Mr. BYRD of West Virginia. Mr. President, I have been asked to move that the Senate concur in the amendments of the House, and I so move.

The PRESIDING OFFICER. Without objection, the motion is agreed to.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 11 A.M. TOMORROW

Mr. KENNEDY. Mr. President, in accordance with the order entered yesterday, I move that the Senate stand in recess until 11 a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 2 minutes p.m.) the Senate took a recess until tomorrow, Wednesday, August 6, 1969, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate August 5, 1969:

DIPLOMATIC AND FOREIGN SERVICE

Robert Strausz-Hupé of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Morocco.

Charles T. Cross, of California, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Singapore.

U.S. MARSHAL

James T. Lunsford, of Alabama, to be U.S. Marshal for the middle district of Alabama for the term of 4 years, vice William M. Parker, Jr.

Marvin G. Washington, of Michigan, to be U.S. marshal for the western district of Michigan for the term of 4 years, vice Floyd Stevens.

Marshall F. Rousseau, of Texas, to be U.S. marshal for the southern district of Texas for the term of 4 years, vice Marion M. Hale.

Charles S. Guy, of Pennsylvania, to be U.S. marshal for the eastern district of Pennsylvania for the term of 4 years, vice James F. Delaney.

IN THE MARINE CORPS

The following-named officers of the Marine Corps for the temporary appointment to the grade of brigadier general:

Charles S. Robertson.
Duane L. Faw.
Mauro J. Padalino.
Edward S. Fris.
Frank C. Lang.
Victor A. Armstrong.
Thomas H. Miller, Jr.
Robert H. Barrow.
Herbert L. Beckington.
Leonard E. Fribourg.
Robert D. Bohn.
William F. Doehler.

EXTENSIONS OF REMARKS

FRIENDSHIP PIPELINE

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. LEGGETT. Mr. Speaker, perhaps at no other time since the close of World War II have the barriers dividing the United States and the Soviet Union been so permeable. Indeed, the underpinnings of mutual mistrust and suspicion that spawned and perpetuated the cold war seem to be crumbling at an unprecedented rate, as the era of hazardous confrontation gives way to the period of enlightened negotiation and reconciliation. It is important that we keep clear these emerging channels of communication between the peoples of the Soviet Union and the United States.

I rise today to bring to the attention of Congress the endeavors of Prof. Donald M. "Monti" Reynolds, a bacteriologist at the University of California at Davis, who is actively engaged in the slow but worthwhile efforts to establish viable communicative links with the Soviet Union, pushing back the curtain of ignorance which divide the two great powers.

For several weeks now, Professor Reynolds has operated what he calls the "Friendship Pipeline," sending scores of books relating to science, classical literature, and American political and cultural life to scientific colleagues in Science City, U.S.S.R. He hopes to expand his operations to include tape recordings of contemporary American music later in the year. I think that Congress should encourage this type of activity.

For the information of my colleagues in Congress, I insert into the RECORD at this point, an excerpt from the Sacramento Bee describing Professor Reynolds' project "Friendship Pipeline" in more detail:

GESTURE OF FRIENDSHIP: UNIVERSITY OF CALIFORNIA DAVIS PROFESSOR SENDS BOOKS TO SOVIET UNION

(By William Holden)

DAVIS.—Prof. Donald M. "Monti" Reynolds, a bacteriologist at the University of California campus here, was packaging some books destined for scientists he had met in central Siberia's Akademgorodok—Science City.

Thumbing through a recent American high school biology text, he commented: "Books like this will help them catch up with all the years they lost in biology because of Lysenko.

"He threw Russian biology off the track with his erroneous ideas on the hereditary transmission of acquired characteristics.

"In other words," Reynolds explains, "Lysenko believed a weight lifter, for instance, could pass on his acquired big muscles to his son by inheritance. American biologists have always known this is false.

"Russian biologists finally came around after many years of wandering down Lysenko's scientific blind alley and are eager to catch up with the rest of the world."

Reynolds has mailed a score of packages of books to scientific colleagues in Science City, which he visited as the U.S. member of UNESCO's International Union of Biological Sciences. They contained many volumes of science, classical literature and American political and cultural life.

FRIENDSHIP PIPELINE

Reynolds is housemaster of Hammarskjold House, a campus residence hall and headquarters for his "Friendship Pipeline," which sends books from UC Davis to Akademgorodok.

To reach this Science City, Reynolds says he "flew all night from Moscow in a jet and landed at dawn in the middle of snow-covered Siberia.

"We drove on roads lined with high banks of snow, through the beautiful birches and conifers of the taiga—the forest that cloaks a vast portion of Siberia.

"I caught glimpses of Old Russia in the form of beautiful log cabins with the patina of many, many decades on the wood. They are structures which in California would be preserved as historical monuments, but to my Soviet friends they are merely symbols of an old regime they are not proud of."

SCIENCE CITY

Then Reynolds discovered their pride—Science City, with its avant garde architecture rising at the edge of a frozen lake.

It was founded 10 years ago by scientist-colonists who had arrived with only tents to shelter them from the Siberian cold.

Reynolds is impressed by the "tremendous drive and incredible speed" with which the Russians created the science mecca in the bleak emptiness.

Today it comprises a concentration of scientific brains rivaling the technological centers of Moscow and Leningrad. Its paramount goal is to exploit Siberia's immense resources.

EXCITEMENT FELT

Reynolds was struck by the seemingly universal enthusiasm for developing the hinterlands:

"The excited way the people talked made me feel I was back in the time of my grandfather, who helped build the first railroad from California to Tacoma and Seattle. He later communicated to me the thrill of carving something out of nothing.

"It was a shock to come back to California's affluent society and find so many little lost navel-watchers who don't know what they want."

Lest he be misunderstood, Reynolds hastens to add he has a "passionate love for America."

Competition among students for admission to Science City's physics and mathematics school, he continues, is arduous.

"Each year, a math contest is conducted all over Russia," he says. "About 10,000 original competitors bright enough to submit answers to sophisticated problems are screened down to an entering class of only 100.

"I don't know any other school in the world where the selection is so rigorous."

Since it is the only Russian school administered by the Soviet Academy of Sciences, its students profit by "becoming understudies to great scientific figures early in their college life."

He also notes: "They seem much more intensively engaged in research in their early college life, rather than in just listening to lectures, as in America where undergraduates often never get their hands dirty at the laboratory bench."

BOOK BOXES

Meanwhile, Reynolds is enlarging Friendship Pipeline's diameter: He plans to place book collection boxes in 35 UCD departments.

Also, a foreign service officer in the State Department has promised the department will try, with the help of the U.S. Information Agency, to obtain science texts for the Pipeline.

And soon the Pipeline will be "wired for sound." Two UCD students at Hammarskjold House—Randy Tyra of Sacramento and Bruce Velick of Stockton—are taping contemporary American music, with their own commentaries, to send to youths in Eastern Europe.

ADMIRATION IN ITALY FOR APOLLO 11

HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Tuesday, August 5, 1969

Mr. BOGGS. Mr. President, recently, Mr. and Mrs. Joseph A. Bruno, Sr., of Wilmington, Del., wrote to me of their visit to Italy during the time in which the heroic Apollo 11 astronauts made their historic journey to the moon.

Wherever they traveled in Italy, Mr. and Mrs. Bruno found admiration among the Italian people for this achievement, an admiration they described in their letter. I should like to share parts of the letter with the Senate.

Mr. and Mrs. Bruno watched our astronauts walk on the moon while visiting a village in southern Italy. They wrote:

What a thrill it was to be an American and to see the expression of those faces gathered about the television set.

Earlier they visited St. Peter's Square to share with thousands of other pilgrims the Pope's prayers for the astronauts. The mission of our astronauts served as the subject of the sermon given at a Mass Mr. and Mrs. Bruno attended on the day of the landing on the moon.

The priest spoke for twenty minutes on this adventure and pleaded for the people to pray for their safety to the moon and back to Earth.

As we continued our tour and were being introduced as Americans, they said what an honor it was for the American people. We both were overjoyed in seeing this reaction that we felt such feelings should be forwarded to our Senator that he may relay the feelings of the people of Italy.

Such sentiment among our friends in Italy, I believe, demonstrates the existence of the "spirit of Apollo" of which President Nixon spoke on his return from his trip around the world.

The President said:

The spirit of Apollo transcends geographical barriers and political differences. It can help bring the people of the world together in peace. In some way when those two Americans stepped on the Moon, the people of this world were brought closer together.

BUDGET BUREAU IMPOUNDS AND WITHHOLDS FUNDS APPROPRIATED FOR SMALL BUSINESS LOANS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. EVINS of Tennessee. Mr. Speaker, the House Small Business Committee last week held its annual oversight hearings on the operations of the Small Business Administration. Each of the programs conducted by that agency were reviewed. Particular emphasis was placed on its programs involved with minority economic development. It is my duty to report to you and to my colleagues that much of the testimony we received was both disturbing and, indeed, alarming.

Members of both parties within the committee agree that it is imperative that there be a strong and independent Small Business Administration. For that reason I feel it is of particular importance that SBA operates at an optimum level of efficiency. It is in that spirit of constructive and friendly criticism that I relate the testimony the committee has recently received.

The House has within the last few weeks appropriated $25 million, the entire amount requested by SBA, as a capital appropriation for its business loan and investment fund. This amount, according to Administrator Sandoval, was required to allow for fiscal year 1970, with sufficient funds available for executing first-quarter requirements in fiscal year 1971. Despite the fact that the entire amount requested is being appropriated, the SBA direct loan program, because of the Bureau of the Budget's intervention, will provide only $18 million in low-interest SBA loans for the Nation's small businessmen. This, of course, is a pitifully small amount, less than half a million dollars per year per State. The agency had initially requested $41 million. This in itself was quite probably inadequate even before this administration's Bureau of the Budget reduced it by over 50 percent to its present level.

As all of you are aware, we live in a time of continuing inflation, a time of crushingly high interest rates, a time when there is, as the bankers say, a "crunch" in money availability. The testimony we received established clearly that bank loans are increasingly difficult for most small businessmen to obtain today. It is clear that the Small Business Administration cannot, in good conscience, assume that bank loans for small businessmen, even though guaranteed up to 90 percent by SBA, will be forthcoming in anything approaching sufficient numbers to provide the needed funds for small business.

SBA regional directors, from several portions of the country, testified that, at the present time, small businessmen, other than a very select "blue chip" few, are not, on the whole, able to obtain loans from banks even when SBA guarantees are available.

The administration's insistence that it is vigorously pursuing what it terms "operation mainstream"—a program to make what Mr. Sandoval has predicted as not less than 10,000 loans a year to members of minority groups, principally Negroes, is a cruel hoax, as was pointed out by a number of witnesses.

Truthfully, the Nixon administration's cutback on congressionally appropriated funds, amounting last year to $170.2 million, has made it impossible for SBA to provide more than nominal support for even its traditional role in providing funds to the Nation's entire small business community. Attempting to superimpose ambitious new programs without providing the necessary funds, guarantees that no small businessman—whether a member of a minority or not—will receive adequate assistance.

It would appear that the leadership at SBA would be better advised to start administering the programs assigned to their agency in an orderly and efficient manner rather than wasting so much time dreaming up new slogans and writing press releases proclaiming how great their new programs will be.

As an example, one of the most promising approaches in the entire field of small business has been that of guaranteeing leases for small businessmen who would otherwise be unable to obtain premises in large shopping centers. This legislation was initiated by the House and enacted into law some 5 years ago. Sad to relate, there have only been 50 lease guarantees actually executed to date. Half of these were to lessees of one individual—a Mr. Bebe Rebozo of Miami, Fla. It is my feeling that if more effort were expended to bring the benefits of lease guarantees to small businessmen, including members of minority groups, this would make it available for them to obtain better locations and enhance their prospect for success to a far greater degree than any marginal benefits they might receive from the production of slogans and press releases.

It might even be said that the time has come for the SBA mimeograph machine to be quieted. While, of course, all of us appreciate the degree to which agency officials consider it imperative that their latest pronouncements gain the widest possible circulation. One suspects that the Republic would survive the cessation of the flow of adjectives describing the prospective virtues of programs which are virtually nonexistent because of the Budget Bureau's refusal to allow them to loan congressionally appropriated funds. Further, it is not right to let the American small businessman believe that assistance is available when, in truth, this simply is not the case. It is, it seems to me, particularly regrettable this should be done to members of minority groups, thereby arousing false hopes. These conditions should be corrected.

They can only be corrected administratively as the Congress has responded both by legislation and by providing appropriations—appropriations that are now being impounded and withheld from loan purposes.

PERSUASION OR PROVOCATION

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Tuesday, August 5, 1969

Mr. FANNIN. Mr. President, today I read in the Christian Science Monitor two articles which seem to mirror the situation we find ourselves in regarding the Federal Government's role in enforcing equal employment opportunity regulations and legislation.

Recently I noted an esteemed member of the Labor and Public Welfare Committee defending at some length the revised Philadelphia plan which calls for the hiring of minorities under a "goal" system. By this euphemism, the Labor Department bureaucrats seem to think they can avoid the clear restraints the Congress placed on equal employment enforcement when they passed section 703(j) of the 1964 Civil Rights Act.

Mr. President, at this point I would like to quote that entire section of the act which is pertinent:

Pub. Law 88-352, 78 Stat. 257, Title VIII, Sec. 703 (j):

Nothing contained in this title shall be interpreted to require any employer, employment agency, labor organization, or joint labor management committee subject to this title, to grant preferential treatment to any individual or to any group because of the race, color, religion, sex, or national origin of such individual or group on account of an imbalance which may exist with respect to the total number or percentage of persons of any race, color (etc.) . . . employed by any employer, referred or classified for employment by any employment agency or labor organization, admitted to membership, or classified by any labor organization, or admitted to, or employed in, any apprenticeship or other training program, in comparison with the total number or percentage of persons of such race, color (etc.) . . . in any community, State, section or other area, or in the available work force in any community, State, section or other area.

First I would like to call the Senate's attention to the fact that the word "quota" is not used in this section of the statute. Neither is the word "goal" or any other synonym. The language of the law simply says:

You can't set up some sort of standard for any kind of group based on any kind of comparison by which you award "preferential treatment."

Congress has clearly indicated this. Examination of the House debate when this measure was passed clearly indicates Congress intended there should be no preferential treatment whatever, and until the courts or Congress rules otherwise, that must continue to be the law as it stands.

To say that the 1964 Civil Rights Act does not apply in such a case is perilous to say the least. Especially so in the light of today's ruling by the Comptroller General that requiring preferential treatment in Federal contracts is illegal.

Mr. President, I ask unanimous consent that these articles, which demonstrate some of the difficulties, problems, and overextensions of authority be inserted in the RECORD.

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

CAROLINA MILLS SCOUTED FOR BIAS

(By Lyn Shepard)

GREER, S.C.—The misty Carolina moon is still hiding on this sultry July evening as civil-rights worker Bob Valder and I stand beside his parked car.

If all goes according to plan, a group of local black mill hands will soon meet Mr. Valder here beside a small brick building he calls "the black folks' recreation center." We talk about his job while we wait.

As coordinator of TEAM (Textiles Employment and Advancement for Minorities), Mr. Valder has come to this little town near Greenville to collect complaints of racial bias in hiring and promotion of blacks.

Since last December, the young teacher has traveled from his Charlotte, N.C., office to seek out discrimination charges in Georgia, Florida, Virginia, and North and South Carolina mill towns. Most of his time is spent in the Carolinas, where a concentration of this nation's 7,000 textile plants can be found.

POWERS OF ATTORNEY SOUGHT

When Mr. Valder gathers complaints, he asks each worker to sign a form conferring power of attorney on the Legal Defense and Educational Fund, Inc. He then mails both papers to the New York offices of the National Association for the Advancement of Colored People affiliate for legal action.

Largely on the basis of such allegations, the Legal Defense Fund files suit in April against the Department of Defense, which accounts for roughly 3 percent of the textile industry's business.

Since the start of World War II, the Pentagon has entered into multimillion-dollar contracts with the larger textile firms to procure fabric for military uniforms.

Undersecretary of Defense David Packard bypassed a new procedure this spring, thereby causing the Nixon administration much embarrassment. He let three of the major textile suppliers win roughly $200 million in contracts without first obtaining their written promises of "affirmative action" to hire and upgrade minorities.

AGREEMENTS NOW SIGNED

The three firms—Burlington Industries, J. P. Stevens & Co., and Dan River Mills—have since signed such agreements. And defense spokesmen say they go further than any Southern industry programs they know of.

But the incident caused Mr. Valder to redouble his efforts. It also made Mr. Packard an inviting target for liberals in Congress.

"Weak, weaker, and weakest" was Sen. Edward M. Kennedy's reaction to the three oral insurances. He called the Packard action "a clear violation of the equal-hiring mandate."

However, the Justice Department has held that the federal government—which cannot be sued without its consent—will not permit the suit against the Pentagon.

LOCAL COMMITTEES FORMING

Mr. Valder, a nonlawyer, prefers to leave legal tactics to his New York superiors. He devotes his time instead to solving the "nitty gritty" problems of the black workers.

At present, TEAM is forming local "employment action committees" to abolish discrimination at the textile plants. To each panel, Mr. Valder sends copies of the firms' affirmative-action plans together with detailed instructions.

Of the J. P. Stevens plan, for instance, he noted:

"J. P. Stevens has committed itself to a number of steps which could significantly increase the number of black workers. You must be the watchdog to see that these steps are taken and that the result is not only more jobs but better jobs for Negroes at all levels of employment. . . ."

[The industry prides itself on the large number of blacks hired in the past few years but has been slow to place them in management jobs.]

"Study this plan carefully," the Valder memo goes on. "Discuss it. Compare these promises with the present situation at J. P. Stevens. Develop ideas for involving your community."

The memo suggests that each committee visit the local plant manager to review the company plan step by step.

"Indicate your concern," it urges, "about the integration of the *total* operation. Get information about management training. Be prepared to offer suggestions."

DISPLEASURE OVER RESULTS

So far, the committees have not formed as spontaneously as Mr. Valder would like. The grass-roots meeting in Greer dramatizes the problem he faces.

"We've had more job results in the pulp and paper industry," he muses as he checks his watch. It now is 7:10 p.m. at the recreation center and there is no sign of an aggrieved textile worker.

"We just can't crack anything in textiles," he says, watching a dozen black teen-agers toss a football around the parched playing field.

"We know of people who have applied for positions and haven't gotten them. But they're afraid to do anything about it. If they've got another job already, they think they may lose it."

Across the dirt road, an elderly black man hoes the soil between rows of vegetables. Behind the locked recreation center a Dixieland combo can be heard.

COMPLAINTS PILE UP

"I lay it on the line," Bob is saying, rubbing a finger over his moustache. "I tell them, 'We can't guarantee that you won't get fired. If you are, we can take your case to court. But it may stay there for two years.' "

Even so, the TEAM coordinator has stacked up 30 complaints against Dan River since December, as well as 15 against Cannon Mills Company. He has but one against J. P. Stevens.

In Greensboro, N.C., a spokesman for Burlington Industries recalled hiring-discrimination complaints made earlier against his firm by Legal Defense Fund plaintiffs.

"We checked out three of them," he said, "and found that the plant named in the complaints had more black than white workers. It's hard to call these legitimate complaints of discrimination."

The official added, though, that "maybe in some of the South Carolina mills, where they're slower to change, they could have some legitimate grievances."

GEOGRAPHY TRACED

The geographical origin of the complaints tells much of the story. All the Dan River cases came out of the firm's Danville, Va., plants. Those against Cannon, the well-known towelmaker, were gathered in the company town of Kannapolis, N.C.

