is poor, rooms remain without a fresh coat of paint for many years.

As bits of paint and plaster peel and fall from ceiling and walls, older paint coats are exposed. Soon these flaking chips fall also—into the hands and mouths of children.

"Doctors have found that from 3% to 10% of ghetto area children under 5 have elevated levels of lead in their blood," notes Dr. Felicia Oliver-Smith, who directs the lead poisoning investigation for the city's Department of Health.

"We know further that the number will increase within the next few months, but we're not sure why, although there are some good theories."

One possible reason for the increase in lead poisoning during the summer is that exposure to the sun may be directly related to the problem.

"We know that vitamin D from the sun has something to do with the absorption of calcium," says the doctor.

CALCIUM ACTION

"We suspect that the calcium may be competing with the lead a child has already taken into his body, displacing it from his bones and sending it into his bloodstream."

Another explanation is that children often play on their fire escapes during the summer and the paint used on fire escapes is outdoor paint, which does not fall into the outlawed type.

In its early stages, lead poisoning causes damage to the blood, kidneys and nervous system. In more advanced cases, the poisoning can be fatal or cause permanent mental damage, retardation, cerebral palsy and epilepsy.

Last year, the city reported five deaths that were known to have been caused by lead poisoning. So far this year, there has been one death that may have possibly been connected to lead poisoning, but officials are still studying the results of medical tests to determine if lead poisoning was the cause of death.

MAGPIE HABIT

The south Bronx, especially the Morrisania and Mott Haven sections, lead the borough in lead poisoning cases, just as the East and Central Harlem areas lead Manhattan.

A child's habit of eating non-food substances is called pica, a latin word meaning "magpie," a bird that will eat anything. Usually most children after the age of 1 can distinguish between food and non-food substances. But slum children maintain the pica habit for longer times and are not easily broken of it. A slum child sent home after hospitalization for lead poisoning often resumes eating paint chips.

CASH LACKING

The ultimate answer to the lead poisoning dilemma is better housing because there is no feasible method of removing old paint

from walls and ceilings. Burning it off is a fire hazard and sanding it off would leave dangerous lead dust in the air.

What is needed right now is a massive testing program but that would mean massive amounts of cash—something the Health Department, like almost every other city agency, just doesn't have.

WASTE HEAT: A NEW THREAT TO WATER POLLUTION CONTROL

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. BLATNIK. Mr. Speaker, two thought-provoking comments in the Washington Post for July 10, 1969, deserve special attention by the Congress, because they come from authoritative sources, and because they are a warning to our water resources from a new front: thermal pollution.

Lee C. White, outgoing Chairman of the Federal Power Commission, has estimated that—

By 1980 the power industry will require one-sixth of the total fresh-water flows from the entire land mass of the United States for cooling purposes.

Every 10 years, our demand for electric power doubles, and with each increase comes the resulting demand for new generating plants—all of which need fresh water to cool fossil-fueled generator and nuclear reactor components. This warmed water must be returned to the streams and lakes where it came from, necessarily raising the temperature of the receiving waters, and setting the stage for possible drastic ecological changes resulting from temperature variation.

These facts dramatize the urgent need for this Congress to accelerate the construction grant program and to fund in full the \$1 billion authorized in the Clean Water Restoration Act of 1966, which passed this House by a unanimous vote.

More and better sewage treatment; more research into the effects and prevention of thermal pollution; more research into nuclear pollution; more effective action to abate pollution, are the objectives of the Water Quality Improvement Act of 1969, and these articles illustrate well how important it is that we pass this act. I submit this information to underscore the fact that our growing affluence demands increased vigilance if we are to preserve and pass on to our posterity those priceless natural resources which, once gone, can never be replaced.

The material referred to follows:

PLANT'S WASTE HEAT A MAJOR CONCERN

(By Hal Willard)

A new phrase is being injected into the language to describe a phenomenon scientists are beginning to regard as one of the most important problems in our environment.

The phrase is "waste heat," the residue from one of the greatest aids to man's progress, comfort and convenience: electricity.

It has become important because of the

tremendous increase in recent years in the consumption of electricity and the consequent need for more and bigger generating plants.

"Waste heat" is replacing "thermal pollution" because the new term is more accurate and in some cases heat can be beneficial.

Waste heat and what to do about it is of particular concern to the Washington region, because nuclear power plants produce considerably more of it than do conventionally fueled plants. More than a dozen nuclear reactor units are either operating, under construction or planned in the Middle Atlantic area. That is more than in any other area of the country.