Thus far, though, only a few grievances have come from South Carolina's Greenville-Spartanburg textile center, which includes many Stevens and Dan River mills.

"We've made special efforts—we don't like to call it 'preferential treatment,' of course," the Burlington spokesman pointed out.

"Our people are looking for all the minority people that can be promoted. We're bending over backward to do this. Our practice has been to find them, give them training, and move them ahead just as fast as

we can. The larger firms are committed to this point of view."

In South Carolina, where segregation appears more firmly entrenched, Mr. Valder finds blacks less inclined to sign a complaint. Here the threat of firing and blacklisting works to discourage most protesters.

STILL NO ARRIVALS

Now our watches read 7:20 p.m. Still no arrivals at the recreation center.

"One thing's sure," Mr. Valder finally drawls as we drive away from the meeting site. "It's no trouble getting them to go along if 30 decide to come. But nobody's going to if only one or two are ready."

What will TEAM's next move be? Though frustrated, Mr. Valder appears determined to keep trying.

"It takes time," he says, reflecting on the nonhappening. "They just weren't ready tonight."

EQUAL-JOB OFFICE USES PERSUASION

CAMERON STATION, VA.—In an air-conditioned office a few miles from the Pentagon, Robert H. Shafer smiles to himself as a newsman asks about his plans to spur equal job opportunity in the Southeast textile industry.

"I think the textile firms are going to set achievable goals," he says, rocking back in his chair. "But if they don't, we're not going to leave them with bloody knuckles.

"We're going to sit down with them and ask, 'What's the trouble? Why aren't you able to overcome this problem?'

"We know we're not going to revolutionize the complexion of the employees overnight. We'll do it by evolution."

Mr. Shafer, chief of contract compliance for the Defense Supply Agency (DSA), oversees industry's "affirmative action" to hire and upgrade minority workers in several areas beside textiles.

But since 1967, many of the DSA's 110 civilian professionals have been prodding the major textile firms to change racial job patterns within their plants.

BALKING, THEN COMPLIANCE

The federal pressure increased last spring when the Pentagon renewed contracts with three Carolina textile companies to produce $200 million worth of military uniforms, sheets, and pillowcases.

At first the companies balked at "affirmative action" terms laid down by Mr. Shafer and Leonard Biermann, senior contract compliance officer in the Labor Department's Office of Federal Contract Compliance (OFCC). Yet, at the last minute, they backed down.

This approach—civil-rights enforcement by government persuasion at the bargaining table—often draws criticism from both industry and civil-rights camps.

Civil-rights workers complain that, if the government would just once cancel a prized contract on noncompliance grounds, industry would suddenly take notice.

"REVERSE BIAS" CHARGED

Present practice, argued Sen. Edward M. Kennedy (D) of Massachusetts in May, "gives the impression that our employment enforcement is a matter of winks and nods, and gentlemen's agreements—that employers can take their time and resist to their heart's content, subject only to the mildest of ultimate restrictions."

Textile-industry spokesmen counter that they have long ago opened job opportunities to blacks and other minorities. The OFCC and DSA, they contend, propose a form of "reverse discrimination."

"I won't tell them that every black body in their plant should be promoted," Mr. Shafer replies. "But I will tell them that when anyone is underutilized, it's wrong and has got to stop."

Judging a worker's unused potential is no easy task for an outsider, as this reporter found during a July visit to Burlington Industries' worsted-fabric complex in Raeford, N.Y.

I found Negroes as well as Lumbee Indians from the area in skilled jobs in the Burlington dyeing, spinning, and weaving operations. A far larger number work from midnight to 8 a.m., the third "graveyard" shift for those lacking seniority.

As Edmund Murray, vice-president and group manufacturing manager of the Raeford Worsted Group, walked with me up and down the rows of automated textile machines, he pointed out the military orders—fabrics in Air Force blue (federal shade 1549) and Army green (federal shade 344).

Some 35 percent of the Raeford plants' work force are blacks or Indians, Mr. Murray says. North Carolina's Hoke County, where the plants are based, is roughly 50 percent white.

What about the reaction of white workers, for the first time working shoulder to shoulder with Negroes?

"This was one of the amazing things," another Burlington official said. "At the beginning, our plant managers thought there would be trouble—when you started integrating the lunchrooms, the rest rooms, and so on. But there weren't any explosions."

THE 1968 DEADLOCK REPORTED

A spokesman for Dan River Mills, which produces ripstop poplin for Army combat fatigues as well as sheets and pillowcases, maintains this issue deadlocked negotiators for many secret meetings in 1968.

"The thing that distressed us the most," the official said, was that "equal employment opportunity appeared to require unequal treatment. We felt that this violated the 1964 Civil-Rights Act.

"One concept that they [DSA and OFCC] advanced to us was 'rigtful place.' Under this concept, we would have to review our payrolls back to some indefinite time in the past. We were to measure the average advancement of white workers against that of Negroes during that period and make up the difference in back pay.

"Also, whenever an opening occurred," he went on, "we were to advance the Negro first without regard to qualifications. We feel this would have caused chaos."

"At contract time," he went on, "everybody has to meet certain specifications, including equal employment. In the past, we had no notion of what 'affirmative action' meant. Now we were told it meant the 'rightful place' concept.

"That could have cost us hundreds of thousands of dollars. Now bidding is pretty tight, and if you don't know what your costs are ahead of time, it can become a losing proposition."

In fact, textile manufacturers insist that their margin of profit is far lower on federal contracts than it is on private ones.

APOLLO AND THE AGE OF HUMANITY

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. HOWARD. Mr. Speaker, America is "go" for a flight to freedom.

The astronauts have fulfilled President Kennedy's declaration that we achieve independence from earth this decade.

Now, the 1970's demand a declaration of independence from injustice.

Last century the direction was "go west young man" across the two dimensional plane that was America.

This decade astronauts like Allan Shepard, John Glenn, and Neil Armstrong were directed "go up young man" through three dimensional space.

Next decade we must commit ourselves to a civilization of justice in which children can "grow up young man."

Earthlings have long envisioned a "man in the moon" to make it seem a little friendlier. As moonlings Armstrong, Aldrin, and Collins look back at us, they know for certain there is a "man in the earth"—in fact, they know there are 3 billion men here.

But man in merely inhabiting earth does not necessarily make it a friendly place.

Violence at home and in Vietnam prevented President Kennedy himself and 37,000 youngsters, most of them less than 10 years old when the space age began in 1957, from seeing this fulfillment of Kennedy's lunar goal.

"We came in peace for all mankind" was man's first written message on the moon. President Nixon proclaimed a Day of Participation. Together let us commit ourselves to a decade of progress in the 1970's modeled on the 1960's Apollo effort.

Let us strive for substantial achievement, by July 21, 1979, of:

Justice among and within nations, even as we came in peace to the moon.

Quality education, that all children may understand the scientific and social excellence of which man is capable.

Conservation of earth's resources, even as the astronauts were careful not to pollute the moon.

Safe and durable consumer goods, just as we wisely furnished the astronauts the best equipment technology could yield.

Housing, food, and an end to bigotry so that all Americans may share happiness and productivity.

We saw Neil Armstrong and "Buzz" Aldrin exploring the moon, by television's brightest spotlight—the sun—in the early morning of July 21.

A few hours later this same sun illuminated America. I hope it was the dawning of the age of humanity—"harmony and understanding, sympathy and trust abounding."

OUTSTANDING KENTUCKY ADMINISTRATOR: MR. LARRY FORGY

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Tuesday, August 5, 1969

Mr. COOPER. Mr. President, I am pleased when I find young people active in our political parties and am gratified when they are placed in responsible office. The State of Kentucky encourages its youth to such activity by maintaining a voting age of 18.

Our Republican State administration of Gov. Louie B. Nunn has demonstrated its confidence in young people by appointing to one of his most important cabinet posts a 29-year-old. I believe that Mr. Lawrence Forgy, Jr., who is Kentucky's budget director, may be the youngest person to hold such an office in all the 50 States.

Because of the interest in this young man's career, I ask unanimous consent that an article entitled "Larry Forgy: From 'Coon Range' to Budget Chief at 29," and pulished in the Louisville Courier-Journal and Times of May 25, 1969, be printed in the Extensions of Remarks.

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

LARRY FORGY: FROM "COON RANGE" TO BUDGET CHIEF AT 29

FRANKFORT, KY.—One thing a youth from the "coon range" of Logan County learns early in life is not to expect a job in Kentucky's state government.

A spectacular exception to the rule is Lawrence Forgy Jr., 29. As state budget director, he is just starting the formidable task of gathering and analyzing all the enormous mass of data needed to prepare the state's 1970–72 budget—a job that will continue until the 1970 General Assembly convenes next January.

Forgy is a native of the coon range, a geographical area where Logan County's handful of Republicans are clustered.

As a youth, he didn't have to be told that Democrats outnumber Republicans six to one in the "Free State of Logan." He was among the frustrated minority, and learned early that to the victor (usually the Democrats) go to the spoils (jobs).

He didn't need to be reminded, either, that the county was the political fiefdom of the late Tom Rhea, a Democratic Party warhorse until his death, nor that Logan, since Rhea's death, has been under the control of the gravel-voiced Emerson "Doc" Beauchamp, a Democrat who shuffles his political cards with the deftness of a Mississippi riverboard gambler.

Neither did anyone have to tell Forgy that the county, until President Nixon's election last year, had voted Republican only once in this century in a presidential election.

These and other realities of Kentucky politics came through vividly for young Forgy in the endless series of defeats suffered in county and state elections by his father and grandfather, both political giants for years among Logan County's Republicans.

But the losses, instead of leaving Forgy disillusioned with politics and government, only served to stimulate his interest in how the system works.

"I've never really been interested in anything else," he observed recently. "It's (politics and government) the only topic I can recall us conversing about around the dinner table. Just about every time we sat down to eat, there was talk of the next election, or the one just past, or about how this decision or that one by an officeholder would help or hurt him."

That early involvement in politics ultimately took Lawrence Forgy Jr. to Washington, D.C., where he earned an undergraduate degree, and later a law degree, from George Washington University, a school that specializes in training students for careers in government.

Since then, he has been rising rapidly up the ladder of a career in government that people here speculate could one day land him a position either as a cabinet officer in a national administration or sub-cabinet position where he has a lot to say about policy.

After graduation, Forgy worked briefly for the Federal Trade Commission as an investigator looking into the practices of some merchants in the nation's capital who were gouging the poor with high interest rates and tricky sales contracts.

Later, he shifted into a staff position on the Joint Congressional Committee on Internal Revenue Taxation, where he helped shape the contents of tax and revenue bills dealing with agriculture.

Had not Louie B. Nunn been elected as the state's first Republican governor in two decades, Forgy might still be in Washington. His work on the tax committee, however, impressed several members of the Kentucky delegation, including then Sen. Thruston B. Morton.

Morton brought Forgy and Nunn together in the days immediately following Nunn's election. Since then, Forgy has emerged as one of two experts in state government upon whom Nunn depends to advise him on how the state is spending its money—and how it should be spending it during the 1970–72 biennium. The other is Albert Christen, commissioner of finance.

Immediately following Nunn's election, Forgy was one of a small group around the governor whose job was to help in the transition of government. He was quickly yanked out of the job, however, and, along with Christen, was tossed the difficult task of coming up with a budget in 60 days.

It didn't take Forgy, with his background in revenue and taxation, long to recognize that Nunn's campaign promise of "no new taxes" would leave the state in a financial strait-jacket if the governor insisted on carrying out this commitment.

As a result, he was one of the early advocates of the 2-cent sales-tax increase and the $7.50 rise in automobile-license plates that went to finance the state's current record-making budget.

Just how well Forgy and others succeeded in putting together that budget is indicated by the ease with which it withstood an attack by the Democratic-controlled General Assembly.

Forgy also serves Nunn in a liaison capacity with federal revenue and taxation officials in Washington, a task he's suited for because of his previous work there and his knowledge of state government.

Since coming to Frankfort, Forgy has emerged, in the judgment of just about everyone here, "as the smartest person Louie has brought into state government."

Comments about his knowledge of government, of the federal bureaucracy, his ability to grasp and solve problems, to analyze intricate economic and financial data, and his personal demeanor are usually punctuated with such adjectives as "fantastic, great, superior, brilliant."

Criticism of him is difficult to come by, and what little there is often is flavored with overtones that suggest his critics envy Forgy's intelligence.

The chief disagreement about Forgy usually evolves around his knowledge of Kentucky politics. His critics claim he "lost touch with the local scene" during his eight years in Washington.

"I'd say," one observed, "that he tends to give too much weight to the influence of old-timers in the Republican Party."

This same person and others suggest, however, that when it comes to analyzing the politics of an administration decision, Forgy can hold his own with anyone. They cite the budget as one example, noting that it provided something for just about every voter in Kentucky.

Another example cropped up just recently during a staff meeting held to discuss what the administration could do to hold down the cost of the state's Medicaid program.

Forgy was quoted following that session as having remarked:

"If anyone here thinks a Republican governor who increased the sales tax and the price of license plates can deprive the poor of some headache powders, then he's got an Excedrin headache."

The only other criticism of Forgy's political know-how comes from persons who feel he's unresponsive to the patronage system—a barb he's aware of.

"But if you've got a good man, and he's doing a good job, then to hell with the people who say I'm not politically realistic," he replies. "I don't cut him off."

Among some Democrats and independent observers of state government, Forgy has also come in for criticism for his hand in the negotiations that resulted in the awarding of a state contract to provide insurance for state employees. That contract, Forgy's critics on this score contend, should have been awarded on competitive bids, instead of negotiated.

"I won't admit to that," Forgy observed recently. "We got a good rate on the insurance, and the statute is clear that we could negotiate it." (Actually, the clarity of the statute is now being decided in the courts.)

As a student and practitioner of government who has worked at both the federal and state levels, Forgy argues that the states are "where the action is, or ought to be."

State government, he contends, is less institutionalized than the Federal Government, and by virtue of the governor's powers of reorganization, can and should be more responsive to the public's political demands.

"It's not much of a problem," Forgy notes, for example, "for the voters from Lawrenceburg to drive over here and get in touch immediately with a person to help him solve his problem. But it's one heck of a problem for him to drive to Washington, and a greater problem when he gets there because he doesn't know where to go."

Forgy has crusaded almost day and night, without much success to plug the state into a central computer and to reorganize state government around what is known as program-planning-budgeting (PPB) system—a complex administrative tool that is designed to improve decision-making to create efficiency, and to help the state establish priorities.

The problem has been that he can't hire the expertise needed to install this system at the salaries the state would pay them—less than the $17,500 Forgy receives.

"You can't get them for less than $30,000 a year," he says. "But we've still got two years left (in the Nunn administration). I'm trying now to talk some of them into coming to Kentucky on the idea that they can make a reputation for themselves by setting the system up here."

Another thrust of Forgy's efforts has been to attempt to tune the State's bureaucracy into the possibility that the Federal Government may take over the entire welfare program, a development that would free $51 million in state funds for other uses.

This amount, along with another $400 million in federal funds which the state might realize annually from a federal revenue-sharing program, could have widespread ramifications for state government.

"With money like this, there's a tremendous amount we could do here in Kentucky," Forgy asserts. "But if the states don't prepare themselves to accept this money, and to spend it in constructive ways, then it's all over for the states. They'll just become instrumentalities of the Federal Government."

PPB is one of the keys to getting Kentucky prepared, Forgy contends. Another is

higher salaries for state employes, to permit Kentucky to attract the caliber of personnel who will be needed to administer state government in the future.

A third element is long-range planning in state government, "so that what's done today is not done away with four years later, simply because other people don't want to follow the plan the previous government laid down."

Given the expertise and money, Forgy would plug the state into a computer tomorrow. This step, along with others he says are needed in the organization and administration of state government, could bring about a reorganization that would be as significant as the one wrought by former Gov. A. B. Chandler during his first term in office. State government, as we know it today in Kentucky, is largely the product of the Chandler reorganization of the mid-1930s.

Personally, Forgy has the demeanor of a restless, ambitious young man with well-defined goals. He is acutely sensitive to criticism of the Nunn administration, particularly from Democrats, a trait he shares with several other of the bright young men clustered around Nunn here.

"They feel, because of their youth, that if they make a bad mistake it will haunt them for the rest of their lives," a friend of Forgy's observed. "As far as Larry goes, though, you won't find anyone in state government any smarter or with more competence."

In this sense, Forgy could be the first of that "new breed" of politicians that some writers suggested a few years ago would shortly be dominating the political world. They were described then as unemotional, pragmatic problem-solvers, with minds tuned to the efficiency of the computer age.

Forgy fits this description. Additionally, he is on a first-name basis with people in Washington, New York City, and Kentucky who could be helpful to a person of his ambitions.

For the moment, Forgy doesn't see himself as a potential political candidate.

"There are some people who want to run and there are some people who don't," he notes. "I *think* I'm one who doesn't, but I'll never be happy very far from politics or government. Another thing, at my age for me to have political ambition is entirely out of order."

THE NATIONAL AFRO-AMERICAN MEMORIAL LIBRARY

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. HAWKINS. Mr. Speaker, there recently was established in the city of Memphis, Tenn., a National Afro-American Memorial Library, a depository for documented records of the history of black Americans. This is the culmination of an idea conceived more than 15 years ago by Dr. Alfred Jarrette, author and editor, presently dean of Saints Junior College, and Mr. San Ford Alexander, newspaper publisher of Los Angeles, Calif.

The idea was not the establishment of a commercial book publishing company to sell books about Negroes, but the creation of an organization and erection of a modern building for the purpose of compiling, preserving, and making available to the general public records, documents, and publications concerning the documented history of black people in the United States, as well as information concerning African countries abroad.

During the past few years there has been a demand for information about the black people. The history of the American Negro has become a focal point in many campus demonstrations. Much of the so-called history of blacks is distorted. The importance of establishing an agency for the purpose of compiling and distributing material concerning the achievements and experiences of black people in the United States and the lack of the availability of such information in our public and private educational institutions was the basis of Dr. Jarrette's appeal to civic and Government leaders. The response has been gratifying, and the library has become a reality.

The grand opening ceremony was attended by guests from all parts of the Nation, and messages of congratulations came from the President of the United States as well as other outstanding persons from other parts of the world.

Future plans of the nonprofit organization include the erection of a new building on the site of the present building, located at 236 South Danny Thomas Boulevard. The new building will contain a hall of fame room, documentary room, African exposition room, book room, lounge, and auditorium. World-famous Architect Paul R. Williams of Los Angeles has offered his services in drafting plans for the new structure.

The National Afro-American Memorial Library is a nonprofit organization, and all of its documents, records, and information will be available to the public.

Dr. Jarrette, the board of directors, and the national advisory board deserve the appreciation, good will, and support of all Americans in this worthwhile enterprise.

FARMERS' DILEMMA

HON. J. W. FULBRIGHT

OF ARKANSAS

IN THE SENATE OF THE UNITED STATES

Tuesday, August 5, 1969

Mr. FULBRIGHT. Mr. President, I have received a copy of a very informative letter written to the Commercial Appeal, a newspaper in Memphis, Tenn., by Mr. C. L. Denton, Jr., of Tyronza, Ark. This letter discusses in a very thoughtful way the dilemma faced by farmers all over the country and the need for Federal farm programs. I ask unanimous consent that the letter be printed in the Extensions of Remarks.

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

DENWOOD PLANTATION,
Tyronza, Ark., July 23, 1969.