One of the installations is the two-reactor plant being built on the Bay at Calvert Cliffs. A safety and licensing board of the Atomic Energy Commission authorized issuance of a construction permit for the plant on June 30. The permit was issued Tuesday.

An immediate protest was filed with the AEC, Interior Secretary Walter J. Hickel and Maryland Gov. Marvin Mandel by Del. Werner Fornos (D-Anne Arundel).

Fornos said the permit, which the AEC can countermand if it acts within 45 days, "leaves me exasperated and shocked, and is totally contrary to the public interest."

He said he hoped the AEC would hold the "construction permit in abeyance until such time as all parties concerned are absolutely certain that irreparable harm will not be caused to the Chesapeake Bay."

Scientists and engineers alike admit that no one is "absolutely certain" at this point what effects the increasingly larger nuclear-powered generating plants will have on the environment.

One of the Nation's leading environmental scientists, Jerry Davis, an aquatic ecologist with the AEC, says "the accelerated growth of the electric power industry will result in so much hot water that the thermal loading of our lakes and streams must now be considered a major stress, whose impact on the environment is largely unknown."

Davis spoke recently in Pittsburgh at a conference of the Health Physics Society and illustrated the newness of the problem by saying that less than \$1 million in public money is being spent this year to study it.

(The Baltimore Gas and Electric Co., building the Calvert Cliffs plant, has budgeted about \$1 million for ecological research over a seven-year period that began in 1968.)

He said electric companies cause the problem, but the AEC supports most of what little research there is—even though waste heat from nuclear reactors being used now by power companies constitutes less than 1 per cent of the actual pollution problem.

The rest of the waste is heat discharged into the air and water from fossil-fueled (coal or gas) generating plants. But the number of nuclear plants is on the upswing. Only 13 are operating now, but 46 are under construction. Many more are planned.

Lee C. White, outgoing chairman of the Federal Power Commission, said in a speech in Seattle last month "it has been estimated that by 1980 the power industry will require one-sixth of total freshwater flows from the entire land mass of the United States for cooling purposes."

The great quantities of water are needed to cool reactor components, but don't actually come in contact with radioactivity. In the case of the plant being constructed on the Chesapeake Bay, the water will be used to condense steam that operates turbines back into liquid so it can be recycled through the plant.

White said, "There is serious debate as to the extent of damage thermal pollution can cause with many in the utility industry pointing to the experience of existing atomic plants to show the lack of significant deleterious effects. However, with the great increase in use of nuclear generation . . . we

cannot afford to wait until many more plants are built before action is taken to determine what impact heated cooling water will have, and how we can avoid undesirable effects."

Ecologist Davis points out that the experience of one plant in a body of water cannot be used to illustrate what will happen in another body of water.

"There are too many variables," he said. "Water temperature varies for one thing, and sometimes a degree or two makes the difference."

He said in a paper for the AEC that "it is certain that the release of large quantities of heat to an environment will induce alteration, sometimes with profound changes in the local flora and fauna."

"Paleoecological studies indicate that vast plant and animal communities have developed, flourished and perished in the past in phase with, and probably in response to, small, persistent changes in temperature. Even the great glaciers of the past ages are believed to have been caused by climatic temperature shifts of but a few degrees.

"Under some conditions an increase of only a degree or two may cause profound changes in the species composition, with those species less tolerant of the higher temperature either reduced in number, or eliminated. . . . in aquatic environments, temperature changes trigger migration and spawning of both invertebrates and fishes. Temperature controls the hatching of all eggs, the emergence of aquatic insects, the continuance or cessation of parthenogenetic reproduction, the multiplication rates of plankton organisms and many other activities. . . . aquatic organisms generally have narrower limits of tolerance to temperature extremes than most land forms."

In his Pittsburgh speech, Davis also pointed out that it is possible for benefits to be derived from temperature increases.

He said there are places where "warm water in effect is being used for irrigation in aquaculture." He cited an instance in Japanese waters in which oysters were not spawning because the water was too cold. The oyster beds were "irrigated" with warm water and went into production.

In his paper, he said "spawning of oysters and many other mollusks is triggered by no more than a one-degree change in temperature. Some fish and other animals, particularly in cold-water environments, are attracted to areas of warm water. Although this may benefit the angler, there are unanswered questions about the ultimate result of luring animals away from their normal habitat to live with a higher metabolic rate in restricted warmer sites."

Broadening the scope of his observations, Davis said "biological accumulation of radionuclides or poisonous industrial and agricultural wastes from a contaminated aquatic environment is strongly influenced by water temperature. In general, the rate of uptake increases with rising temperature.