The MEMPHIS COMMERCIAL APPEAL,
Memphis, Tenn.

DEAR SIRS: In the past two weeks you have had editorials and cartoons that were rather critical of our farm program, possibly leaving the urban reader under the impression that the farmer is guaranteed a luxurious living with a minimum of work on his part.

As is so often true, the entire picture of the farm program is not always told. The economic "cost-price" squeeze has already eliminated many of the smaller farmers from farming. This resulted in a trend toward larger farms as a matter of economic survival. And now the current "vogue" is to criticize the larger farmer because the cost per farm—not the cost per acre—of the farm program has risen as a result of this economic problem. I will admit that the problem is too complex to deal with completely in a letter, but there are a few points I would like to call to your attention.

The need for a farm program was initiated in 1789 when our Congress enacted the first tariff act to protect fledging industry in our United States. By this action, subsidy became one of the oldest economic principles written into U.S. laws. Subsidy and subsidy-like programs have helped develop U.S. banks, housing groups, colleges, airlines, railroads, waterways, merchant fleets and many other businesses and industries. And without the development of these businesses and industries, our United States would not be the world power it is today. So subsidies do have their place in this society.

But when the question arises today, "Why can't American farmers operate in a free economy like everybody else?"—the simple answer is that other groups are not in a completely free economy. Industry groups—both management and labor—have a means of acting together for bargaining and strength. Professional people have institutions of control that represent their interests. And there is nothing wrong with this. But the farmer—of all major economic groups—is the only one without a broadly effective means of advancing his objectives in the arena of supply and demand. He pays minimum wages to farm workers as required by his government; he pays union scale wages in his purchases of farm machinery, autos and trucks, various fuels, rubber goods, insecticides and herbicides, etc.; and he pays taxes to help support an economy that includes many other subsidies. How, then, can your American farmer survive when he is buying in a "protected" market unless he, too, is given some "protection" on the sale price of his product? The farmer has no means of organizing effectively to regulate prices and production, as industry, labor and the professions do. The individual farmer, operating only one of the over 2 million farm units in this country, does not have the power to set prices. Nor is he able by himself to accomplish desired adjustments in production and price. Even if the farmer had the power to balance production exactly with demand at a certain price level, it might not be good for the national interest to permit this. Any error of production must be made on the side of abundance. So, shouldn't the government have the responsibility of helping manage this abundance?

The taxpayer has a right to ask the question, "What benefit does the rest of the country derive from our farm programs?" Some are even going so far as to urge abandonment of our farm program. Certainly, the taxpayers would be delighted to be relieved of the cost of farm programs. They do cost. Consumers would be pleased to feel that they were going to get unlimited productions at cheaper prices. But very few consumers recognize that the removal of these controls would almost certainly mean less long-time production. We do not have to analyze the entire profit motivation system to state that neither the present American farmer, nor whoever might succeed him—this could be giant corporation farming or a completely socialized agriculture—is going to permanently continue to produce with a reasonable expectation of a moderate profit. Over the

years we have sought through farm programs to provide that prospect of profit by attempting to achieve a rough balance between supply and demand. This is the basis of our agricultural policy. We seek to encourage farmers to limit their production to something like the demand for these products. And I think any fair-minded person would agree that the farmers are entitled to have a fair return from their investment and labor if they are to continue to feed and clothe our people at reasonable prices. American consumers are still spending a smaller portion of their disposable income for food and fiber than most of their neighbors around this world.

I would like to emphasize that "Farm policy is not something separate." It is a part of an overall effort to serve our national interest at home and around the world. Agriculture is not an "island"; it is an integral part of our economic continent and national strength. The two basic goals of our farm policy are: Better income for farmers and balanced abundance for our consumers. There is no contradiction between the two. Both goals must be simultaneously sought and achieved. A farm policy that sought one and not the other would be unrealistic. A farm policy which achieved one and not the other would be a failure.

I do not wish to be understood as saying that we have no problems as a result of our present farm program. As long as man is in charge of anything, there will be imperfections. But if we expect perfection, and if one by one we counted out people or programs for the least fault, it wouldn't take us long to get where we had no people and no programs left with which to live. We see flaws and failings in high places, as well as in people of ordinary pursuits; and if we let ourselves, we could become cynical. What we need is more understanding and more explaining of things. We are all living in an imperfect world of imperfect people; and we shall surely find some disappointment in other people, as they will in us. But the more understanding of each other that we all are, the more we all shall find what we so much seek—understanding of ourselves.

Agriculture is a major source of the great strength of our country; it contributes much to the economic, physical, and—yes—even the spiritual might of this nation. Let us treat it with the consideration it is due.

Very truly yours,

C. L. DENTON, Jr.

I. M. SHEFFIELD, JR., HONORED BY THE ATLANTA JAYCEES

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. THOMPSON of Georgia. Mr. Speaker, we, in the Fifth District of Georgia, are extremely proud of the Atlanta Junior Chamber of Commerce and the wonderful service its members have performed in our community. Because of their continuous support of, and work in, civic and community projects, the Jaycees regularly recognize outstanding civic, business, and financial leaders with honorary lifetime memberships.

One of Atlanta's leaders most recently so honored by the Atlanta Jaycees is Mr. I. M. Sheffield, Jr., and I take great pleasure in inserting into the RECORD information about this fine citizen, as reported by Dixie Business magazine, edited by Mr. Hubert F. Lee.

Also, I insert in the RECORD a brief article about the newly elected president of the Atlanta Jaycees and their past presidents.

The materials follow:

I. M. SHEFFIELD, Jr.

Sheffield—One of Atlanta's outstanding men, I. M. Sheffield, Jr., has received the coveted Honorary Membership in the Atlanta Jr. C. of C.

Isham Mallie Sheffield reminds me of the late Guy Woolford, who with his brother, Cater, founded the Retail Credit Company. He is a man who believes that great things can be done by those who don't care who gets the credit.

I was the first editor of the Atlanta Jr. Chamber publication in 1922. Mr. Sheffield was a charter member in 1921 while I was a reporter for the Atlanta Constitution.

One of his fondest memories is of the National Jaycee Convention in 1928 which was held in San Antonio, Texas.

He helped elect Baxter Maddox national vice president.

The Southern Banker in March 1960 issue reported his election as a director of the National Bank of Georgia.

SHEFFIELD NAMED DIRECTOR

Joseph Earle Birnie, president The Bank of Georgia, Atlanta, Ga., has announced the election of I. M. Sheffield, Jr., Atlanta businessman, as director of the bank.

Mr. Sheffield, chairman of the Life Insurance Company of Georgia, has served as the president of the Life Insurers Conference. A charter member of the Atlanta Junior Chamber of Commerce, he is a member and former director of the Chamber of Commerce and member of the Georgia State Chamber of Commerce.

Mr. Sheffield is also a director and past president of the Atlanta Better Business Bureau and a member of the Georgia Tech Foundation. He is chairman and past president of the Atlanta YMCA and trustee of the Georgia Baptist Hospital. A native of August, Ga., Mr. Sheffield is a graduate of Georgia Tech and the Atlanta Law School.

SHEFFIELD GETS "1969" SALESMAN AWARD

On the evening of April 11, 1969, the "Salesman of the Year" for 1969 was another fine honor for Mr. Sheffield, given by Sales and Marketing Executives.

It was in recognition of the 69-year-old philanthropist's work last year with Georgia Baptist Hospital, the YMCA of Metropolitan Atlanta and Atlanta Baptist College.

Merchant Prince Richard H. Richard & Atlanta Architect John Portman are former recipients of the award.

The Atlanta Junior Chamber over the years has honored the following civic, business and financial leaders with Honorary Lifetime Memberships:

Austin Abbott, William B. Hartsfield, Harrison Jones, Frank Neely, A. L. Zachry, Dr. Allen D. Albert, Jr., Mrs. Dan Byrd, Jr., Mills B. Lane, Jr., Fain Peek, Robert S. Lynch, H. O. Smith, Fred B. Moore, Richard H. Rich, Abe Goldstein, Oby T. Brewer, Sr., 33° pp, James V. Carmichael, Edgar J. Forio, Robert R. Snodgrass, Granger Hansell, A. L. Feldman, Fred J. Turner, Ivan Allen, Sr., Hughes Spalding, Sr., John A. Sibley, Robert F. Maddox, Ivan Allen, Jr., Ben S. Gilmer, Edward Smith, Joseph Sheehan, Rawson Haverty, Dr. Noal Langdale, John J. McDonough, J. Pollard Thurman, Dr. John Letson, and I. M. Sheffield, Jr.

JAYCEES: THE NEW PRESIDENT

Jimmy Cleveland is the 1969 president of the Atlanta Jr. C. of C.

Jimmy is a third generation member of the Cleveland Electric Company.

His grandfather, Noble Ras H. Cleveland founded the company in 1925.

I was in the "Ras H. Cleveland" class when I was initiated in the Shrine.

Noble Ras Cleveland was recovering from a heart attack, so his two sons, Noble Louie W. Cleveland and Noble J. R., Sr., Jimmy's father, represented him.

Jimmy graduated in 1960 from Georgia Tech with a BS degree in Industrial Management. Congratulations.

PAST PRESIDENTS

John Westmoreland, 1921; Eugene Oberdorfer, 1922; Palmer Blackburn, 1923; Roy LeCraw, 1924; John M. Slaton, Jr., 1925; Fitzhugh Knox, Jr., 1926; Herbert B. Kennedy, 1927; Baxter Maddox, 1928; Jonathan Woody, 1929; Joe W. Ray, 1930; Frank K. Shaw, 1931; Rayford W. Thorpe, 1932; Duncan G. Peek, 1933; Clifford Hendrix, 1934; Everett G. Jackson, 1935; and J. B. Couch, 1936.

F. Dale Kelly, 1937; Wm. A. Horne, Jr., 1938; Herbert B. Hayes, 1939; Vernon S. Brown, John L. Parks, 1940; O. C. Hubert, 1941; Fred Sington, 1942; R. W. Schilling, 1943; Donald L. Moore, 1944; B. L. Brown, 1945; Dan C. Flinn, 1946; W. Lee Burge, 1947; Sidney Haskins, 1948; Hamilton Douglas, Jr., 1949; Clifford Oxford, 1950; Irving K. Kaler, 1950; Joseph A. Wyant, 1951; and Charles H. Smith, 1952.

Harold J. Selfen, 1953; Stewart Wright, 1954; DeJongh Franklin, 1955; John H. Thurman, 1956; Robt. L. Marchman, III, 1957; L. Douglas Cooke, Jr., 1958; Daniel C. Kyker, 1959; Dom Wyant, 1960; Jim Pilcher, 1961; Lamar Sheats, 1962; O. K. Sheffield, Jr., 1963; Wm. Frankel, 1964; Sam Buckmaster, 1965; Ivan Allen, III, 1966; Jim Goldin, 1967; and Claude H. Grizzard, 1968.

APPOINTMENT OF HERBERT APTHEKER TO FACULTY OF BRYN MAWR COLLEGE

HON. RICHARD (DICK) ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. ICHORD. Mr. Speaker, Mrs. Robert Williams, of Wilmington, N.C., an alumna of Bryn Mawr College, Bryn Mawr, Pa., recently furnished me a copy of a letter she had written to that college protesting the appointment of Herbert Aptheker to the faculty.

Herbert Aptheker has been publicly identified as a national functionary of the Communist Party, USA. He has been described as one of the party's most effective speakers and as one who does not hesitate to distort the basic Communist theories in order to make them more palatable.

I, like so many Americans, share Mrs. Williams' concern. American youth has always been a major Communist target. Any success by Aptheker in attracting students to the Communist Party, particularly through the distortion of domestic and foreign issues, is always a very dangerous potential.

The letter follows:

WILMINGTON, N.C., *July 1, 1969.*

Miss KATHARINE MCBRIDE,
President,
Bryn Mawr College,
Bryn Mawr, Pa.

DEAR MISS MCBRIDE: As a once proud alumna of Bryn Mawr College, I must protest the appointment of Herbert Aptheker to the faculty since I am and ever will be a proud citizen of our country.

My ancestors have served the government of the United States from its inception and have worn its uniforms. My present family continue to serve it and uphold its ideals. My son is about to leave, without protest, for Vietnam.

It is a source of amazement and sorrow to me that my college should engage a man who professes to abhor and seeks to undermine our government while partaking of its bounty and protection. By so doing you sanction his views and delude the youth of our country. I cannot believe that pride in and responsibility for our heritage have meaning for only a minority of Americans.

As long as Bryn Mawr College maintains its present position, please remove my name from the alumnae role.

Sincerely yours,
Isabel Martin Williams,
Mrs. ROBERT W. WILLIAMS,
Class of 1942.

MILITARY JUSTICE REFORM LAW GOES INTO EFFECT

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. BENNETT. Mr. Speaker, last year, in the 90th Congress, the most far-reaching and significant advance in the field of military justice in almost two decades was put on the books—with the enactment of the Military Justice Act of 1968. The law is the first important change in this field since the passage of the Uniform Code of Military Justice, which went into effect May 31, 1951.

I was pleased and privileged to be the chief House sponsor of the Military Justice Act of 1968, working with Senator SAM ERVIN, of North Carolina, and the key legal officers from the Pentagon for many years to bring about reform and equity in our military justice laws.

On August 1, 1969, the Military Justice Act of 1968 went into effect. I am continuing my efforts for reform in this key area for our servicemen, and have pending two bills which would further extend meaningful and protective benefits to military personnel.

One bill, H.R. 943, would guarantee servicemen due process in military administrative discharge procedures, and the second bill, H.R. 4225, would give Federal courts jurisdiction to try persons who are or have been connected with the Armed Forces when their discharge or civilian status allows them to escape prosecution for crimes they committed while under military control. I am hopeful further updating and reform in the military justice laws will take place in the 91st Congress.

An article in the New York Times of August 3, 1969, explains the new Military Justice Act and I commend its reading to the House of Representatives:

MILITARY TRIALS GET REVISED CODE—NEW REGULATIONS IN FORCE ON RIGHTS OF ACCUSED

WASHINGTON, July 31.—A law providing widespread reforms in the system of United States military justice becomes effective tomorrow.

The Military Justice Act of 1968 was signed by President Johnson last October, but except for two provisions involving judicial review, its implementation was delayed nine months to permit a joint military service committee to rewrite a court-martial manual and regulations.

The new law makes extensive changes in the Uniform Code of Military Justice, which was enacted in 1950. The code was the culmination of a drive to reform the courts-martial system after World War II.

The new law makes significant changes in the authority of military judges, courts-martial procedures, qualifications of legal counsel, release of the accused pending appeal, and appellate review.

The most significant provision of the law assures the defendant of representation by legally qualified military or civilian counsel unless it "cannot be obtained on account of physical conditions or military exigencies."

NOT REQUIRED UNDER CODE

Qualified legal counsel was not required under the Uniform Code of Military Justice and in some cases defendants were represented by officers with no legal qualifications.

The new law is also directed toward the criticism that post commanders could apply pressure on participants in courts-martial. The law prohibits mentioning in efficiency or fitness reports the performance of a serviceman as a member of a court-martial.

Major changes have been made in the procedures of general courts-martial, which deal with felonies and other major offenses. The law redesignates the law officer of a military court-martial as a military judge and makes him part of an independent judiciary that is not responsible to the commander of the installation where the court-martial is conducted.

Another change in general courts-martial and special courts-martial, which deal with less serious offenses, permits the defendant to request that his case be heard by a military judge alone. Military judges are prohibited from deciding general courts-martial cases alone if the death penalty may be imposed.

If an enlisted serviceman desires to be tried before a court-martial board, he may also request, during a pretrial session, that enlisted men be represented on his board.

COUNSEL AND TRIAL

The law requires legal counsel and a trial before a military judge in a case where a bad-conduct discharge may be imposed. It permits the accused to refuse trial by a summary court-martial, which is the least serious type.

A summary court-martial is tried before a single officer and it involves minor offenses.

Since the accused does not have the right to legal representation at a summary court-martial, he could ask for legal representation at a special or general court-martial despite the minor nature of the alleged offense.

With regard to judicial review, the new law permits the release of the defendant from confinement pending an appeal and allows the accused two years to petition for a new trial.

The law changes the name of Boards of Review to Courts of Military Review and redesignates the board members as appellate military judges. The Judge Advocates General are given the power to review cases that have not been reviewed by the courts and to change the findings if new evidence of error or fraud may have been involved.

PAN AMERICAN'S MISSION TO MOSCOW

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. PELLY. Mr. Speaker, the President of Pan American World Airways, Najeeb Halaby, has made a personal inspection of the Russian Supersonic Transport, the TU–144, and has indicated the aircraft now has flown at supersonic speeds, is ahead of the British-French Concorde in development, and is at least 5 years ahead of the United States.

Halaby's concern is reasonable, Mr. Speaker, for as I told the House on May 20, in the Moscow to New York service on which Pan Am and the Russian Airline, Aeroflot, compete, the Soviets have carried more than twice the number of passengers than have their American counterpart.

The name of the game is competition, Mr. Speaker, and anyone who does not think the Russians have begun an all-out drive to take away the lead of American aviation, both in production of aircraft and in the airlanes of the world, has closed their minds.

This threat makes it all the more imperative that the United States continue its orderly development of the SST. The argument no longer is whether there will be an SST or not. The argument now is whether it will be an American, a British-French, or a Russian SST that dominates the airline passenger service of the world.

The Seattle Times, July 31, commented on the Halaby trip to Moscow, and I ask unanimous permission for this editorial to appear at this point in the RECORD.

PAN AMERICAN'S "MISSION TO MOSCOW"

Najeeb Halaby, president of Pan American World Airways, was in Moscow this week for a personal look at the Russian supersonic transport, the TU–144.

Halaby has not signed any sales contracts, but the visit itself ought to be sufficient "handwriting on the wall" to administration officials concerned about maintaining America's world leadership in commercial airplane sales.

The visit is the first public sign that a major Western airline is taking the TU–144 seriously. It constitutes a long step in the Soviet Union's effort to market one of its commercial planes in the West.

While the TU–144 and the British-French supersonic Concorde are making test flights, America's faster-than-sound commercial project is still on the drawing boards at The Boeing Company, awaiting an administration decision on whether to proceed with construction of two prototypes.

Funds carried over from the fiscal-year 1969 budget are sufficient to continue design work until January 1.

But a decision must be made soon on whether to compete with the Concorde and the TU–144 or face loss of one of the most important mainstays of America's position in international trade.

Pan American's "mission to Moscow" is convincing evidence of that.

A NEW VIEW OF THE FARMER

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. SCHERLE. Mr. Speaker, the view of our Nation's farmers has changed in the past 10 years, according to an editorial opinion of the WHO Broadcasting Co., in Des Moines, Iowa. The editorial points out that the era of heavy criticism of the American farmer has passed with the realization that the farmer is not just a farmer, but a food producer. I offer this editorial for the RECORD not only for its merit of disavowing an age-old myth of the role of the American farmer, but as a reminder of the ever increasing importance of the agri-business community in our Nation and world.

A NEW VIEW OF THE FARMER

A quiet revolution has occurred the past 10 years in the city man's opinion of farmers. We passed through an era of heavy criticism. The farmer was pictured with horns . . . that guy who was taking government subsidies for not growing crops. The transformation happened because of food shortages in the world. Russia had to buy wheat from Canada. The American farmer lost his horns. Some of the strawhat, oat-straw chewing, and bibbed overalls stereotype went with them. The farmer wasn't just a farmer, he became a food producer. We all love to eat. It's better to have too much . . . than to have too little. No attacks on the American farmer now . . . in the national press. It's a step in the right direction.

SUPPORT OF AMENDMENTS TO THE SOCIAL SECURITY ACT TO PROVIDE COST-OF-LIVING INCREASES AND TO RAISE THE EARNINGS LIMITATION

HON. CHARLOTTE T. REID

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mrs. REID of Illinois. Mr. Speaker, rising living costs continue to be of deep concern to all of us—but it has been clear for sometime that inflation has caused especially severe hardships for those who must live on fixed incomes. There are about 22 million retirees in the United States receiving social security checks each month—with well over a million in Illinois alone. Obviously, inflation strikes most deeply at those older people who are living on their savings, insurance, and pensions. Most of these older Americans do not have the means to defend themselves against higher living costs produced by the inflationary spiral.

The Nixon administration and the Congress are committed to a fight against inflation and for stabilization of the dollar, but in the meantime we must review the adequacy of present social security benefits and make necessary changes. While Congress has periodically increased social security pensions, there is generally a timelag of several days during which the pensioners have suffered from a drop in their purchasing power. Since the last increase became effective in February 1968, the consumer price index rose 4 percent through December 1968.

Today, I am introducing two bills relating to the social security program. The first would provide an initial increase in the benefits payable to individuals equal to the rise in the cost of living since the last increase in February 1968—to be followed by automatic adjustments of benefits whenever the consumer price index rises by 3 percent or more.

The second bill would increase the earnings limitation from $1,680 to $3,600 a year. In my judgment, it is wrong to penalize people who want to work and to keep them from social security benefits toward which they have contributed for years. The policy of this Congress and the Federal Government ought to be to encourage productivity rather than to discourage it.

In my opinion, the enactment of these two measures would be a great step toward helping the elderly obtain the independence, dignity, and opportunity which they desire and deserve. It is my hope that the Committee on Ways and Means will give this proposed legislation immediate attention.

HIGHER EDUCATION FOR HIGH SCHOOL GRADUATES

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. O'KONSKI. Mr. Speaker, while many colleges and universities around the country are floundering in the dark, not knowing where they are going, Mount Senario College of Ladysmith, Wis., is meeting the problem head on.

I would like to call the attention of my colleagues to a program inaugurated by this northern Wisconsin college, which accords high school graduates an opportunity to better themselves by virtue of a higher education.

I commend those at Mount Senario College who are responsible for this new program, and I salute the Galvin Trust Fund in Chicago for the role which it is playing in this important venture.

Mr. Speaker, I am inserting in the RECORD today the news release from Mount Senario College outlining the details of this new program which will begin this fall:

HIGHER EDUCATION FOR HIGH SCHOOL GRADUATES

LADYSMITH.—A program which will afford high school graduates an opportunity to enhance their learning potential and to improve their capabilities for doing college work will begin this fall at Mount Senario College.

In announcing the College Institute, Father Michael Doyle, Acting President of the College, said, "Students admitted to this program will have the potential to do college work, but are not adequately equipped to carry a full college load. The main objective is to create a program in higher education which will heighten the opportunity for young people to equip themselves to assume leadership roles in the structure of our society."

It is anticipated that the Institute will allow the student to receive personal, specialized attention in basic skills which form the foundation for all higher education: reading, mathematics, and the communication arts.

Sister Eileen McGing, O.S.M., Director of the Institute, pointed out that: "Today, large numbers of promising young people are being turned away from American colleges and universities because screening techniques of higher education are geared to the average student and the institutions lack the personnel and equipment to provide the personalized attention which this program affords."

The faculty-student ratio at Mount Senario is geared to provide an opportunity for every student to intellectually mature in an atmosphere of understanding guidance. Students in the College Institute will be designated as special students and may be permitted to simultaneously take a limited number of courses for college credit as well as their participation in the developmental learning program. At the completion of a semester's work, each student will be evaluated and if satisfactory progress is made, will be admitted to Mount Senario College as a full-time student.

Supporting funds for MSC's College Institute have been provided by a grant from the Galvin Trust Fund in Chicago, Illinois. Mrs. Virginia Galvin, widow of Paul Galvin, founder of the Motorola Corporation, has established this fund in memory of her husband: $1000, will be received by Mount Senario during the next two years for the program. An additional $150,000 will be made available over the succeeding five years. These funds will cover faculty salaries, equipment and materials used in the program.

Registrations are now being accepted for the Mount Senario College Institute. Graduates of approved high schools will be professionally tested and advised to their best course of action by the Institute personnel. Those interested in participating in this program should call or write:

Director of College Institute, Mount Senario College, Ladysmith, Wisconsin 54848. (715) 532–5511.

CAVE SPRINGS RECREATIONAL AREA

HON. WILLIAM C. WAMPLER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. WAMPLER. Mr. Speaker, it was my privilege recently to participate in the dedication ceremony for the Cave Springs Recreation Area in Lee County, Va., which is part of the Ninth Congressional District.

The Cave Springs Recreational Area is a result of cooperation among people on the Federal, State, and local levels of

government. Local government bodies, interested residents, the Virginia Department of Highways, the U.S. Forest Service, and the U.S. Department of Labor worked together to build this economic and recreational area in southwest Virginia.

This area is located a few miles north of Dryden, Va., at the foot of Stone Mountain. Roads into the camp are, or will be, hardsurfaced. Graveled paths lead from the main circular drive through shady groves of laurel and towering pine trees. These paths follow a babbling brook which flows from Cave Spring. Past the cave, a path leads to a lookout on a ridge. There are also foot bridges, and a swimming pond will soon be completed.

There are some 500 acres in the general camp area, and some 20 acres in the campsite proper. There are 49 campsites and three buildings which contain modern lavatory facilities with automatically adjusting showers, ceramic tile floors, and ceramic walls. Each campsite has such conveniences as a table, grill, and garbage receptacle. All masonry work is in native stone.

At this time I would like to particularly commend the Department of Labor for its contribution, through the Job Corps and Operation Mainstream, in the creation of the Cave Springs Recreation Area. This area is truly a monument to what can be accomplished through cooperation.

A DEMOCRATIC SOCIETY CANNOT DEPEND ON FORCE

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. HAWKINS. Mr. Speaker, what are the underlying factors of the escalating violence between police and dissenters? In an interview with staff writer Trudy Rubin of the Christian Science Monitor, Prof. Jerome H. Skolnick, University of California at Berkeley, who directed a task force study of violent aspects of protest and confrontation for the National Commission on the Causes and Prevention of Violence, warns that appeals to law and order alone cannot silence protest.

Professor Skolnick is a well known and respected authority on police behavior and has authored many articles on police-community relations. His views merit the attention and study of all who are seriously concerned and seeking solutions to one of the most explosive issues of our time.

The text of the interview follows:

[From the Christian Science Monitor, July 31, 1969]

A DEMOCRATIC SOCIETY CANNOT DEPEND ON FORCE

Do you feel that the public and public officials correctly understand the nature of political protest today?

I think the testimony of J. Edgar Hoover to the violence commission in which he states "Communists are in the forefront of civil rights, antiwar, and student demonstrations" represents fairly well the dominant police view of protest in the United States. This opinion, coming as it does from the leading law-enforcement official in the United States, has wide acceptance in police work throughout the country.

However, we found, by contrast, that several distinguished investigating committees such as the blue-ribbon commission appointed by the regents of the University of California to study the Free Speech Movement, and the Cox Commission which examined the disturbances at Columbia University found that protest was not the result of a conspiracy. The Cox Commission stated "that demonology is no less false than the naive radical doctrine which attributes all wars, racial injustices, and poverty to the machinations of the capitalist and militarist establishment."

Why do you feel that FBI and the police support the "conspiracy" interpretation?

One problem is the method used in gathering evidence. Our findings tend to agree with surveys by Fortune magazine and CBS and statements by 22 Republican congressmen who toured the campuses this spring. However, those using social-science methods have come to very different conclusions than the FBI.

One reason is that the FBI suffers from a sampling problem: they infiltrate the hard core and take hardcore rhetoric very seriously. There is a difficult problem in how to interpret rhetoric—one has to be able to sort out the absurd from the serious.

Another problem in police interpretation is their tendency to view all protest as illegitimate misbehavior rather than legitimate dissent against policies which might be wrong. Moreover, their broad criteria for "leftists" often may not distinguish "dissent" from "subversion."

What is the basic interpretation you feel federal officials place on rhetoric?

I think there is a misinterpretation of the meaning of the student movement. In his statements on students President Nixon has said that fundamental American values such as liberty and human dignity and concern for the oppressed are being challenged by the students. On the contrary, I think that what the students are asking for is that these values be implemented. As far as conscience and human dignity, students see their dignity and conscience being attacked by being forced to fight in a war in which they don't believe.

Do you think that the increased use of violence in protests has led to misinterpretation by federal officials?

One of our findings is that there hasn't been that much violence in student protests on the part of students. For instance, most people think there were riots during the Free Speech Movement at Berkeley in 1964. There were no riots. There was a nonviolent sit-in and some disruption, but there was no violence.

There are some students and nonstudents who are nihilistic and seeking confrontation and who are willing to resort to violence. I won't call them SDS since SDS has great internal ideological differences. However, this group is very small and its support is usually achieved or dissipated according to the response of the authorities.

Our commission found that much of the physical violence at demonstrations has been perpetrated and escalated by the police. For example, in April, 1968, four months before the Democratic National Convention, there was a perfectly peaceful demonstration in Chicago in which the Chicago police initiated the violence. An investigation was conducted by an independent committee chaired by Dr. Edward J. Sparling, president emeritus of Roosevelt University; membership included such persons as Prof. Harry Kalven Jr., of the Chicago Law School, and Warren Bacon, vice-president of the Inland Steel Corporation.

The report said, "On April 27, at the peace parade of the Chicago Peace Council, the police badly mishandled their task. Brutalizing demonstrators without provocation, they failed to live up to that difficult professionalism which we demand."

However, the report found it "inappropriate" to place "primary blame" on the police for "the April 27 stage had been prepared by the Mayor's designated officials weeks before." It also found that "many acts of brutal police treatment on April 27 were directly observed (if not commanded) by the superintendent of police or his deputies." This incident is interesting in that it got very little newspaper publicity.

The commission has found other illustrations of police violence in New York, Boston, Los Angeles, and various parts of the country. The Kerner Commission found that during the major ghetto riots much of the violence was perpetrated by the police. For instance, reports of snipers were often untrue and police fired indiscriminately into buildings.

Partly as a result of such police action, black, student, and antiwar protesters mostly believe that legal institutions serve power and are incapable of remedying social or political problems.

Are we asking too much of the police, asking them to cope with social problems which should not be left to law enforcers?

We emphasize strongly that we see cities deteriorating and near bankruptcy and this of course is behind protest. This creates a lot of frustrated and angry people, and the people who have to handle this frustration and become the immediate object of it are the police.

The police themselves are in an increasingly difficult situation. They are overworked, undertrained, underpaid, and undereducated. They are very paranoid about their lives as well they might be. It's very difficult to be a policeman today because you're a target for hostility. So anybody who gets out of line becomes an object of concern and often overreaction.

But in addition you have the fact that the police themselves contribute to this by having a view of minorities and protests that is distinctly hostile. So when the police meet up with student or minority demonstrators in effect you have two hostile groups confronting each other instead of a restrained professional group dealing with a protest.

Did the commission find any general pattern of police behavior across the country?

I think the response of most police departments to minority groups and protest groups is pretty much the same all over the country. For instance, witness the behavior of the Berkeley police, considered to be the most enlightened in the country, at "people's park number two" a few weeks ago. (The Berkeley police raided the park in the middle of the night, uprooted flowers and trees planted by nonstudent squatters, and ripped down several structures built by the "street people." The police involved were reprimanded by their chief for "inappropriate" action.)

The best example we found of how a department should act is the behavior of the Washington, D.C., police during the Nixon inaugural. There were some kooks . . . who tried to make trouble by staging a counter-inaugural. The city authorities responded (1) by not taking the intelligence reports too seriously which is very important and (2) by seeing to it that the police were disciplined and did not lose their cool.

We also cited an example of a recent ma-

jor antiwar protest in London which resulted in no serious violence; trouble was avoided by a superbly disciplined and restrained team of policemen.

Do you think the police are only reflecting the views of the society which hires them?

Yes, to an increasing extent. The police do come from a social position which tends to hold conservative views. They are reinforced by the problems of our urban areas, and also by the nature of police organizations which are set up in a kind of paramilitary fashion which often rewards a man for the number of arrests he makes. Police also tend to be a very closely knit group which sees the world in the same way and have a loyalty far greater than any ethnic group because they are facing danger.

Perhaps most important, these views are increasingly being reinforced by political authority. Police are very responsive to outside politics. Their conservatism makes them not much of an initiative force. They are initiating action now because they are allowed to.

In what way are they initiating action?

The police today are becoming increasingly politicized, especially through their fraternal organizations. We are witnessing illegal police strikes, "blue flu" slowdowns, extensive political lobbying, court-watching, and even self-conscious political organization by the police.

Does your task force consider increased police activism unhealthy?

Yes. Self-conscious political organization by police may threaten our long tradition of impartial law enforcement. In many cities and states the police lobby rivals even duly elected officials in influence.

Even more dangerous are instances of organized police revolt against the authority of police commissioners, civic government, and the courts. For instance, in the wake of a riot in Cleveland in July, 1968, following a shootout in which three policemen were killed, Negro Mayor Carl Stokes ordered police withdrawn from the community for one night to allow black community leaders to quell the rioting and avoid deaths. Police reportedly refused to answer calls and hung posters with the picture of Mayor Stokes, under the words "wanted for murder" in district stations.

There are growing numbers of police attacks on blacks, unrelated to any legitimate police work, such as the recent attack on a group of Black Panthers outside a New York City courtroom by a white group alleged to include off-duty policemen.

Another instance of revolt against authority in New York City came when the president of the Patrolmen's Benevolent Association there instructed his membership, about 99 percent of the force, that if a superior told them to ignore a violation of the law (for instance, to avoid shooting fleeing looters if it might create a larger disturbance) policemen were to ignore the orders.

How do you feel the problem of civil disorder should be met?

As we said in the task force report, we believe that the law must be enforced fairly and that the machinery of law enforcement needs upgrading, but we must distinguish carefully between increased firepower and enlightened law enforcement.

I think the only way this problem will move toward resolution is through what I see as a national debate over the priorities of American life. I see the police as part of a greater security complex, a complex over both internal and external security and the kinds of resources the nation is going to put into these efforts.

If we are going to be a nation which worries about security to the extent that we are willing to erode civil rights and liberties to attain it and continue to allow our cities to go bankrupt then I see the situation growing worse. A democratic society cannot depend on force to constantly answer legitimate grievances. In the long run the nation cannot have it both ways: Either it will make a firm commitment to widespread social and political reform, or as we wrote in our report, "It will become a society of garrison cities where order is enforced with less and less concern for due process of law and the consent of the governed."

MORE GUN CONTROL NONSENSE

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. HUNT. Mr. Speaker, on June 26, 1968, testifying on firearms legislation before the Senate Subcommittee on Juvenile Delinquency, Franklin L. Orch, executive vice president of the much maligned National Rifle Association of America, stated:

The question that we have now before us is whether or not the American public is to continue to enjoy the possession and use of firearms for sport and defense, unhampered by restrictions which appear to be not only suspect but also prohibitory in their ultimate effect . . . At the outset, the object of the voyage was a regulatory addition to existing law to meet what was deemed to be the exigencies of the case. As time passed, the direction of the legislative effort changed from regulation to prohibition. First, it was prohibition on handguns in commerce; then, rifles and shotguns. Finally, we hear from the Administration and from various lawmakers in the Congress that even prohibition is not enough, and that we must have general registration and a possession license in order to have really meaningful controls.

I have said many times before, Mr. Chairman, that the ultimate purpose of many of those who advocate severe federal restrictions is to make the controls so complex and burdensome as to bring about a virtual negation of the possession and use of firearms by the law-abiding citizen—as to reduce the right to own and use firearms to a practical nullity. The mounting evidence in public statements and in the kind and number of proposals certainly lends substantial credence to my warnings . . .

Then, in the CONGRESSIONAL RECORD of June 27, 1968, arguing for stringent mandatory sentences for persons convicted of using or carrying a firearm in the commission of a crime, I said:

It is the criminal that society must be protected from rather than being lured into believing that the deranged individual will be less a potential criminal or his acts less damaging by a complacency that he can be prevented from coming into the possession of a firearm. Taken to its logical conclusion, the only gun-control legislation that might approach effectiveness in accomplishing this would be to outlaw all guns, except for duly constituted law enforcement authorities, so that it can then be presumed that anyone possessing a gun is a potential criminal. Surely, this is not the weight or intent of public opinion.

True to the trend, but perhaps sooner than expected, it is not without significance that while the Senate Subcommittee on Juvenile Delinquency was receiving testimony on firearms legislation, the President's Violence Commission, on July 28, 1969, released a report recommending a Federal system of handgun licensing designed to remove from circulation more than 90 percent of the estimated 24 million privately held handguns in the Nation. The purported causal relationship between criminality and the availability of handguns is indicative of the logic used to resist, by elements of the judiciary and the legislative branch alike, the imposition of stiff, mandatory sentences for persons convicted of using or carrying a firearm in the commission of a crime. The argument seems to go like this: The criminal user of a firearm is the victim of his society because its laws permit him relatively easy access to firearms. Therefore, the law-abiding citizen who cannot show a "special need for self-protection" should be required to surrender his gun. In the words of an editorial in the Evening Star of July 30, 1969, this is just so much "More Gun Control Nonsense." Interestingly enough, this editorial is followed by another, while unrelated in content, is pertinent in title: "Exercise in Futility".

I commend to the attention of the Members the full text of the Evening Star editorial which follows:

MORE GUN CONTROL NONSENSE

As an introductory note to this editorial comment, an item in the crime news is worthy of attention. On Monday there were 22 armed robberies in Washington. This brought the July total as of that date to 450, compared to 332 armed robberies in all of July of 1968.

In the face of this a task force of the President's Violence Commission (appointed by President Johnson) comes forward with a wacky recommendation. Its proposal is, except in a very small number of cases, that all Americans should be required to surrender any hand guns they own to the government.

Here is the task force's reasoning: This is the only way in which the United States can break "the vicious circle of Americans arming to protect themselves from other armed Americans." Now what does this really come down to? Even the task force, we suppose, would concede that criminals are not going to surrender their hand guns. So what they are saying is that no homeowner, to cite one example, should be permitted to keep a hand gun in his own house to protect himself, his wife, and his children against the night when some armed criminal might break into his home. Their argument is that home owners "may" seriously overrate firearms as a method of self-defense against crime. The "loaded gun in the home creates more danger than security."

This strikes us as blithering nonsense. How many members of this task force have been awakened in the middle of the night by a scream for help by some member of his family? Probably not one. But thousands of Americans are exposed to this dreadful experience every year. And in such a situation what is an unarmed householder supposed to do against an armed intruder? Hide under his bed, and never mind what happens to his family?

The major thrust of this soft-in-the-head report is that the requirement to surrender your hand gun of which there are an estimated 24 million in the country, would reduce crime. This is absurd, for the criminals are not going to surrender their guns. A better and much more realistic way to deal with this problem will be found in legislation now being considered in Congress.

The intent of this legislation is to provide tough, really tough, mandatory penalties for criminals who use guns in the commission of a felony, such as rape, robbery or burglary. For a first offense the penalty generally favored would be a mandatory jail sentence in a federal jurisdiction, which includes Washington, of from one to 10 years. A judge would be forbidden to suspend this sentence or to make it run concurrently with the sentence for the primary offense. In case of a second offense, much stiffer jail sentences are proposed, and they should be written into law.