"Warm water lessens the capacity of waters to assimilate organic wastes, since oxygen solubility decreases with increased water temperature. Some of the important diseases of marine and fresh-water fishes and of marine shellfishes appear to flourish at higher temperature."

Existing Maryland standards for the Calvert Cliffs area of the Chesapeake Bay stipulate that the water drawn out, used to cool and then discharged back into the Bay not exceed 90 degrees when it is returned—and it cannot be more than 10 degrees warmer than it was when it was taken out.

The Baltimore Gas and Electric Co., builder of the plant, is making its plans based on this standard.

The company admits that it has no idea what effect the plant operation will have on the Bay, but has hired Dr. Ruth Patrick, an ecologist with the Philadelphia Academy of Sciences, to conduct a continuing study of the situation.

Company spokesmen say that if Dr. Patrick discovers that anything harmful is happening to the Bay and its environs as a result of plant operations changes will be made. Opponents of the plant maintain that corrective measures could come too late.

The Bay's environs take in a lot of territory, in the view of Dr. Clifford Beck, the AEC's deputy director of regulation.

In addition to the two-unit plant being built at Calvert Cliffs, he cites a two-unit plant under construction at Surry on Hog Island, Va., in the James River, which empties into the Bay near its mouth on the Atlantic Ocean.

One plant is producing electricity at Peach Bottom, Pa., and two more are under construction. A plant also is under construction at Three Mile Island, Pa., and one is proposed at Susquehanna in Salem Township. All of these are on the Susquehanna River, which flows into the Chesapeake Bay at Havre de Grace.

Another plant is operating at Shippingport, Pa., and others are under construction and proposed in New Jersey, Beck pointed out.

The only other parts of the country where there are similar, but not as extensive, concentrations are in New York, Massachusetts, Connecticut, Vermont and Maine, Michigan and Northern Illinois.

No evidence has yet been produced of deleterious effects on the Bay but Del. Fornos, in his protest to the AEC about the construction permit for the Calvert Cliffs plant, cited troubles in Florida.

In a letter to the AEC chairman, Dr. Glenn T. Seaborg, Fornos said he had recently visited the Turkey Point generating plant of the Florida Power and Light Co. on Biscayne Bay and that "hot water" discharged from the plant "killed shellfish, algae and crabs in a 300-acre area. . . ."

The existing plant there is fossil-fueled but the company has two nuclear plants under construction, which would produce much more heat than fossil plants.

Fornos told Dr. Seaborg: "I hope that you will see fit to call a special meeting of all agencies concerned to make sure that the public is protected before it is too late. We cannot afford, for temporary economic gain, to destroy this great body of water (Chesapeake Bay) on which so many of us depend."

NUCLEAR POWER PLANTS SEEN LOSING ADVANTAGE

(By Hal Willard)

Lee C. White, out-going chairman of the Federal Power Commission, believes "the economic advantage that nuclear generation (of electricity) once appeared to have is beginning to look like a mirage."

In a speech before the American Nuclear Society in Seattle last month, White said "wildly fluctuating and rapidly escalating costs could cause a fiscal frustration that could act as a breaking influence upon the increase of nuclear capacity, but, perhaps more important to the ultimate customer, will have to be soon recognized in utilities' rate structures.

The number of electric utility companies seeking nuclear power plants began a continuing upsurge a few years ago and consistently out-paced Atomic Energy Commission predictions of the demand. But in recent months, White said, "there has been a reversal" in the trend.

Robert W. Davies, chief mechanical engineer of the Baltimore Gas and Electric Co., which is building a nuclear plant on the Chesapeake Bay at Calvert Cliffs, said several weeks ago that strict standards on design, construction and safety required by the AEC were making it economically more difficult to construct nuclear plants.

The whole idea of nuclear plants, of course, is that electricity can be generated in greater quantity for less money with nu-

clear fuel as opposed to fossil fuel, such as gas and coal.

White went on to point out that "some nuclear plants have been cancelled, options for nuclear units have been dropped and, in many cases, utilities are ordering fossil-fueled plants as cushions against expected delays of nuclear plants that they have on order."

White said, however, that because the demand for electricity doubles every 10 years, it is "unlikely that the power industry is going to continue the trend . . . away from nuclear power unless the problems prove insurmountable."

He illustrated the financial problem utilities face by citing a nuclear unit under construction at Peach Bottom, Pa., whose cost was estimated in December, 1966, at \$138,410,000. In April 1969, the figure had risen to \$163,050,000.

A major factor in rising costs is delays in construction of nuclear units, White said.

Planning, design and construction of a nuclear plant takes several years to begin with and any delays along the line automatically are costly. White said "it has been estimated" that it costs nearly \$1 million "for every month of delay" for a plant the size of the Calvert Cliffs one.

And White pointed out that "serious problems have arisen in the construction of nuclear units. Thus, minute cracks in castings and defects in welds have forced delays in units such as Oyster Creek (in New Jersey). These problems seem to have resulted from human error which could have been avoided with proper care. The matter of quality assurance is particularly critical at this point in time when a number of new and larger units are being constructed.

"Because of delays already experienced and because of demands for early completion, there may be a temptation to hurry a job along," White said.

He said "recent defects may well be what triggered the AEC's action in proposing quality assurance guidelines" to Congress.

White said the nuclear industry may just be experiencing "growing pains" but "we have the right and the duty to express alarm when a major manufacturer . . . revealed that it has been forced to seek sub-contractors to complete much delayed work. . . ."

"The record of the nuclear industry with regard to safety is a commendable one which I trust will not be compromised in the haste to build newer and bigger units," he said.

White also spoke about the problem of "unavoidable emissions of radioactivity into the air and cooling water. I am not convinced that the industry has adequately responded to those critics who have charged that there is a long-term hazard from the cumulative effects of such emissions. . . ."

"We certainly cannot afford to wait until problems manifest themselves before corrective action is taken."

TAX SUPPORTED DISCRIMINATION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. RARICK. Mr. Speaker, now that the present administration has established a new Office of Minority Business Enterprise to funnel tax dollars only to Negro enterprises a serious question arises as to the legality of the operation since it can but perpetuate segregation. Further, the announced purpose of this Federal bureau is to pour out tax money in favor of one race at the expense of the other minorities.

This is a discriminatory operation being conducted by our Government which clearly is not in compliance with current decisions of the U.S. Supreme Court, the Civil Rights Act, and previous opinions of the Attorney General's office.

Mr. Speaker, I include news clippings on the Office of Minority Business Enterprises and the operation of the SBA in Washington, D.C. following these remarks:

[From the Evening Star, July 9, 1969]

FEDERAL GRANTS GIVEN TO SPUR MINORITY BUSINESS

The Nixon administration has announced the first efforts of its new Office of Minority Business Enterprise—grants from several agencies to stimulate new private credit and technical aid.

The one-year grants, announced yesterday by Commerce Secretary Maurice Stans, include \$200,000 to Howard University for establishment of a National Institute for Minority Business Education.

Another \$200,000 in what Stans called "administrative money" is being given to the National Bankers Association, a Negro group, for creation of a locally supported "credit pool."

And the Rev. Leon Sullivan of Philadelphia is getting \$65,000—disclosed a few days ago—to help establish in 13 cities Negro-owned shopping centers like his successful Progress Plaza.

[From the Washington Post, July 7, 1969]

RIOT LEGACY: BLACK FIRMS—SBA LOANS ENABLING ENTERPRISES TO BLOOM IN SCARRED AREAS

(By Vincent Paka)

Many of the Washington ghetto business areas that lay torn and charred after the riots of April, 1968, are now budding with struggling businesses. In greater numbers than ever before, they are black owned and operated.

The crucial boost for many new black businessmen in these areas has been the technical and financial aid of the 16-year-old Small Business Administration. Most of these black men and women lacked the capital, and sometimes management expertise, to get started without assistance.

Many new black businessmen praise SBA, saying "there's no other way" for blacks with little capital to own businesses.

Some have criticized SBA policies and methods of lending capital and then making constant security checks on their borrowers.

John Waller, 43, a retired Navy Printing Office worker, opened Audrey's Soul Haven Record Shop on riot-scarred 14th Street n.w. just before Christmas. He said he got an SBA loan after more than six months of applications and interviews.

Waller is one of 71 minority group businessmen, nearly all of whom are black, in Washington who have received loans from SBA totaling \$1.55 million since October, 1968. The smaller was \$4000, and the largest was \$301,000 to the Pitts Motor Hotel, at 1451 Belmont st. n.w.

"The first thing it takes is the desire to work for yourself," Waller said.

"Then you go to SBA—you decide to be successful and, that way, pay the money you borrow back," Waller said.

When a would-be businessman or woman comes to the local SBA office, at 1405 I st. n.w., two of the SBA personnel he might meet are Edward C. Neal and Linda Tolbert. They are called minority enterprise representatives and specialize in helping persons like Waller get financing from SBA and local banks, to begin their businesses.

Neal said, "We basically need a business proposal and a financial and personal resume. We help them (financing applicants) compile the information. From this we can get

a general idea about the chances for success of the business."