A similar bill passed the House last year, but was watered down in the Senate before becoming law. The argument then was that mandatory sentences deprive judges of discretion in imposing penalties. And so they would. But in one week at the time the watered-down bill was passed 17 criminals in this city were found guilty of crimes in which guns were used. In six of these cases, more than one-third, the judge imposed suspended sentences, which means that no jail terms were served for using a gun.

So we say let's make the sentences mandatory. And let's not deprive the law-abiding citizen of hand guns in his own home while the criminal element will remain armed to the teeth.

CORRESPONDENCE ON THE HORACE MANN SCHOOL

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. MIKVA. Mr. Speaker, I would like to insert at this point letters from the Horace Mann School PTA, a grammar school in my district, to the local school superintendent and to myself.

I believe that these letters provide a valuable insight into the educational situation in the inner city. These letters point up the existence of a crisis in our schools. A lack of funds and poor rapport between administrator and administered have led to a sad deterioration in the quality of education in the areas where good education is needed most. One thing that is not lacking, however, is a strong interest and a willingness to work on the part of the community. This community interest is one of our greatest assets in this area, and we must encourage rather than frustrate it.

The letters referred to follows:

HORACE MANN SCHOOL PTA BOARD,
Chicago, Ill.

Congressman ABNER MIKVA,
House of Representatives,
Washington, D.C.

DEAR MR. MIKVA: Enclosed you will find a copy of a letter which we have recently sent to Dr. Curtis Melnick.

It is our desire to have this copy as well as other correspondence which was sent to you on May 21, 1969 by Mrs. Cynthia Samson, entered into the Congressional Record.

May we thank you again for your sincere interest in the problems of South Shore schools, particularly, Horace Mann.

Sincerely yours,

REV. LESTER BELL,
President.

HORACE MANN PTA,
Chicago, Ill.

Dr. CURTIS MELNICK,
Superintendent, Area A,
Chicago, Ill.

DEAR DR. MELNICK: We are writing with reference to your meeting with our Grievance Committee on April 28.

This meeting was fruitful and your concessions to our demands, fair.

Your agreement to the establishment of two E.M.H. classes, an educational resource room, and the acquisition of a remedial reading teacher, will aid in solving many of the outstanding problems at Horace Mann.

During the past two months, we have witnessed a minor change in the frequency of cultural programs at Mann. It is our sincere desire to see our school involved in meaningful and educational activities. We are certain that your acknowledgment of the absence of such curricula in the past year was a step toward their reinstatement.

Now that the school year is coming to a close, there are serious questions concerning the discipline at Mann. The last few weeks in particular have brought the school to the brink of tragedy. We can only hope that in spite of a reported forty per cent turnover in teaching personnel, Horace Mann will project a more positive image in September.

In addition to our demands, which were presented to you on April 28, we have found other problems which require your immediate attention.

With the addition of eight more mobile units, the need for the grounds to be blacktopped has increased. The small amount of gravel which has been placed around the existing units does not substitute for a solid surface, which would provide improved access to the mobiles as well as the main building.

Many teachers have found fault with the tenuous visits of the teacher supervisors. In view of the many new teachers arriving in September, we hope that you will encourage the use of supervisors to orient incoming personnel to the problems and curriculum that are singular to Mann.

We have spoken recently with your assistant, Mr. Phil Harris, about the possibility of a School-Community representative at our school. His reply at that time was that a third teacher aide had been added to the staff and perhaps one of the aides could serve as our liaison between the school and the community.

After much consideration of the proposal, we have reached the agreement that the use of the teacher aide in such a capacity, is not acceptable.

Our needs are great. The problems that have surfaced at Horace Mann in the past two years, in our opinion, can only be handled by a qualified, experienced, professional. Please consider this letter as our request for such a person.

The various committees of our P.T.A. will be functioning over the summer months in preparation of a lasting alliance between community and school.

Should the need arise, our Grievance committee may wish to meet with you. We are confident that you will, as you have in the past, be receptive to any new proposals they may present.

Very truly yours,

REV. LESTER BELL,
President.

CHICAGO, ILL., *May 21, 1969.*

Congressman ABNER MIKVA,
House of Representatives,
Washington, D.C.

DEAR MR. MIKVA: Mr. Leon Davis has suggested that you are concerned about the school situation in South Shore and would be interested in knowing the experiences of our parents group. I apologize for the delay in writing, but as you can see, we have all been quite busy.

Horace Mann Elementary School (8050 S. Chappel) has changed in a relatively short time from an all white school to one which is today about 85% black. The school boundaries are: Stoney Island on the west; 83rd St. on the south; approximately Yates on the east and approximately 76 St. on the north. The lines vary a little on the east and north. The school was built for 800 pupils. Since September we have had over 400 new enrollments and the school, with 8 mobile classrooms, and 8 more requested, now pops at the seams with between 1,350 and 1,400, kindergarten through eighth grade, children. The neighborhood, as you no doubt know, is still predominantly middle-class.

Our troubles began before September, 1968. Mr. John Graven our principal was an innovative and creative man who was forceful enough to get supplies for the school and convince experienced teachers to work there. He also initiated and followed through on many programs which provided the enrichment needed by all children. His one failing (and perhaps it was forced on him by a system which demanded it if he was ever to move forward in his profession) was his apparent desire to keep the lid on until he could move up. He would categorically deny that there were any problems at the school. Parents were not informed of discipline problems. When white parents complained, they were told that it was the "black people's culture", and we could not interfere with their culture. Mr. Graven was appointed to a High School as principal at the end of September, 1968.

For one month we had no principal. In October the Board of Education started the "Mini-magnet". This was an experiment which took (on a volunteer basis) 25 children for each classroom from all the schools in the area. Half were white and half black; half boys and half girls; some from upper income and some from lower income homes; a spectrum of ability levels was selected, and these were given the advantages of full programs, small classrooms and much individual attention. There is no question that money was poured into this school. Mann lost a fine librarian who volunteered to go and was selected. We have since had 6 different people in the library. At the end of October or early in November, Mrs. Berg arrived.

We have been informed that many principals turned down the Mann school. We think we know why! Apparently people in the field know more about the problems at Mann than the parents did. Mrs. Berg is a fine woman with a marvelous education and many fine ideas about education which would work in the suburbs. She was completely inexperienced, and had never worked in a school with racial problems. She has also been hampered by poor district administration.

Around the end of November several parents met with Mrs. Berg to offer our help. I enclose (encl. No. 1) the letter which was presented to her at this time. She seemed to approve of our ideas and welcomed our help. Most of us left encouraged. The only thing that worried us was that she told us she needed a year to come to know the neighborhood, the children and the school. We felt that a year was too long in the lives of our children. She has taken her year, and things have gotten steadily worse. Our help was not accepted. Letters which were to be sent by her to the parents of the children who were consistently tardy, were not sent. We

were not given the names and address of the parents in the school to invite them to coffee. Flyers which we tried to send through the school as invitations had the wording changed to play down their urgency. We were told that the teachers could see not any point to meeting with and hearing our ideas. Some of the teachers were told about our group in such a way as to make them seem threatened by us.

In December we heard about a program called the Ford Foundation Training program, which was being conducted by the Ford Foundation, The University of Chicago Graduate School of Education and the Chicago Board of Education. We called Dr. Melnick's office and were told by someone there that we were not eligible because of the economic make-up of the school community. But when we called the Foundation, we were told that our area was one of those selected and that we most certainly did qualify because of the racial change. After a great deal of difficulty, a meeting was set up. It was very well attended, and the program was presented. It would have brought a cadre of highly trained and qualified teachers, a psychologist, social worker and community worker into the school. If nothing else, it would have meant more hands to substitute. Mrs. Berg and the administration seemed to approve, the community was very enthusiastic, and we were told our chances were extremely good. Several weeks later, when we called the Foundation we were told that there were legal problems, though no more than any other schools. But we had apparently been junked in favor of another school.

From then on there was nothing but chaos at the school. Fights broke out on the school grounds every day. Fires were set; one of them in a classroom desk, was set in the presence of the teacher. Children were smoking in the halls. The noise during class time as well as during the periods when the upper grades were changing classes was impossible. Teachers got no support from the administration on discipline. Children talked back to teachers and used very abusive language. There have been two supply trucks all year, and those only half full. Because of the lack of teacher morale, absenteeism of teachers rose so that on some days as many as 25% of all the teachers were absent. (The district with 7 schools, had only 11 substitutes.) The French teacher, the art teacher, the gym teacher, the assistant principal and even the principal were acting as substitutes. Teachers had no free periods. A real downward cycle was begun.

During this period our coffees began and continued. With no help at all from the school administration, nine coffees have been held. Parents do care. Some of the teachers offered their rooms and helped find parents willing to have the coffee. At least one teacher was asked not to attend the coffee he had helped to set up.

In early March we felt we needed help. We contacted the NAACP for legal advice as to what our rights were and how far we could legally go in demanding them. We were told we had a case and could sue, but that the difficult burden of proof would lie with us. A meeting was arranged between Mrs. Berg, the district superintendent, Mrs. Krawczyk, the NAACP lawyer and Mrs. Donise Dagre who was to represent our group. Mrs. Krawczyk sent Mr. Schweitzer (district Human Relations Coordinator) who knew all we had to say because we had said it all to him before. Fortunately, the lawyer was unable to attend because Mr. Schweitzer was in no position to make any commitments and we did not want to waste anyone's valuable time. A day or two later, Mr. Schweitzer called Mrs. Dagre to ask if we wouldn't come to terms. She told him "No!"

On April 16, an urgent PTA meeting was called. It was an open forum for the parents to speak out about the school. 200 parents showed up, and most of them spoke out. Some of the teachers were at that meeting and felt that they were being attacked. The next day they requested a meeting with us. Dr. Redmond, Dr. Melnick and Mrs. Krawczyk were sent urgent telegrams inviting them to attend. Mrs. Krawczyk decided at the last minute that she would come. She spoke first and told us that there were schools with worse conditions than our own. Another meeting was arranged for the 29th and a committee appointed to speak with Mrs. Krawczyk two days later. Enclosed is a list of the very modest demands presented to her. Her response was belligerent and although she seemed interested in some of the innovative things we suggested, she committed herself to nothing and flatly refused a large number of things. At the close of that meeting we called for an appointment with Dr. Melnick.

That meeting took place in his office on April 28 and the same list of demands were presented to him. On April 29 the committee reported to the PTA as a whole and a few days later the enclosed article (encl. #2) appeared in the paper. There has been no retraction or denial to date. We therefore assume that Dr. Melnick agrees with our understanding of the results of that meeting and that his promises will be honored.

In the interim we have met with the teachers at their request and have begun to establish the rapport needed if we are going to work together, not only for better discipline and respect between students and teachers, but toward a quality education which has been sadly lacking at our school this past year. I think they now understand that this is our desire. The substitute problem at the school has been greatly eased and the cultural program seems to have been reinstated to some degree.

Your letter to us has arrived and we do need your help. We have tried in vain to get the figures on the per capita spending at Mann this year as opposed to schools in a tax-comparable white neighborhood. We know what is budgeted, but need to know what has actually been spent. We also need information as to what is required for eligibility under ESEA. Do we qualify? What are the statistics necessary for us to determine if we qualify? If we do qualify, what programs are the funds available for? If we do not qualify for ESEA, are there any other federal funds that might be available to us? Or other programs for which we could qualify. Even if we don't qualify for federal funds, we are interested in knowing what programs are available for others. This will give us an opportunity to push for them on a local level with local funds.

We thank you for your interest, and will be happy to keep you informed of any new developments. The school board has got a tiger by the tail, and I assure you, they will not be able to let go until we have a school we can be proud of. Our children are our most important concern, and we will bring in other schools in the community as soon as we can.

Sincerely yours,

(Mrs.) CYNTHIA SAMSON.

"CONGRESS AND YOU" EXPLAINS LEGISLATIVE PROCESS

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. BENNETT. Mr. Speaker, one of the vital messages that we as Members of Congress can hope to get across to our constituents is that we want—and indeed need—to have their views and opinions on the issues of the day.

The legislative process, encumbered as it may be with antiquated rules and ritual, cannot properly function without the crucial ingredient supplied by those whom we, after all, are supposed to represent. It comes as no surprise here—although it may be news to some outside these Halls—that we welcome and encourage letters, telegrams, visits, petitions, reports, and polls that help reveal the thinking of individual citizens in our districts and the Nation. Anything that would enlarge and improve this necessary communications link between the Member of Congress and his constituents should be encouraged.

For that reason, I would like to call the attention of the House to a new book "Congress and You" written by Don Bacon, of Jacksonville, Fla. A journalist and longtime student of Congress, Mr. Bacon was a congressional fellow in 1961–62, serving on the staff of Majority Whip HALE BOGGS, of Louisiana. He has been a staff writer for the Wall Street Journal, the Washington Evening Star, and the Newhouse National News Service. He was from 1963 to 1968 the congressional correspondent for the Newhouse papers, and he currently serves as White House correspondent for that organization.

In "Congress and You," Mr. Bacon takes the concerned "average" citizen step by step through the intricate process of representative government. He cuts through the technical parliamentary language to tell simply how a bill is conceived and nurtured. He tells of the pressures we feel and of the interplay between the legislative and executive branches. In one particularly enlightening chapter, "The Diary of a Bill," Mr. Bacon describes candidly and objectively how one important bill—the Higher Education Act of 1965—was shaped as it made its way through Congress.

The book, published by the American Association of University Women, an organization of some 200,000 members with national headquarters at 2401 Virgina Avenue NW., is subtitled "A Primer for Participation in the Legislative Process." As Mr. Bacon stresses—

> It offers no arguments for or against congressional reform . . . It describes the way things are on Capitol Hill, and suggests that the nation's lawmakers do listen to outside voices—those that speak in the language Congress understands.

Don Bacon is a native of my hometown of Jacksonville, in the Third Congressional District of Florida. He is a graduate of the University of Florida, where he was editor of the Florida Alligator, the student newspaper, a publication I was proud to edit three decades ago. While he was an undergraduate, Mr. Bacon began his professional career as a reporter for the Jacksonville Journal.

Mr. Bacon has coauthored another book, "The New Millionaires," Bernard Geis Associates, which won the Loeb Award in 1961. He and D. B. Hardeman, former assistant to Speaker Sam Rayburn, are currently writing a definitive biography of our beloved late Speaker from Bonham, Tex.

Mr. Speaker, I am pleased to bring Mr. Bacon's new book, "Congress and You," to the attention of the House of Representatives and the Nation, and I commend it to you.

CUTS, TAXES AND ABM

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. WYMAN. Mr. Speaker, the importance of the fact that money denied by way of authorization or appropriation is not by that act available for other purposes is not as broadly understood as it should be. However, cuts in expenditures and reduction in appropriations represent money saved, thereby becoming available either for reduction of the national debt or for other needed projects.

Basic to all fiscal policy must be the firm determination that Federal spending will be matched by Federal revenues. The day is coming—it should be here now—when Congress by law must prohibit the expenditure or appropriation of tax dollars in excess of revenues.

In this connection, the following letter by Mr. Ernest W. Lefever of the Brookings Institution is significant.

CUT FUNDS NOT EASILY TRANSFERRED

Many opponents of President Nixon's Safeguard ABM proposal in and out of Congress argue that expenditures for this purpose, like other defense spending, takes away money from desperately needed domestic programs. While it is obviously true that the government cannot spend the same funds twice, it is incorrect to assume that "savings" derived from cutting former defense programs or refraining from undertaking new ones are transferable to other areas of the federal budget.

No member of the House or Senate is ever confronted with a clear option to authorize $10 million for education or defense, highways or space. Each program, domestic or foreign, is presented on its own merits, not as an alternative for other unrelated programs. The Congressman, keeping in mind his own priorities and responsive to his constituents, votes for the measure as presented, against it, or seeks a modification. He never presents an amendment calling for a transfer of $10 million to an unrelated program.

Even in the complex budget-making process, each program must pass muster on its own merits, and no program is arbitrarily cut to beef up an unrelated program.

In the past when we have cut back defense expenditures, we have usually cut taxes by approximately the same amount and the "savings" went into houses, cars, refrigerators and TV sets in the private sector. There is little evidence that a reduction in military spending has ever resulted in a comparable upsurge in domestic federal spending, especially in the controversial area of social welfare.

In fact, there is some evidence that social welfare programs advanced more rapidly during periods of relatively high military expenditures. A case in point is Vietnam. During America's "most unpopular war," domestic welfare expenditures increased twice as fast as the rising defense budget. From 1964–70 federal welfare programs increased by about 120 per cent while defense spending, including Vietnam, increased only 55 per cent.

Concerned citizens seeking tax support for domestic programs need not wait for the war to end in Vietnam or for an arms limitation agreement with Moscow. Fortunately, our $900 billion Gross National Product enables us to do what we need to do at home and abroad without sacrificing a portion of one good program for another one. Obviously, wasteful and other unnecessary spending should be rigorously eliminated from defense, poverty, highway and all other Government programs.

With defense, including Vietnam, currently taking 8.7 per cent of the GNP, we have an interest in reducing military expenditures if this can be done without endangering national security. We also have an obligation to spend the other 91.3 per cent of the GNP wisely, especially that portion we have assigned to the federal government.

It is important to note that, of our total defense budget, strategic expenditures (including research, development, hardware, maintenance and manpower) consume less than 20 per cent. General purpose expenses take the remaining 80 per cent. Cutbacks are more likely in the latter category.

In the past decade, Soviet strategic expenditures have increased about 70 per cent while ours have decreased about 50 per cent, leveling off at a substantially lower amount than current Russian spending.

The total ABM program from 1968 through its completion in 1976 is estimated to cost $10.2 billion, a figure that would not significantly affect the present level of our strategic expenditures. It would amount to less than 2 per cent of the defense budget (at its present level) and about one-fifth of 1 per cent of the GNP.

The specific issue before the Congress now concerns a requested appropriation for fiscal 1970 of $893 million—less than 1/90 of the defense budget and less than 1/1000 of the GNP. Of this amount, $401 million is for research, development, testing and evaluation, which virtually no one opposes.

The decision on Safeguard should be made on the basis of its contribution to national security and international stability, not on its cost—only 2 per cent of the defense budget.

Citizens seeking to promote needed domestic programs should use to the hilt the multiple facilities of our remarkably responsive political system—mobilizing public opinion and electing Congressmen who will vote the necessary tax increases to finance such programs. This is the rational and democratic way to do what needs to be done.

TRIBUTE TO THE INDEPENDENCE OF DAHOMEY

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. POWELL. Mr. Speaker, the sixth decade of this 20th century has brought to the world problems, hopes, and accomplishments. It has also brought independence to Dahomey. On August 1, 1960, the Republic of Dahomey joined the world community of independent nations.

Formerly a territory of French West Africa, it is bounded by the Gulf of Guinea, Upper Volta, Togo, Niger, and Nigeria. The country itself has no geographical or historical unity. For its existence and for its frontiers, it owes a great debt to the accident of Anglo-French rivalry in the late 19th century partition of Africa. In 1902, Dahomey became a component colony of the federation of French West Africa.

The aftermath of World War II brought the concept as well as the hope of self-determination to many colonies, and Dahomey was no exception. In 1946, the French Government sought to hold on to Dahomey rather than grant independence. Under the new French constitution, Dahomey was given a deputy and two Senators in the French Parliament; and a council of government elected by the assembly was given executive control of most territorial matters. Unsatisfied with this "tokenism," Dahomey struggled until the first of August 1960, when it formally proclaimed its independence.