Neal said some applicants have trouble getting all the information needed, mainly because "they have not kept adequate records." He said this difficulty often delays financing decisions.

Waller said this had been one of his problems when he sought the loan for his record shop.

"We go steps farther in assistance," Neal said. "We've developed some fill-in-the-blanks forms to help the person develop the information. If a guy can't fill these in, you really wonder if he has the potential to operate a business."

Neal said once all the information is submitted, he and other SBA representatives review it for its "chance of success at the banks," and shape it into a formal application. He said many applications are refused here for reasons such as "too little capital and no business experience." The application then goes to management assistance office, which reviews it and interviews the applicant to determine "the applicant's business aptitude and knowledge," Neal said.

The Black Economic Development Council to SBA charged in May that the annual total number of loans to minorities at that time was down from 6500 to 3700 since the change in presidential administration.

"You just can't put everybody in business," according to Neal. He said his office looks for know-how in areas like pricing, marketing, inventory control, personnel and the individual's familiarity with his industry.

A decision is then made by the management assistance office about the applicant's potential ability to run a business. Neal said the chances of favorable action on an application are good once it has reached this point. Most, he said, are given a "reasonable likelihood of success" if the applicant is successfully enrolled in a management training program.

Waller said he took a course in management skills at Georgetown University for three hours a night, once or twice a week for six weeks when he was informed of this management office decision on his application.

"You get a lot of insight and bookstuff out of the course—but what you need is the practical experience," Waller said.

SBA gives up to a 90 per cent guarantee on loans made by banks to applicants it approves, Neal said.

SBA has been criticized for sending minority group applicants into the same banking system that frustrated their previous efforts to get loans.

But Neal said that, 24 of SBA's 71 loans to predominantly black businesses in Washington involved guaranteed bank loans totaling more than \$700,000 from seven Washington banks. He said banks were becoming "increasingly cooperative" and were involved in the vast majority of the financing done by SBA in recent months.

The present \$335,000 per person SBA loan maximum was not set by Congress until last August, Neal said. Before then, \$25,000 was the maximum.

The amount of capital required of the applicant has also changed from a \$1 to \$1 matching requirement in 1958 to "15 per cent or a reasonable amount" capital commitment now, Neal said. He said SBA found that businessmen with a "sizeable stake" in their business from their own money would make an extra effort to succeed.

"In a way you play the white man's game when you borrow money from him," John Waller said.

He said he felt a "great pressure" to get his loan repaid.

"It's like a leash around my neck," he said, "I wish I'd had my own money to start the business."

Neal said SBA has, within the last few months, begun to follow up loans with visits and monthly inspections of the books of the

businesses of loan recipients. He said the visits and checks are aimed at "diagnosing problems" in the businesses before they become serious, and are proving successful.

"His first year he's (the new black businessman) subject to all the mistakes in the world in that business," John Walker said. "He should go ahead and do his thing."

Waller said he initially hired too many employees at too high a salary, endangering the financial position of his business. Because of this, he said he was only able to take \$49 a week from the business in profits the first few months and he used his retirement check to "make ends meet."

"I've made some mistakes, I'll admit it, but I've learned from them—now I want to get up off my knees," Waller said.

He said he sometimes feels harassed by the visits and checks made by SBA. Some of the other SBA-assisted black business owners in the area say that, except for a yearly check of their books, SBA has not visited them.

But Waller said, "I'm going to hang in here and make this work. It's beginning to go smoother now."

Waller said he built the shelves and panels in the shop, as well as the sound system and record demonstration booths. He admits that competing with the prices of downtown shops is "very hard."

Ruby Smith, 44, has owned and operated Ruby's Women's Apparel Shop up the street from Audrey's Soul Haven for the last eight months. Her SBA loan, like those of other "minority" group loan recipients recently, was made under the Economic Opportunity Act of 1964 and the Minority Entrepreneurship Act of 1968.

She said she got her business experience working in her mother's women's wear shop at 14th and U Streets n.w. Children and women from the neighborhood stop by her compactly organized shop and talk about the schools, their problems, or just to sit for a while.

"They call it a neighborhood store and that's what I wanted," she said.

Reginald Hart, owner of Hart Shoes, said he's been working in the shoe industry "ever since I graduated from high school." Before he got an SBA loan more than three years ago, he worked for a large national shoe store chain as a store manager.

When he received his initial loan of \$25,000—before the limit was raised—he knew "it just wasn't enough." He said he was in financial trouble within a few months because of too little capital, and could find no other funds, even from SBA, since he had committed most of what he owned as collateral earlier.

"In a way a civil disorder saved me," Hart said.