Her struggle for economic and political viability is another matter, however, and it certainly has not abated since that fateful August day in 1960. R. W. Apple, Jr., a correspondent for the New York Times, has analyzed their contemporary predicament in the following colorful manner:

The recent history of this splinter of West Africa is like a continuous loop of film that passes through the projector again and again.

Since Dahomey gained its independence from France nine years ago, there have been four coups d'etat. Each government has struggled with the country's all-but-insoluble economic problems and failed, to be replaced by an equally unsuccessful successor.

We can only hope that President Emile-Derlin Zinsou, a 51-year-old physician, will find a way out of this vicious cycle. Economically, Dahomey can take a great pride in the strides it has made during the past 6 years. With a new port at Cotonou, a 20-year plan—inaugurated in 1962—for industrial and agricultural growth, and one of the best educated populations in Africa, Dahomey has the ingredients to make substantial progress.

On this ninth anniversary, we wish to express our congratulations to the people of Dahomey, and wish their country the best of luck in all their future endeavors.

ABM AND THE LIBERALS

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. MIZE. Mr. Speaker, in this morning's Washington Post, former Vice President Humphrey is quoted as saying that the Soviet Union is stalling strategic arms limitation talks until that nation can complete some tests of MIRV—multiple independently targeted reentry vehicles.

The former Vice President, just returned from talks with high level Soviet officials, has indicated that the Russians believe the United States is ahead in the development of this awesome weapons system.

Mr. Speaker, this report comes from a man whose personal honor and integrity are beyond question. Along with other evidence, it should cause us all to consider carefully the advisability of further MIRV tests at this time.

There is little question that the United States is ahead in this newest arms race escalation. We have completed a series of flight tests; another series is scheduled later this year. It should, therefore, surprise no one that conservative defense planners in the Kremlin have demanded comparable tests to achieve "parity" in MIRV.

ABM IS A STRAW MAN

These developments—and the stalled SALT talks—should provide compelling proof that the real strategic arms question this session is not the ABM—antiballistic missile—which irreverently has been called an Edsel. In truth, the Safeguard ABM is a thin ABM which is roughly comparable to the thin Soviet system already installed and operational.

Installation of ABM, Safeguard style, will simply give the United States the valuable experience of deploying a pilot ABM and maintaining it in an operational status. All the options of further deployment of a thick ABM will remain open to the Congress and the President.

REAL ISSUE IS MIRV

Mr. Speaker, the crucial issue is MIRV. It was initially justified as a response to a thick Soviet ABM which, afterward, was never built.

Military planners like the MIRV. The MIRV is 16 Poseidon missiles launched from a nuclear fleet ballistic missile submarine with 10 independently targetable warheads each. The MIRV is one Minuteman III missile with three independently targetable warheads. The total MIRV is an offensive force of some 9,000 independently targetable nuclear warheads launched from 31 FBM submarines and some 1,000 Minuteman III silos.

Since there are scarcely 200 Soviet cities worthy of being considered "targets" in a nuclear strike, it is obvious that the MIRV—if deployed as currently planned—approaches a first-strike capability for the United States. Past experience shows that the Soviet Union will strive to match MIRV with MIRV, and thus reestablish mutual deterrence—based upon a second strike capability for both sides.

The inevitable response to full-fledged MIRV deployment is the thick ABM. If both sides develop MIRV and then the thick ABM, at a cost of hundreds of billions of dollars, the ultimate result about a decade from now will be a return to the precarious strategic balance of today—second strike for both sides—first strike too risky for either side.

RESOLUTION TO HALT MUTUAL TESTING OF MIRV

Mr. Speaker, these considerations caused me to join with 103 of our colleagues in introducing House Resolutions 465 to 469, which call upon the Government of the United States to seek prompt negotiations with the Soviet Union to reach agreement on limiting both offensive and defensive strategic weapons.

Our resolution calls upon the President to urgently propose to the Soviet Union an immediate suspension of flight tests of MIRV, subject to national verification or such other measures of observation and inspection as may be appropriate.

Finally, our resolution calls upon the United States to declare its intention to refrain from additional flight tests of MIRV so long as the Soviet Union does so.

THE SALT TALKS ARE NOW OR PERHAPS NEVER

Mr. Speaker, based upon the information at my disposal, it appears that our flight tests of MIRV have not developed to the point where we can be confident of its operational effectiveness. Further, we are confident that the U.S.S.R. has not developed a MIRV of sufficient reliability to merit full deployment.

Thus, now—and only now—we may be able to enter productive SALT talks with the Soviets. Should we—or they—develop MIRV to the point that it can be confidently deployed, another massive escalation of the arms race will almost be inevitable. This inevitability is based upon the fact that there is no practical way of inspecting the other side's deployment of MIRV without on-site inspection

A shrouded silo, a submerged nuclear submarine may carry a single warhead on each missile. They may also carry MRV or MIRV. There is no accurate way of telling. Therefore, if the talks do not come now—before operational readiness of MIRV is attained by either side—the taxpayers will be forced to foot the bill for a multibillion dollar MIRV, and a hundred billion dollar ABM, and we will have missed our chance to turn away from the "mad momentum" of the arms race.

Mr. Speaker, this week's issue of Newsweek magazine carried an excellent column by Stewart Alsop. It deserves the thoughtful study of each Member of Congress.

His defense of Safeguard is commonsense. The other body will vote tomorrow on Safeguard. Regardless of the outcome of this voting, the real issue will be the same next week as it is today. That issue, Mr. Speaker, will be the test development of MIRV.

Perhaps after we are done with this overblown ABM controversy, we can turn our attention to productive talks with the Soviet Union, and with our prayers and help, perhaps the President can forestall the escalation of terror and spending for MIRV and the thick ABM.

I submit Mr. Alsop's commentary for inclusion in the RECORD, as follows:

ABM AND THE LIBERALS

(By Stewart Alsop)

WASHINGTON.—During the long debate on the ABM, it became more and more obvious that the anti-ABM senators and their allies in the liberal-intellectual community were not really attacking a weapons system—they were attacking a symbol. It also became more and more obvious that they had chosen the wrong symbol.

The attack on the ABM was basically a way of expressing the furies and frustrations generated by the war in Vietnam. But the ABM was in several ways a very bad symbol of what the liberals wanted to attack. As a result, they were forced to take positions which were both illogical and illiberal.

The liberals' first line of attack was that the system wouldn't work; and that even if it did, there was no need for it, because the Russians could not build the kind of offensive missile force which could really threaten our Minuteman retaliatory force. Neither senators, nor columnists, nor scientists from wholly different fields who like to see their names in the papers are capable of discussing certain complex technical subjects intelligently. But even in this arcane field, common sense is still useful, and in recent weeks two leading scientists made remarks to this reporter which sounded like common sense.

Some time before Neil Armstrong and Edwin Aldrin performed their moon-walking miracle, Dr. John Foster, chief Defense Department scientist, remarked that "of course, ABM is a much easier proposition, technically, than the moonshot." Surely this is common sense. Surely if we can put men on the moon we can build a workable missile defense.

COMMONSENSE

Dr. Albert Wohlstetter, a widely respected specialist in the nuclear-strategic field, made the other commonsensible remark. When the ABM opponents say the Russians won't be able to build the kind of missile force which could knock out our Minuteman complex in a first strike, Dr. Wohlstetter remarked, they are assuming that the Russians several years from now won't be able to do what we know how to do right now. This, be added sensibly, is not a safe assumption to make.

The liberals' second line of attack has been that the ABM is just another expensive boondoggle of the "military-industrial complex." This line was best expressed by Tom Wicker, able columnist for the anti-ABM New York Times. The ABM, Wicker wrote, is an example of the "unlimited military expenditure in the quest of security," which has led the military to demand "more and more weapons . . . and more and more money to support them."

The notion that more and more money has been spent for more and more strategic weapons is an article of faith among the anti-ABM liberals. But it just doesn't happen to be true. In fact, as Dr. Wohlstetter points out, we are actually, allowing for inflation, spending about half as much for strategic forces now as we were in General Eisenhower's last year as President—$13.6 billion in 1959, as against an estimated $8 billion for 1970. The money has gone, not into more and more strategic weapons, but into the war.

ABM A RESPONSE

The liberals' third line of attack is that the ABM is aggressively "escalatory." This has been a hard line to maintain, simply because the wholly defensive ABM system could not hurt a single hair of a single Russian head. As Russian Premier Kosygin has said, such defensive weapons "are not the cause of the arms race." The ABM is, of course, a response to the rapidly growing (offensive) force of multi-megaton, multiple-targeted Soviet SS-9 missiles. The people who have really been spending "more and more money" for strategic weapons are the Russians. On this point the "intelligence community" is in a rare state of unanimity.

The last, and oddest, liberal line has been that the best response to the Russian offensive missiles is not defensive missiles but more American offensive missiles. If it turns out that the SS-9s are a real threat to the Minutemen, then build more Minutemen. And if nuclear war threatens, then all we have to do is "empty the holes"—fire our missiles before the Soviet missiles could knock them out. Thus have the liberals become, rather surprisingly, advocates of the "massive retaliation" theory of the late John Foster Dulles.

The trouble with the theory is that it would give a future President no choice between capitulation and a nuclear war which, according to the best estimates, would kill about a quarter of a billion Americans and Russians. The whole point of the ABM project is not simply to maintain what Winston Churchill called "the balance of mutual terror," but also to give a future President what John Kennedy called "a choice between Armageddon and surrender."

Obviously, there would be no choice if our cities were attacked. But the SS-9s are designed to hit the Minuteman complex, not the cities. The simple existence of a missile defense would make a "counterforce attack" on the Minuteman complex far less likely. If it came, a future President could choose to ride it out, in the knowledge that he retained the bargaining power inherent in a surviving retaliatory force.

THE ERRING GENERALS

Surely it is rather odd that the liberals should wish to deny this option to a future President. The main reason is that many liberals simply want a stick—any stick—with which to beat the "military-industrial complex."

Undoubtedly, the attitude of Congress, and of recent Presidents too, has been much too reverent toward the military. Almost all generals, as this reporter pointed out before it became fashionable to do so, are almost always wrong about all wars. This is so not because generals are bad people (most of them are able and honorable men) but because the process of getting to be a general endows a man with a built-in bias about wars. There has beer no war in recent history about which almost all American generals have been wronger than the war in Vietnam.

Moreover, almost all generals are wasteful, and no generals are more wasteful than American generals, partly because America is rich. But the main reason generals are wasteful is that wars are wasteful. The worst of war's waste is in human lives, of course, for in all wars young men, who have done nothing to deserve death, die.

A war which is not won is intolerably wasteful. This explains the passion which has gone into the attack on the ABM, for it is essentially a protest against a tragic, unwon war. But it is simply not logical to protest against the war, and the generals who were wrong about it, by attacking the ABM. It is not logical to protest the loss of some 37,000 American lives by denying to a future President the option he may desperately need if he is to have a chance of saving 250 million lives. It is not liberal either.

SOVIET ENCROACHMENT CHALLENGED

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. RARICK. Mr. Speaker, our Canadian neighbors are far less tolerant than we when it comes to allowing Soviet fishermen to poach in their territorial waters.

Let us hope that the State Department does not intercede for the release of the two Soviet fishing trawlers seized by the Canadian Fisheries Department; and make no diplomatic reprimands to Canada for creating tension off the coast of Vancouver Sound.

I insert an August 5 Associated Press release from Vancouver, British Columbia, following my remarks.

SOVIET CAPTAINS FACE ILLEGAL FISHING CHARGE IN CANADA COURT

VANCOUVER, B.C.—Two Soviet fishing trawlers, boarded by Canadian fisheries officials Monday off the west coast of Vancouver Island, were being escorted to Victoria to face charges of illegally fishing within Canada's 12-mile limit.

A Fisheries Department spokesman said the 220-foot ships were seized 9.4 miles off the coast. Spokesmen said the fisheries officials experienced difficulty in explaining to the Soviets captains that their ships were under arrest. The captains radioed the commander of the fishing fleet who was heading to the scene to discuss the matter.

A Canadian Forces destroyer was dispatched from Victoria to keep an eye on the vessels and Fisheries Minister Jack Davis said Canadian Forces planes would keep the trawlers under surveillence.

"It will be interesting to see what they have on board," said Davis. "If they have salmon, that will really tear it."

Taking salmon would be a violation of the International Salmon Fisheries Agreement signed by the Soviet Union.

It wasn't known when the trawlers would arrive in Victoria.

The fisheries minister said they were part of a Soviet fleet that has been taking fish off the British Columbia coast during the last two weeks. Before that they were fishing near the mouth of the Columbia River off the coast of Washington State.

THE SMUT RAKERS VERSUS PARENTS

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. McCLURE. Mr. Speaker, this morning the Subcommittee on Postal Operations, of which I am a member, initiated hearings on a subject not as familiar as tax reform or as talked about as the ABM. Nevertheless, in the long run, as a vehicle which can improve the moral climate of our country and thereby affect the very quality of American life itself, its potential is unlimited.

The subject matter is pornography, and especially what we can do to prevent its dissemination into the hands of children. The chairman of the subcommittee, the gentleman from Pennsylvania (Mr. NIX), opened today's session with what is probably the best statement on pornography I have ever heard. He noted the ways in which smut merchants obtain mailing lists of teenagers and the permanent damage to young minds resulting from exposure to obscene matter. He expressed for all parents in America the urgency of the problem.

I was particularly impressed by what Congressman NIX had to say about those who defend the dissemination of pornography in the name of free speech:

There may be those who fear that their own right to express themselves may in some distant future be limited if the pornographers' right to sell is restricted. We will be hearing from these people in editorial columns in the near future. The ironic thing is that many of these same persons will support legislation that will restrict cigarette advertising aimed at the very young because they fear lung cancer themselves. These same individuals will support safety requirements for the manufacturer of automobiles because they abhor the slaughter of motorists on our highways. They will ask what interest is protected by anti-smut legislation. The interest we seek to protect here is as vital as the interest of the American public in physical health, it is an interest in the mental health of children.

I wish that all of my colleagues could have heard the statement at the time it was made. The next best thing is to print the full statement in the RECORD, and I herewith insert it at this point:

THE SMUT RAKERS VERSUS PARENTS

The subcommittee will come to order: Today the subcommittee will take up the subject of pornography and its mail distribution. Federal interest in the regulation of pornography is based on the jurisdiction of the Post Office Department and the operations of the customs bureau. Our subcommittee's jurisdiction is limited to the mailing of pornography.

The mass mailing of unsolicited, unnatural and sexually degenerate material is aimed for the most part at adolescents. Such mailings have the effect of undermining parents in their attempt to educate their children as to the meaning and purpose of sex. Pornography undermines the family because it, by its nature, preaches that men and women are sexual objects to be exploited for personal pleasure.

Many smut merchants operate by means of mailing lists which contain the names of preteen children. These names are gathered through the purchase of preteen mailing lists compiled originally by other businesses who sell to children by mail, such as stamp clubs and record clubs. The preteen lists are then held until the named children are about 15, for maximum effect.

Fifteen year olds are at the height of their curiosity about sex which they regard as an adult mystery rather than a matter of adult privacy. This curiosity reaps millions for pornographers. Smut is cheap to produce, inexpensive to mail, and may result in a form of addiction to pornography which will become very profitable in the future to the smut merchant.

Pornography as a form of prostitution in this age of automated mailing is lucrative because it costs so little to produce. For example, most pornography makes extensive use of pictures. One picture of one prostitute can bring a thousandfold profit through computerized mailings that can be force fed through millions of family mail boxes via the postal service at minimal delivery cost. From the pornographer's point of view the production cost is also very low in that he does not have to house the women he uses. The prices he charges for his books, pamphlets or movies can become as high for his hooked customers as prostitution itself. His legal position is stronger because he wraps himself in the cloak of free speech.

There may be those who fear that their own right to express themselves may in some distant future be limited if the pornographers' right to sell is restricted. We will be hearing from these people in editorial columns in the near future. The ironic thing is that many of these same persons will support legislation that will restrict cigarette advertising aimed at the very young because they fear lung cancer themselves. These same individuals will support safety requirements for the manufacturer of automobiles because they abhor the slaughter of motorists on our highways. They will ask what interest is protected by anti-smut legislation.

The interest we seek to protect here is as vital as the interest of the American public in physical health, it is an interest in the mental health of children. A child's disoriented orientation toward the opposite sex will damage his relationship with other people and may even make the state of marriage a very difficult one. In some cases it may lead to sexual deviation or crime. This can happen because a young person's first impression of something as important as sex is the strongest impression. Extensive psychiatry may be necessary for a child who has been disoriented by pornography in order to bring him back to his full potential.

The parents of America have had enough. They have no way to turn but to their representatives in Congress to protect themselves against mass mailings and repeated mass mailings designed to get by their guard and reach children, regardless of parental opposition. Pornography with its essential ingredient of sadism, the use of human beings as things, has no place in the American home or in the family mail box.

BLACK ECONOMIC UNION

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. REES. Mr. Speaker, "produce achieve, and prosper" is the motto of football-great-turned-actor Jim Brown and his Black Economic Union. The BEU was formed a few years ago by Jim Brown with the help of professional football star John Wooten of the Washington Redskins.

The BEU is dedicated to financing black-owned businesses and industry. The theory behind the organization, which now boasts six offices around the counrty, is that the black man must become respected on an economic level, must become a producer rather than exclusively a consumer, and must retain within his community a portion of the money he spends.

The BEU, with Jim Brown's driving force behind it, is actively engaged in education programs to develop black executives and business talent, technical assistance programs and meaningful job training programs. Among its solid accomplishments has been the provision of funds and/or technical leadership to launch or to help expand or stabilize over 400 black businesses to date.

The Black Economic Union Board of Trustees is composed of some of the most outstanding black men in the United States. They include, besides Jim Brown and John Wooten, Bill Russell, of the Boston Celtics, Bernie Casey, of the Los Angeles Rams, Arnold Pinkney, Brady Keyes, Carl Character, Charles Perry, Walter Beach, Bobby Mitchell, of the Washington Redskins, Joyce Whitley, Connie Harper, Mrs. Charles White, William Stennis, Curtis McClinton, Jim Shorter, Robert Butler, Julian Madison, Spencer Jourdain, and Earnest Thomas.

Leading the Black Economic Union is only one part of Jim Brown's life.

Although he is now retired from professional football as an All-Pro with the Cleveland Browns, his past history in this sport cannot go unnoticed.

Only 11 men in football history have racked up 200 yards or more rushing in a single game and the other 10 did it only once. Jim Brown did it four times. He led the league in rushing eight times—the record—gained the most yards in a single season—1,863 yards in 1963—scored the most touchdowns rushing in a lifetime—106—and the most touchdowns—126. Over all, he gained 12,312 yards in 118 games over nine seasons. He was also All-Pro fullback every season he played and in 1964 won the $10,000 diamond-studded Hickok Belt as the professional athlete of the year.

His main thrust today is that of an actor. In 3 short years Jim Brown has starred in 11 major films. He is rapidly becoming one of Hollywood's most sought-after and in-demand actors for motion pictures. Academy Award winner Frederic March stated recently:

Having long admired Jim Brown as a great athlete, I was surprised to find him so completely dedicated to acting. Many young actors would do well to watch his concentration, his selflessness, and his whole professional demeanor. My prediction is that he will go far in the acting profession.