His store at 14th and Irving Street n.w. was destroyed in the riots. By the time he was ready to apply for refinancing the loan limits had been raised. He said he was able to get a loan of "several thousand" dollars more to reopen several hundred yards north on 14th Street.

Hart said he still had pre-riot bills to pay and, even with insurance, he was in debt at his second opening, seven months ago. But within six months, he said he got the store on an even keel, and is now expanding to Coral Hills, Md. in a partnership with several other business men.

BAYVILLE'S 50TH JUBILEE

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. WOLFF. Mr. Speaker, Bayville, N.Y., which I am privileged to represent

here in Congress is in the midst of its jubilee program marking its 50th anniversary as a village. Since it has contributed a great deal to the development of Long Island and stands as a fine example of community cooperation and concern, I would like to bring to my colleagues attention this community, which like so many other communities, embodies our high national ideals.

Without our many small towns, America could not have grown and proven herself to be such a tower of ideals and opportunities. For villages like Bayville embody determination, concern, civic action and a wealth of other vitally important components which create an atmosphere conducive to the continuation of American prosperity.

Originally, Bayville was a resort town, a choice Long Island vacation spot for those who wished to escape the hustle and bustle of the city, 35 miles away. Gradually, as its exceptional reputation spread, the resort qualities of Bayville attracted increasing numbers of permanent residents. In effect, it was not too long before the village had a distinct community spirit.

Among the many persons who have helped to foster this strong sense of duty and civic concern, is Bayville's highly capable and resourceful mayor, Duncan Sterling, Jr. As a 32-year resident of the village, he has given a great deal toward the shaping of Bayville.

Elected in 1962, as the first independent candidate to win the mayoralty race, his years in office have been marked with many causes and many important achievements for Bayville. Mayor Sterling's tenacity, ability, and concern, I might add, also prompted his term from November 1966 to June 1968 as first president of the North Shore Joint Mayors Committee and his recent election as first vice president of the Village Officials Association of Nassau County. Evidently, both his colleagues and area residents realize the ability and dedication of Mayor Sterling.

His years in office have contained a myriad of efforts to maintain the unique qualities of Bayville. Of these battles, the most important one has been his fight to save the village from pending burial from the proposed bridge between Oyster Bay and Rye. In his fight to prevent this unjustified encroachment, he has been the highly articulate and conscientious spokesman for the village.

Although Bayville, once a sleepy community, has grown by leaps and bounds and now embraces every conceivable convenience for its residents, it has managed to maintain its charm. This charm, moreover, still attracts citizens from all over the island to its beaches.

Mayor Sterling has left his imprint on this fine community, and undeniably this community has left its imprint on the mind's eye of those persons fortunate enough to have spent time there. Prosperous, yet striving to do better, the village is a fine place to vacation, a fine place to raise children, and a fine place to exercise the ideals and dreams that one possesses.

Again, Mr. Speaker, I would like to express my congratulations and best

wishes to all the residents of Bayville. I am quite sure that in the future this exceptional Long Island community will continue to shine with its strong bonds of community pride and its singular charm.

OAK RIDGE AND ATOMIC ENERGY COMMISSION DEVELOPING RESEARCH CENTER TO ASSIST IN SOLUTION OF URBAN PROBLEMS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. EVINS of Tennessee. Mr. Speaker, we are all aware of the vastly expanding peacetime uses of atomic energy with great emphasis on the production of electricity to serve our cities and rural areas.

In this connection Oak Ridge, Tenn., the atomic city, and the Atomic Energy Commission, through the Oak Ridge National Laboratory, are rapidly assuming major importance as a research center to assist in the solution of the problems of our cities.

While many think of atomic energy primarily as a means of destruction of cities, the fact is that much of the work at Oak Ridge today is devoted to saving our cities and to assisting mankind in many peacetime areas.

Great breakthroughs may be impending as scientists at Oak Ridge study the application of nuclear power and related technology to these problems.

In this connection and at my request I have been provided with a report by the Oak Ridge National Laboratory on the progress being made in various research projects.

This research points to the possibility of entire cities being heated by waste heat radiated by nuclear powerplants, to the disposal of refuse and trash through disintegration, and to the development of a robot machine which will dig tunnels, including automatic installation of hydraulic tunnel linings, among other projects.

In addition in cooperation with the University of Tennessee, the Atomic Energy Commission and Oak Ridge National Laboratory have initiated a project with Department of Housing and Urban Development assistance to analyze the outmigration from our smaller communities and the resulting intensification of problems in our big cities and metropolitan areas. The possibilities of decentralization of population and industry will also be studied.