Jim Brown also still finds time to head his BBC management company which helps performers financially to get ahead in the entertainment world. The first group that he managed is now one of America's top vocal groups, "The Friends of Distinction." Through Jim Brown, they were given an opportunity to become successful.

Jim also heads the United Athletic Association, an organization formed by him to negotiate professional athletic contracts for athletes and to guide them in financial planning for their future economic security and the development of future career opportunities outside the field of professional athletics.

Today it is easy to understand why Jim Brown is considered one of America's outstanding black leaders, and it is indeed gratifying to pay tribute to this man who has done so much in his career to help others who are less fortunate so that they will also have the opportunity to succeed.

TRIBUTE TO THE INDEPENDENCE OF UPPER VOLTA

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. POWELL. Mr. Speaker, it was just 9 years ago that Upper Volta announced to the world its intention to make its own decisions. On August 5, 1960, Upper Volta proclaimed its independence, and it has set out to make good its intention.

Formerly a part of French West Africa, Upper Volta is landlocked by Mali, on the west and north, by Niger on the east, and by Dahomey, Togo, Ghana, and the Ivory Coast on the south. Belying the implications of its name, Upper Volta does not have a southern neighbor called lower Volta. In fact, there is not even a Volta.

Upper Volta has a population of about 5,054,000. Its area is 105,946 square miles or about half of that of France. It has a capital with the unlikely name of Ouagadougou. The Upper Voltans are a happy, generous, and kind people.

According to both legend and tradition, between the 11th and 13th centuries, the Mossi invaded the area which is now Upper Volta and subdued the aboriginal Ninigi tribes and named their land Mogho. Through the centuries other tribes, like the Hausa and the Fulani settled in Mogho. By the 19th century, dissension had considerably weakened the Mossi, and their country was easily conquered by the Europeans.

In everything but name and temperament, Upper Volta is depressed. With 90 percent of her population engaged in agriculture, there is obviously a great deal of room for improvement. Nevertheless, in the context of West Africa, the country is relatively prosperous and tranquil.

On this joyous anniversary of its independence, it is right and well for us to recall the electric words of Upper Volta's former President Maurice Tameogo:

It is into a world long seen from the perspective of another dimension that the young African nations are making their entrance today as full partners; but if history makes them belated Wise Men, the gifts that they bring to the cradle of the new world are no less costly, for they are made of age-old wisdom and the will to construct. Their dynamism, long buried within, will be devoted to the reconciliation of the worlds in behalf of the only worthwhile cause—that of man himself . . .

J. T. TYKOINSKI, "FATHER" OF SOUND ON MOVIE FILM

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. PUCINSKI. Mr. Speaker, it was with great sadness we learned from the Polish American Journal that Mr. Joseph T. Tykoinski, professor emeritus of electrical enginerring at the University of Illinois, died at the age of 91.

Mr. Tykoinski was referred to as the "father" of sound movies.

I should like to include in the RECORD today the article which appeared in the Polish American Journal of July 5 about this enterprising and distinguished American of Polish descent.

The article follows:

J. T. TYKOINSKI, "FATHER" OF SOUND ON MOVIE FILM

URBANA, ILL.—Joseph T. (Tykoinski) Tykociner, inventor of sound movies and professor emeritus of electrical engineering at the University of Illinois died June 11 here.

Tykociner was referred to as the "father of sound movies."

June 9, was the 47th anniversary of his first public demonstration of sound on film, which took place at the university in 1922. Tykociner's invention meant that the sound track of a movie could be incorporated into the film. An exhibit of his demonstration is on permanent display at the Ford museum, Detroit.

PIONEER IN WIRELESS

Tykociner also was a pioneer in wireless transmissions, micro waves, and the field of zetetics, a word he coined meaning the science of research. He came out of retirement at age 84 to teach zetetics at the university.

Tykociner was born in Vlaclavek, Poland, in 1877. He saw his first movie in New York City in 1896 and said it was his dream to merge sound with film.

Tykociner served on the staff of the Marconi company in England in 1902 when the first wireless transmission was made across the Atlantic ocean. In 1905 he went to Russia where he helped the imperial navy equip itself with radio.

RETIRED IN 1948

The scientist returned to the United States in 1920 as a research engineer for Westinghouse Electric and Manufacturing company, but moved on to the University of Illinois the next year. He retired from the university in 1948. Tykociner served on the award of merit from the National Electronics conference in 1964, one of only three scientists to receive the prize since it was instituted 20 years earlier. In 1965 he received an honorary doctorate in engineering from the university.

THE 18-YEAR-OLD VOTE

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. RIEGLE. Mr. Speaker, today I join 13 of my colleagues in sponsoring a joint resolution proposing an amendment to the Constitution of the United States which would lower the minimum voting age in Federal elections to 18. I have long supported this proposal.

My action at this time was prompted by my recent participation in a task force consisting of 22 Members of this House which toured the Nation's colleges and universities to investigate firsthand the causes of student unrest.

While on that tour, I spoke with many students and student leaders. I found almost all of them to be intelligent, highly motivated, and deeply concerned about the future of America and about our national priorities. While there are some revolutionaries and others promoting violence on our campuses, they are a tiny, discredited minority who should not be confused with the vast majority of thoughtful, law-abiding students.

Our students are concerned about national priorities, about racism, and poverty, and our 8-year undeclared war in Vietnam, and the need for draft reform. They are concerned about the fact that America too often says one thing and does another.

In increasing numbers, our youth are involving themselves more actively and effectively in the search for answers to these problems. Certainly we need their talents and their enthusiasm in finding solutions.

Many programs have been established to harness the energy and good will of our youth. The Peace Corps and VISTA are two examples. Last week I introduced legislation proposing the Student Teaching Corps, another example of possible constructive utilization of young talent.

But, although we have provided some ways in which people can serve their ideals and their fellow men, we have not yet extended to them the single, most important and effective channel of expression and participation in our democracy: the right to vote. I am convinced that our youth can better serve the Nation, and that we can better meet their needs for meaningful participation, if we extend the franchise to them.

But what of those youth who are not in college? A significant number are serving their country in the Armed Forces. Many of them are risking their lives daily on the battlefields of Vietnam. Yet, they have not had a voice in determining the policies or in electing the leaders who send them there. It is both ironic and tragic that our young men are giving their lives to defend our national commitments without having a chance to help formulate these policies.

A great number of those between the ages of 18 and 21 are neither in college nor in the armed services. For example, consider a 19- or 20-year-old high school graduate who is married, is responsible for the well-being of his family, works and pays taxes, who is subject to the same penal code as his father, who can buy and carry firearms, who can drive a car, and who pays the insurance on the car.

And yet this man cannot vote. Why should he not join in determining the laws he is subject to and in voting for the men who will make and enforce them?

A frequent argument against lowering the voting age cites the traditionally low percentage of voter participation in the age span 21 to 25 years. Yet, President Kennedy's Commission on Registration and Voting Participation Report of December 20, 1963 stated:

> The Commission is concerned over the low voter participation of this age group between 21 and 30. We believe that a major reason for this low turnout is that, by the time they have turned 21 (the minimum voting age in 46 of the 50 states), many young people are so far removed from the stimulation of the educational process that their interest in public affairs has waned. Some may be lost as voters for the rest of their lives.

On the other hand, experience in those States which do have earlier voting shows that in these cases the 21- to 25-age group has the highest percentage of voter participation. It seems that identifying recent high school graduates with the democratic process pays off in responsible citizenship.

Today's youth are more highly qualified than ever before to assume the burdens of responsible free choice. They are certainly better educated. Seventy-five percent of our people graduate from high school today. Over 40 percent will attend college at some point. By comparison, 43 percent completed high school in 1940, and 16 percent could expect to attend college. In addition, extensive exposure to the news and to the world community—a product of television, radio, increased travel, and the technological age—gives today's 18-year-old a much deeper understanding of his world than those before him have had.

Since 1942 we have witnessed a growing movement in favor of lowering the voting age to 18. The most recent Gallop polls show that 66 percent of the American public—an alltime high—supports the 18-year-old vote. Presidents Eisenhower, Kennedy, Johnson, and Nixon; 52 of my colleagues in the House; 11 of our colleagues in the Senate; 34 State Governors; and many prominent organizations have also endorsed this proposal. This listing follows:

LIST OF SUPPORTERS FOR 18-YEAR-OLD VOTE

PRESIDENTS AND VICE PRESIDENTS

Eisenhower, Kennedy, Johnson, Humphrey, and Nixon.

SENATORS

George Aiken, Howard Baker, Alan Bible, Robert Byrd, Howard Cannon, Charles Goodell, Albert Gore, Michael Mansfield, Jennings Randolph, Richard Schweiker, and Ralph Yarborough.

REPRESENTATIVES

Brock Adams, Glenn Anderson, William Anderson, John Ashbrook, Alfonzo Bell, John Blatnick, Edward Boland, Frank Brasco, William Cahill, John Conyers, Charles Diggs, Harold Donohue, Edward Edmondson, Joshua Eilberg, Dante Fascell, Michael Feighan, William Ford, and Donald Fraser.

Richard Fulton, Cornelius Gallagher, Lee Hamilton, William Hathaway, Margaret Heckler, Henry Helstoski, James Howard, Andrew Jacobs, Joseph Karth, Robert McClory, John McFall, Lloyd Meeds, Thomas Meskill, William Moorhead, James O'Hara, Wright Patman, Claude Pepper, and Bertram Podell.

Melvin Price, Ogden Reid, Peter Rodino, Daniel Ronan, Fred Rooney, Edward Roybal, William St. Onge, John Saylor, James Scheuer, George Shipley, Samuel Stratton, James Symington, Olin Teague, Frank Thompson, Robert Tiernan, and Jerome Waldie.

GOVERNORS

Alabama, Alaska, Arkansas, Colorado, Connecticut, Delaware, Georgia, Hawaii, Iowa, Kansas, Kentucky, Maine, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Utah, Vermont, Washington, and Wyoming.

SUPPORTING ORGANIZATIONS

Young Republicans.
The Lutheran Church Missouri Synod.
Boys' Clubs of America.
The Ripon Society.
National Farmers Union.
U.S. Jaycees.
AFL–CIO.
Oregon "GO 18"
Randolph Institute.
Urban Coalition.
National Student YWCA.
YMCA.
Lutheran Council in the U.S.A.
Tenatax Chemical Corporation.
American Association of University Women.
Interfaith City-wide Coordinating Committee (New York).
Association of Economic Students of U.S.A.
Western States National Education Association.
Association of Student Governments.
Readers' Digest.
Encampment for Citizenship, Inc.
Council on International Relations and UN Affairs.
National Association of Colored Women's Clubs.
National Association of Social Workers.
Association of Classroom Teachers.
B'nai B'rith Hillel Foundation.
B'nai B'rith Youth Organizations.
National Council of Women of U.S.
Students and Citizens for Better Government.
National Association of Student Governments.
United Methodist Council of Youth Ministry.
United Student Leadership Conference.
U.S. Student Press Assn.
Veterans of Foreign Wars.
Paralysed Veterans of America, Inc.
Americans for Democratic Action.
Baltimore Youth Franchise Coalition.
Citizens Division of the Democratic Party.
Citizens for Vote 18.
SCLC.
College Young Democratic Clubs.
National Executives Committee.
Committee of Community Affairs.
Episcopal Church, Exec. Council.
Let Us Vote (LUV).
NAACP Youth and College Division.
National Education Assn.
YMCA National Student Caucus.
Southern Committee on Political Ethics.
American Jewish Committee.
United Auto Workers.
People Power.
American Legion.
Student California Teachers Assn.
Student Iowa Education Assn.
Student National Education Assn.
Student North Carolina Education Assn.
Student World Federalists.
U.S. National Students Assn.
U.S. Youth Council.

Hawaii Student Education Assn.
Minnesota Student Education Assn.
Kansas State Teachers Assn.
Student New Mexico Education Assn.

In conclusion, Mr. Speaker, I would ask, as many in this Chamber have asked me before, that we continue to follow in the American tradition of expanding the franchise; that we move to give constructive power to those who are concerned and yet often frustrated. For the immense problems that face us cannot be solved by one group or by another, but rather by all groups working together. Let us, therefore, extend the franchise to our young people by lowering the voting age to 18.

CONSUMER ALERT ON DRUG OVERCHARGES

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. O'HARA. Mr. Speaker, I am inserting in the RECORD the text of a "Consumer Alert" I am today sending to the people of the 12th Congressional District of Michigan:

YOU CAN CLAIM REFUND FOR DRUG OVERCHARGES

If you purchased any one of 10 often-used brand name antibiotics between 1954 and 1966, you were overcharged and can claim a substantial refund.

But you have to act quickly; your claim must be postmarked by *midnight, August 16.* For the convenience of 12th Congressional District residents, a refund claim form is printed on the reverse side of this newsletter.

The drugs involved—commonly used for treating respiratory infections, urinary and skin infections and viral infections such as pneumonia—are marketed under the names Aureomycin, Terramycin, Achromycin, Mysteclin, Panalba, Panmycin, Polycycline, Steclin, Teracyn and Tetrex.

Consumers were charged some $50 per 100 capsules for the drugs when the normal charge should have been about $10.

Consumers must be protected from illegal price fixing by tough government enforcement of the laws. Now, because of a court case prosecuted vigorously during the last Administration, consumers will be repaid for unfair, excessively high charges for purchase of the drugs.

As settlement of damage suits brought by consumer groups and some governmental agencies, five drug companies have established a $100 million repayment fund.

Consumer organizations are doing their best to inform citizens about the repayment, and encouraging them to claim the money due them.

It is important that consumers file the claims; no matter how small. By so doing they can impress upon manufacturers of all consumer products that price-fixing does not pay; that consumers will aggressively pursue repayment of overcharges.

All you have to do is check your records and your money to determine the estimated amount you spent to purchase the 10 drugs each year from 1954 to 1966. If precise records are unavailable, you can estimate the amount you spent.

Fill out the form on the reverse side of this newsletter and have it notarized. This indicates that the claim is true to your best knowledge.

Then mail the claim form and copies of records you may have on hand to *Post Office Box 724, the Bronx, New York, 10471.* Refunds will be processed by the U.S. District Court, Southern District of New York.

Spare application forms are available at my Mt. Clemens office, 215 S. Gratiot.

Millions of Americans were the victims of drug overcharges. The money should be returned to those from whom it was taken.

RADIO STATION WIND PERFORMS A NOTABLE PUBLIC SERVICE

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. PUCINSKI. Mr. Speaker, radio station WIND, the Westinghouse Broadcasting Co.'s affiliate in Chicago has performed a notable public service for the retarded youngsters of that community.

I am placing in the RECORD today an editorial which explains this noble act of generosity. The WIND editorial, written by its general manager, Mr. John L. Williams, follows:

THE LAMBS

Every once in awhile, the generosity of WIND Radio listeners overwhelms all of us. Such was the case last Sunday, when an estimated 15,000 of our friends helped make it a great day for retarded children.

By taking the time to drive up to Libertyville and visit the Lambs Pet Farm, our listeners gave a big boost—both financially and morally—to Bob Therese and Corinne Owen, co-founders of The Lambs.

You've probably heard about how The Lambs got started. Bob and Corinne were teaching the mentally retarded when both came to the same conclusion—their handicapped students always seemed to react favorably when small animals were brought into the classroom. Mr. Therese and Miss Owen talked about it and decided to do something. And so they dedicated their lives to founding a haven where retarded young adults could work with animals in a sheltered atmosphere.

Today, The Lambs Pet Shop on State Street and their farm in Libertyville are completely staffed by the retarded. They enjoy working with animals and, although they don't make a big profit, they are not on the dole, either.

Last Sunday, WIND listeners spent enough money buying things at the Lambs Pet Farm to insure them at least another year of operations. Everyone who took part in the festivities benefited—and hope was given to an element of society that previously had little hope.

It wasn't too long ago that parents were advised to ship their retarded children off to institutions hidden away in the country. Today, the emphasis is on getting the most from damaged brains and allowing the mentally retarded to grow up in a comparatively normal atmosphere. WIND Radio salutes The Lambs for helping advance this admirable goal.

REPLACING DDT

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. O'HARA. Mr. Speaker, the people of the State of Michigan are greatly concerned over the growing threat to wildlife and humans from the persistent pesticides, especially DDT. The Michigan Agriculture Commission has ruled that DDT may not be legally sold in the State for any purpose.

Some farmers and agricultural experts fear that if legislatures ban the sale of DDT, there will be widespread losses to crops from insects which have in the past been controlled by DDT. Mr. Speaker, this fear is ill founded.

The U.S. Department of Agriculture has been seeking other means to combat insects. Today's Wall Street Journal has made a comprehensive survey of the efforts being made to find means of killing dangerous insects without poisoning the environment and I urge my colleagues to read this report carefully.

The story follows:

REPLACING DDT: U.S. RESEARCHERS GAIN IN EFFORTS TO DEVELOP SAFER INSECT CONTROLS—BIOLOGICAL METHODS SUCCEED AGAINST SEVERAL PESTS; INDUSTRY WILL FEEL IMPACT—BAD NEWS FOR THE BOLL WEEVIL

(By Burt Schorr)

WASHINGTON.—The famed bug-killer DDT is losing its deadly wallop and falling into disfavor as a threat to wildlife and mankind. But even if DDT fades from use, the insects will hardly take over the world, for potential replacements are on the way.

In fact, U.S. entomologists appear close to an important advance in man's age-old war against the insects that devour his crops. This attack won't be spearheaded by the well-known chemical insecticides but by an expanding arsenal of biological controls based on weapons provided by nature. If the approach succeeds as hoped, it may sooner or later reduce the use of chemical insecticides—and any resulting pollution of the environment. The effort will include:

—Massive deployment of bugs that are harmless to man but prey on crop-destroying pests.

—Large-scale sterilization of adult insects to disrupt their reproductive cycle.

—Use of synthetic copies of the natural scents secreted by pest species to lure bugs to their destruction.

Such biological-control methods are showing high promise in field tests. And some Agriculture Department officials predict that in certain parts of the country biological warfare, coupled with limited use of chemicals, will soon make possible the almost-complete eradication of the cotton boll weevil, now probably the nation's costliest single pest.

IMPACT ON INDUSTRY

By the early 1970s, some experts say, insecticide producers might find their domestic farm market—now calculated at around $110 million annually—leveling off or shrinking.

In the long run, though, such de-emphasis on farm insecticides might indirectly benefit the chemical industry; it might help prevent current clamor against bug-killers such as DDT from swelling into a drive for tougher restrictions on chemical pesticides generally, including weed-killers.

One of the promising experiments with biological techniques is now going forward in the Coachella Valley of Southern California, where farmers used to spray more than 4,600 cotton acres with chemicals to combat pink bollworm infestations.

Most mornings before dawn these summer days, a yellow Agriculture Department plane sweeps above the valley floor spewing out thousands of sterilized male and female adult ping bollworm moths through a tube projecting from the cabin. Chilled immobile at about 38 degrees, the gray-winged insects cascade into the warmer air, then revive to mate with normal adults in the cotton fields below. The union frustrates the pairing of fertile moths and produces no eggs or destructive larvae. Avoidance of insecticide-spraying helps preserve insects that normal-

ly prey on cotton pests other than the pink bollworm.

CABBAGE PATCH RESEARCH

Another progress report comes from a cabbage patch near Columbia, Mo. There, the cabbageworm, which chomps destructively on a variety of vegetables, including spinach and broccoli as well as cabbage, has been frustrated by the release of a tiny parasite wasp.

The wasp injects its eggs into the cabbageworm eggs on plant leaves; when the wasp grubs emerge, they devour the host eggs. Employing this and other biological techniques, Government entomologist Frank D. Parker has eliminated over 99% of the cabbageworms from the test plot—and all insecticides as well.