In this connection I want to commend the Department of Housing and Urban Development, the Atomic Energy Commission, and the Oak Ridge National Laboratory for their partnership for progress in urban research.

The full progress report on these research projects is placed in the RECORD herewith because of the interest of my colleagues and the American people in the problems of our cities.

The report follows:

URBAN RESEARCH PROGRESS REPORT

URBAN USE OF WASTE HEAT

At the Oak Ridge National Laboratory of the Atomic Energy Commission, the Department of Housing and Urban Development is supporting the study of ways to reduce the pollution of our air and waters from electric generating plants. Much of the contamination in the air and most of the heat in our rivers and lakes are produced when coal and oil are burned for heating or for electrical production.

Nuclear fueled electrical plants do not contribute smoke or fumes and are therefore a partial solution to the dirty air problem. However, these plants, like coal and oil-fired power plants, produce large quantities of waste heat which is normally discharged to rivers or lakes. Unfortunately, most of the rivers and lakes in the United States are approaching the limit on the amount of heated water they can carry away, especially in warm weather, without damaging the plants, animals, and fish living in these waters.

The Oak Ridge National Laboratory is studying several ways to make use of the heat instead of throwing it away. As an example, if the power plant can be built in or close to the city, the waste heat can be piped throughout the city to provide a central heating and cooling system. It can be used for industrial process heating to replace the boilers in many factories, and it can be used to purify the sewage and waste water of the city.

During the past year ORNL has completed preliminary studies of central heating and cooling which indicate that large power plants designed for the dual purpose of producing electricity and heat can provide heating and cooling at large savings compared to the systems now operating in large cities. If these savings are used to pay for additional piping for distributing the heat, it appears that the pipelines could be extended to provide heating and cooling for the high density residential areas of cities instead of just the business districts, thus eliminating the thousands of individual fuel burning systems which contribute so much air pollution in the cities.

In a study of waste water purification for reuse, it was concluded that the evaporation of waste waters is likely to be economically competitive with other recycling processes and that experimental work should be initiated on several operational problems.

Such "energy centers" producing an abundance of low-cost electricity and heat can also be a valuable resource for new and developing cities because they can provide incentives for the location of a variety of industrial plants and also serve the residential and municipal needs. In coastal locations, where irrigated agriculture is practiced, the energy center of the city could also make very large quantities of fresh water; with the waste heat, and in cold regions heating for large-scale greenhouse agriculture could be provided.

These studies in progress at the Oak Ridge National Laboratory make use of technical capabilities developed by the AEC to help solve a nation's urban problems.

TECHNOLOGICAL IMPROVEMENT OF REFUSE

Collection and disposal of a city's solid waste is a problem that increases in magnitude and costs every year. It has been estimated that the current production of solid wastes in the United States is about 5 pounds per person per day. This figure is expected to rise to about 8 pounds per person per day in 1980. Thus the annual production of solid waste in 1980 would be 340 million tons for a population of 235 million people. These figures do not include 550 million tons per year of agricultural residues, 1.5 billion tons per year of animal wastes, or 1.1 billion tons per year of mining wastes. At the present time it is estimated that over 3.5 billion tons of

solid waste are generated in the United States every year.

Currently over 4.5 billion dollars are spent each year for the collection and disposal of urban and industrial solid wastes (not including sanitary waste). Approximately 80 percent of this cost is for collection. In a recent survey, 166 cities reported that 12.4 million tons of solid waste were collected at a cost of 217 million dollars or nearly 18 dollars per ton. In general, the larger the city the larger the unit cost of collection (cities above 500,000, paid nearly \$24 per ton for collection).

Not only does trash collection cost more in larger cities, there are the additional problems in densely populated areas of traffic congestion, litter, and noise. In New York City in 1966 there were 2700 private and 1800 municipal refuse trucks in operation. For the entire United States it is estimated that there are at least 150,000 trucks in use. If the volume of solid waste continues to increase and if handling methods do not improve, around 275,000 collection trucks would be operating on roads and streets in the United States in 1980, greatly increasing congestion and other difficulties.

One possible solution to the problem of refuse collection in high-density urban areas would be to move the waste collection system underground. This could be done by grinding and slurry transport in underground pipelines. A possible further refinement to this system would be to destroy the organic fraction of the waste which could simplify the pumping system and perhaps allow use of existing sanitary sewer systems. Such treatment could be achieved by use of a wet-oxidation process similar to that currently being used by several cities for sewage sludge. In this process combustible waste material is reduced to a sterile inorganic residue by oxidizing it at several hundred degrees and several hundred pounds per square inch in the presence of water and air or oxygen.