Not everyone, though, is as optimistic about biological-control possibilities as Federal researchers are. Many farmers, insecticide makers and state legislators resisting restrictions on DDT are distinctly skeptical. They contend it may be several years before effective alternatives are really ready. And they question the practically of releasing sterilized adult insects, claiming that with some species it would be necessary to deploy as many as 50 times the normal insect population.

At any rate, Government entomologists are pushing confidently ahead, armed with knowledge of past successes. As long ago as 1888, one Agriculture Department pioneer found a ladybird beetle in Australia that preys on a pest called the cottony-cushion scale, then threatening to wipe out California citrus groves. After two years of beetle shipments from Down Under, the scale was brought under control.

INTEREST WANES

Interest in biological methods waned following the spectacular successes of DDT during World War II and the rapid proliferation of chemical insecticides in the postwar years. Reece I. Sailer, chief of Agriculture's parasitic insect branch in Beltsville, Md., recalls somewhat bitterly that some 25 Government scientists were working on biological controls in 1938, but by 1955 the number had declined to only a half-dozen or so.

Soon after that, however, interest in the biological approach began to revive, and some notable victories followed. In recent years, massive releases of sterilized male screwworm flies have reduced the population of this Southern and Western cattle pest; annual savings to livestock producers from Florida to California are estimated at $120 million. And the Japanese beetle, which once chewed on nearly 300 species of U.S. plants, has largely succumbed to a dusting program that spread a disease that attacked the Nipponese invader.

Today Uncle Sam has over 170 entomologists, chemists and other specialists busy on biological control projects. One important center, the Federal Entomology Research Laboratory at Columbia, Mo., which opened in 1966, has just this year begun producing sufficient wasp eggs for experimental use against the cotton bollworm in Texas and the apple-boring coddling moth larva in Indiana.

In part, the resurgent interest in biological control springs from increased public concern about chemical dangers. DDT and some other long-lasting chemical insecticides, rather than breaking down harmlessly within a few weeks after spraying, often retain their potency for long periods—up to 15 years in cases of especially heavy DDT applications. If these chemicals enter the chain of food production, they can build up in the fatty tissues of animals and human beings with possibly harmful consequences.

This year Michigan barred all use of DDT except by public health agencies and indoor pest exterminators. And the Arizona Pesticide Control Board, faced with the problem of too much DDT in milk, ordered a one-year halt to commercial farm applications of the chemical and a related formula, DDD.

Currently, the Wisconsin Natural Resources Department is considering a statewide DDT ban; the legislature's lower house has already approved such prohibition. Also, the U.S. Agriculture Department has suspended use in its spraying programs of nine persistent insecticides, including DDT, until it reevaluates their environment impact.

The attack on DDT comes at a time when its use is declining in the U.S. Production for U.S. markets totaled only 40 million pounds in the 1966–67 crop year (the latest period available), about half the 1958–59 level. A major reason is mounting insect resistance to DDT; new strains of bugs seem impervious to its effects.

(Even so, restrictions on DDT pose a threat to pesticides generally, contends the National Agricultural Chemicals Association, voice of the industry. Noting the association's vigorous DDT defense in Wisconsin, where annual sales total a piddling $17,000, NACA President Parke C. Brinkley says, "We're trying to hold the line there because if we lose in Wisconsin we could lose everywhere." He worries most about a possible move in Congress to bar interstate sales of DDT or other pesticides.)

In theory at least, other chemical insecticides might offer alternatives to DDT. There are two newer insecticide families, the organic phosphates and organic carbamates, which break down in hours or days after application. But they are more costly than DDT, and some of them also show signs of declining effectiveness.

In the case of the cotton crop, many experts now believe the solution to its problems lies in biological-plus-chemical suppression of the boll weevil. With the need for weevil spraying reduced dramatically, natural enemies of the bollworm could recover. "This would reduce the need for bollworm spraying by 75%," asserts Theodore B. Davich, chief of the Federal boll weevil lab at State College, Miss.

SAFETY STANDARDS AND PURITY OF WATERS RESOLUTION

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. PEPPER. Mr. Speaker, the Miami, Fla., City Commission has given this Congress some excellent suggestions concerning safety standards and purity of waters. The city commission adopted resolution No. 40892 on July 24, 1969.

It is only fitting that this suggestion comes from this commission which represents people who enjoy water activities daily.

Mr. Speaker, I therefore submit the folllowing for the benefit of my colleagues:

RESOLUTION No. 40892

A resolution of the commission of the city of Miami, Florida, urging the Congress of the United States of America to expeditiously pass the revised Federal Boat Safety Act of 1969 and the Federal Marine Pollution Bill designed to protect the waters of our communities from marine pollution

Whereas, Bills have been presented to the Congress of the United States of America relating to boat safety and marine pollution; and

Whereas, safety standards and purity of our waters is of great concern to the nation and to the Florida area in particular, where water activities are enjoyed on a year around basis; and

Whereas, the Commission of the City of Miami on behalf of its residents desires to go on record as endorsing the above measures;

Now, therefore, be it resolved by the Commission of the City of Miami, Florida:

Section 1. The City Commission of the City of Miami, Florida hereby urges the Congress of the United States of America to expeditiously pass the Revised Federal Boat Safety Act of 1969 and the Federal Marine Pollution Bill designed to protect the waters of our communities from marine pollution.

Section 2. The City Clerk is hereby directed to forward certified copies of this Resolution to the Florida Delegation in Congress of the United States of America.

Passed and adopted this 24th day of July, 1969.

Attest:

F. L. CORRELL,
City Clerk.

THE STRANGE HISTORY OF THE OIL DEPLETION AND INTANGIBLE DRILLING ALLOWANCES

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. VANIK. Mr. Speaker, the tax reform bill which will be debated in the House Wednesday and Thursday provides that the percentage depletion rate for gas and oil wells is to be reduced from 27½ to 20 percent. Percentage depletion is also eliminated with respect to foreign oil and gas wells. Unfortunately, in the last days of the Ways and Means Committee deliberations, it was decided to remove intangible drilling expenses and the excess of percentage over cost depletion from the base of income used for figuring the minimum tax which each person is to pay. This exclusion of income is a continuation of a major loophole.

Since I was first elected to the Congress 15 years ago, I have fought to bring some degree of tax justice to the treatment of oil income. My maiden speech in this Chamber was on that issue.

I am not happy with the decisions reached with respect to intangible drilling expenses and percentage depletion, but I feel that the changes which have been made are a beginning—a small step toward greater tax justice and the elimination of special privileges for the oil industry.

The strange history of the oil depletion allowance, and all income tax matters relating to depreciation, begins in 1913 with the passage of that year's Revenue Act. This act introduced the idea that an allowance be provided for the depreciation of property employed in the proceedings of a business. It enacted a 5-percent deduction of a company's gross earnings as a "reasonable allowance for the exhaustion, wear and tear of property arising out of its use or employment in the business."

In 1916 Congress recognized the need to limit this provision. Therefore, the new Revenue Act read:

When the allowance authorized . . . shall equal the capital originally invested, or in case of purchase made prior to 3/1/1913, the fair market value as of that date, no further allowance shall be made.

This bill actually formulated the depreciation concept as we know it today.

Special provisions for the natural resource industries were first considered in 1918. At this time, "discovery-depletion" was introduced in the Senate Finance Committee's version of the House revenue bill. The Senators then sitting on the committee felt that—

> The prospector for . . . oil . . . expends many years and much money in fruitless search. When he does locate a productive property and comes to settle it, it seems unwise and unfair that his profit be taxed at the maximum rate as if it were ordinary income attributable to the normal activities of a single year.

Consequently, a system, "permitting the deduction to be based on the fair market value of property discovered instead of its cost," was introduced. Designed to, "stimulate prospecting and exploration," this method of allowing for an inflated value was not permitted on "proven property."

Naturally, dissenting opinions were heard on both sides of the Capitol. Senator LaFollette fought the bill on the grounds that it would permit taxpayers to take depletion deductions far in excess of costs. Needless to say, he failed. The chairman of the House Ways and Means Committee, Mr. Kitchin, flatly stated:

> I cannot subscribe to them because I regard them [discovery depletion] as pieces of special favoritism. . . . I want to say that, in my judgment, they are unwise, unjust, and unwarranted.

Three years later, Congress limited this annual allowance to the net income from the discovered property in question for that year. This action put a stop to the practice of escaping taxes on nonmining incomes through offsetting deductions. Then, after another 3 years, the annual allowance was further limited to 50 percent of the net income involved.

The new chairman of the Ways and Means Committee, Mr. Green, was just as dogmatically opposed to these types of favors as was his predecessor. In 1924, his statement that he knew of "instances where companies actually advertised that they could make a distribution of their dividends, without paying any corporation tax" was instrumental in the passage of the 50 percent limit. Obviously not satisfied with this "significant reform," he stated in 1925, that—

> If I had my way I would wipe out this discovery depletion entirely . . . it might have been justified in time of war, and that was the only justification given for it to begin with . . . it was practically admitted that in normal times they would not be entitled to anything of that kind.

That same year the Couzens committee submitted its "Internal Revenue Bureau Investigation Report." The report was highly critical of the oil depletion deduction system. In referring to the mechanics of discovery depletion, it stated:

> There appears to be no system, no adherence to principle, and a total absence of competent supervision.

Significantly, however, the report was even more distressed with the rationale used to justify the entire concept of depletion alowances:

> The increment in the value of property due to the discovery of . . . oil . . . can in no way be differentiated, in principle from the increment in the value of real estate, stocks, bonds, and other property, yet all such increment is taxed . . . the greater part of the allowances for discovery depletion are made to those who drill in proven ground. . . . Furthermore, every investor in speculative stocks, particularly those who invest in new enterprises, . . . assume great risks of loss . . . [yet no other] investor is permitted to set up the value of his business, after its success has been demonstrated, as a deduction from the profit to be derived from that business for the purpose of determining his net taxable income. Discovery depletion is not a deduction permitted for the purpose of arriving at the net income derived from mines and oil and gas wells. It is clearly an exemption from taxation and as such is a discrimination against every other taxpayer and every other industry.

The stated purpose of the Revenue Act of 1926 was only to correct the administrative problems involved in depletion. The Senate introduced a system of percentage depletion allowances "in the interest of simplicity and certainty in administration." But no scientific justification for the percentages considered is recorded; they were allegedly designed to reflect the allowances currently being given. Statements such as the following by Senator Reed of Pennsylvania typify the spirit in which the proposal was debated.

> This present method of calculating depletion in oil wells is really a combination of uncertainties. . . . So we are trying . . . to get away from those uncertainties and to adopt a rule of thumb which will do approximate justice to both the Government and the taxpayers . . . probably the best way to do it is to provide that an arbitrary percentage on the gross value of each year's yield be chalked off for depletion.

The figure of 30 percent was finally adopted by the Senate. The House suggested that 25 percent would be sufficient. In conference the figure of 27½ percent was agreed upon as a compromise. The figure of 27½ percent is the result of a conference committee compromise. It is in no way a scientific principle.

A great deal of debate was concerned with the relative effects this new system would have upon the large and small operators. At one point Senator Couzens stated that in his opinion:

> Congress first intended to . . . allow the deduction to the little "wildcatter". . . . That idea has now been entirely abandoned and this is so profitable and advantageous to the oil industry that it is proposed to extend it so that not only the little "wildcatter" but the whole industry will get the benefit.

A few minutes later, Mr. Reed suggested that this "is going to work rather a hardship on the owners of flush production, newly discovered oil pools which put out a great amount of oil per day. It is hardly going to be enough to take care of those people, because that flush production does not last long." The obvious implication here is that possibly an even greater percentage was necessary. "At the same time we realized that it was going to be a great help to the owners of these little wells which barely pay the cost of pumping and keeping cleaned out." The conflicting opinions, as well as the overriding concern for the small producer are further exemplified in the following excerpt from the debates in the U.S. Senate on February 11, 1926:

> Mr. NEELY. If the bill is passed in its present form it will result in an increase in the taxes of all independent operators.
>
> Mr. REED (Penn.). It would for some of them and it would result in a decrease for others. I cannot bring that out too strongly, that all the little men and men who have settled production will probably be the gainers.
>
> Mr. NEELY. They are the large ones, are they not?
>
> Mr. REED. In my section of the country they are not.
>
> Mr. NEELY. In my section of the country they are.

In considering this act, and its implications, it is useful to recall that discovery depletion was introduced in the Revenue Act of 1918. Subsequently in 1921 and 1924, this original allowance was limited because it was literally a gross loophole. The table which follows was introduced by Senator Couzens to illustrate how the 1918 act compared with the proposed system of percentage depletion. The table is self-explanatory; but two significant figures deserve mention. They show that for the years 1918, 1919, and 1920, the total depletion allowed would have been increased by the 1926 act by 89.6 percent. Likewise, net taxable income would have been decreased 32.1 percent.

COMPARISON OF DEPLETION ACTUALLY ALLOWED OIL COMPANIES WITH DEPLETION ALLOWABLE UNDER 1926 REVENUE BILL

[Discovery depletion included in depletion allowed]

	1918	1919	1920	Total
Number of companies	100	115	75	
Gross income from production	$286,863,485	$338,419,621	$361,121,041	$986,404,147
25 percent of gross income	$71,715,871	$84,604,905	$90,280,260	$246,601,037
Net income (computed without allowance for depletion)	$76,985,704	$66,431,726	$59,595,303	$203,012,733
50 percent of net income (computed without allowance for depletion) maximum depletion allowable under 1926 bill	$38,492,852	$33,215,863	$29,797,651	$101,506,366
Depletion allowed by income tax unit	$18,188,848	$18,958,781	$16,381,431	$53,529,060
Percent of gross income allowed as depletion	6.34	5.6	4.5	5.4
Percent of net income (computed without allowance for depletion) allowed as depletion	23.6	28.5	27.5	26.4
Net income taxed after deducting depletion allowed	$58,796,856	$47,472,945	$43,231,872	$140,483,673
Net income taxable after deducting depletion according to 1926 bill	$38,492,852	$33,215,863	$29,797,652	$101,506,367
Percent of increase in depletion allowable under 1926 bill over depletion actually allowed	111.6	75.2	81.9	89.6
Percent of reduction in net taxable income when depletion is computed under 1926 bill	34.5	30.0	31.5	32.1

Note: The "25 percent of gross income" refers to the figure that was under debate. It was eventually raised to 27½ percent.

Source: Congressional Record, Feb. 11, 1926, pp. 3772, 3773.

According to this analysis, depletion deductions should have increased significantly as soon as the percentage system was implemented. For the 10 firms considered, the deduction increased by 11.5 percent from 1924 to 1925. Then in 1926, the new method was implemented. If it was comparable to the previous method, then the established trend should not have been significantly altered. But this

was not the case: The deductions claimed in 1926 increased by 29.3 percent from those claimed in 1925. The new way of computing depletion deductions increased by a factor of nearly 3 the yearly increase in depletion and depreciation deductions claimed. In ensuing years, deductions would have to be dependent upon that years' earnings. Thus in 1927, when the sales and earnings of the industry decreased, so did the rate of increase for the deductions claimed.

PERCENTAGE INCREASE OF "DEPRECIATION AND DEPLETION" DEDUCTION CLAIMED

Companies	1925 (from 1924)	1926 (from 1925)	1927 (from 1926)
Atlantic Oil	2.3	(3.7)	10.2
Barnsdall Oil	33.8	111.0	72.0
Gulf Oil	13.6	22.0	(9.0)
Phillips Petroleum	4.4	52.0	3.0
Pure Oil	13.2	11.5	(3.1)
Sinclair	21.2	15.5	6.0
Standard (California)	(.9)	13.0	7.0
Sun Oil	18.0	32.6	28.4
Tidewater Oil	7.9	32.0	.3
Union Oil Co	1.1	7.0	(11.0)
Average increase (percent)	11.5	29.3	10.4

Note: Figures compiled from "Moody's Annual Reports."

These figures can only lead to conclusions that are more than obvious; percentage depletion has been a special-interest gift from the Treasury. Yet little was, or has been done to correct the serious errors involved. Instead, Congress has proceeded to replace discovery-value depletion with percentage depletion for almost every other conceivable mineral. A comprehensive list of these minerals, and their respective percentage allowances is contained at the end of my speech in appendix I. In so doing, the Legislative Reference Service's Economic Bureau asserts:

No important effort appears to have been made to establish a relationship between the total deductions available under percentage depletion with those available under discovery value depletion.

Such actions progressed regardless of enraged outcries by responsible public officials. President Franklin Roosevelt claimed, in a letter to the Joint Committee on Tax Evasion and Avoidance, that the oil depletion allowances were the, "most glaring loophole in our present revenue law—in 1936, one mining company deducted nearly $3,000,000 under this provision, although it had already completely recovered the cost of its property—this was a sheer gift from the United States to this taxpayer and its stockholders." In spite of such accusations, depletion was not even discussed during these 1937 hearings. The flimsy excuse offered was, "lack of time."

Treasury Secretary Morgenthau proposed in 1942 that the existing oil depletion allowance be replaced by a more logical and direct one. He pointed out:

One of the reasons asserted in behalf of percentage depletion for oil and gas is that it stimulates exploration for such properties.

Therefore, his feeling was that—

If this is a proper objective, it would be better achieved by a special depletion allowance to those who do explore without indiscriminate extension of the same favor to all owners.

In support of his proposal, Morgenthau announced that—

It would have cost the Federal Government about one-third as much to have paid all the cost of every wildcat well that was drilled in 1941 as to have allowed percentage and the associated intangible drilling expenses.

If the oil percentage depletion allowances are theoretically justifiable, then why not accept legislation such as Congressman Zelenko and Senator Neuberger proposed in April of 1957? They proposed a 1-percent depletion allowance on human beings for each year after the age of 45. The proposal was based on the theory that a locomotive engineer's eyes, a schoolteacher's frayed nerves, a day laborer's legs, an author's brain, and so on wear out also. Their reasoning is certainly no more circuitous than that which was employed in 1926.

The Treasury tax reform studies and proposals submitted in April of 1969 provides figures supporting the charge that these allowances are outrageous. It states that in 1965, the most recent year for which these figures are available, the petroleum industry had the lowest actual tax on total net income of any industry except savings and loan associations and mutual savings banks. Whereas all industries initially had an effective tax rate of 48 percent; after all the various deductions and privileges had been computed, the petroleum people had reduced their's to 21.1 percent. The next lowest figure was that of the other mineral industries at 24.3 percent. Compare these with an "all industry average" of 37.5 percent, and an effective rate for all other manufacturers of 43.3 percent. That is more than twice the petroleum rate.

The report proceeds to state:

Only in the natural resource businesses is a taxpayer's deduction for wasting capital permitted to exceed his actual unrecovered capital cost. This arises because such a large part of the actual capital cost is permitted to be deducted as incurred, and then depletion is allowed as a percentage of receipts without regard to the remaining uncovered cost.

How this works to give the oil industry inordinately large advantages can be simply illustrated.

WHO GETS THE DEPLETION ALLOWANCE

	1949	1959	1965	1966
Total depletion claimed by petroleum industry	$727,303	$1,523,452	$2,276,452	$2,439,539
Depletion claimed by corporations with assets greater than $110,000,000	$657,856	$1,492,375	$2,235,343	$2,416,547
Percent of total claimed by these companies	90.5	98	98.2	99.1
Number of companies with greater than $100,000,000 assets	25	24	28	28
Total number of companies reporting	281	205	368	330