Studies are currently underway on this concept for the Department of Housing and Urban Development, by scientists at the USAEC's Oak Ridge National Laboratory. Previous studies at Oak Ridge have considered the application of wet-oxidation to the proc-

essing of nuclear reactor fuels. Thus nuclear technology may help solve some of the current U.S. urban problems.

SYSTEMS ANALYSIS OF TUNNELING

The Department of Housing and Urban Development has the mission of improving the quality of urban areas, to make our cities more attractive places in which to live. Some of the most urgent physical problems relate to the need for reducing surface congestion and eliminating pollution of our land, water, and air.

The present systems of service and utility lines within our cities are often designed without coordination. What public utilities are autonomous and have traditions of independence which reduce meaningful cooperation with other utilities. Buried service lines are normally installed singly from surface excavations. The entire system of utilities is generally an extremely complicated maze of overlapping and intertwining individual systems. Integration of these separate utilities in service tunnels, sized to allow all utilities to be assembled for ease of installation, maintenance, and replacement offers many advantages. It could reduce, or eliminate, interruptions of normal surface activities. It could result in safer and more economical utilities because of the opportunity for routine inspections and effective preventive maintenance.

In spite of these advantages, urban tunnels are expensive to design and build. The Atomic Energy Commission, through its Oak Ridge National Laboratory, is engaged, in an analysis for HUD of the problems of decreasing the cost of urban tunneling and reducing the time between conception and completion. Each of the various tunnel components are being examined to establish: (1) the most advanced methods and techniques which have been used and the prospects for improving these through research and development; (2) the present range of costs and times associated with each component to indicate where research and development efforts can provide the most improvement; (3) the research programs now in progress or being planned within universities, government agencies and private in-

dustry which may lead to significant advances; and (4) an evaluation of alternate methods and procedures which, while not now commercially competitive, have sufficient potential to warrant research and development. The specific objective of the total analysis is to determine what research and development efforts should be initiated, encouraged or supported by HUD in order to assure the attainment of specific urban goals within rapidly developing tunneling technology. Part of the problem is the need for an improved understanding of the specific problems of tunneling in the cities: the types of underground environment to be encountered (i.e. soil, clay, rock, water, etc.); the need for means of detecting unknown pipes and other sensitive obstructions; and the requirements for small diameter tunnels with rather sharp turns to follow city rights-of-way.

Preliminary work on this project indicates that it should be possible to develop an automatic, remotely controlled machine which can dig tunnels and line them in any kind of terrain. This concept is based on a new method of cutting rock using high pressure water jets. Results of experiments at ORNL on sandstone, limestone and granite suggests that any rock can be cut employing ordinary water. The pressure required for efficient operation depends upon the nature and properties of the rock being cut. In general this will range from about 5000 psi upward. After cutting the rock, the spent water could also be used to hydraulically transport the cuttings out of the tunnel. By incorporating the newer techniques of installing concrete linings hydraulically, operation could be made self contained and automatic.

Development of such a machine could provide a means of boring pipelines and digging utility tunnels of three feet or more in diameter three to ten times as fast as by present tunneling methods. This could reduce the cost of tunneling by as much as a factor of ten over present costs and make it as economical to dig sewers and other utility tunnels in cities by tunneling rather than by the most common cut-and-cover methods. Such a development could help improve the quality of life in our cities.

SENATE—Friday, July 11, 1969

The Senate met at 11 o'clock a.m. and was called to order by the President pro tempore.

The Reverend Charles L. Warren, D.D., executive director, Council of Churches of Greater Washington, Washington, D.C., offered the following prayer:

Eternal Spirit, who art life, light, and love, descend upon this body of legislators, who are the representatives of people across the life of our commonwealth, and make them conscious of the grave conditions facing our Nation and the nations of the world.

We are grateful for the opportunities afforded us in this land. Let us not accept them casually, but with the understanding that God makes all things possible. With these gifts are responsibilities to provide for the common good of every man.

Bless and strengthen the leadership of our Nation and the nations of the world. Men and women grope in darkness, searching for light. Little children struggle to live in the midst of poverty and blight—a nation of people longingly strive for the abundant life.

We beseech Thee to let justice run down like a mighty stream flowing

through every valley and plain on the face of the earth.

Send us, O God, out of these uncertain days into the dawn of a new day of hope.

In the name of the one true God and Father. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, July 10, 1969, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the President pro tempore laid before the Sen-

ate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 4284. An act to authorize appropriations to carry out the Standard Reference Data Act; and

H.R. 11702. An act to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred, as indicated: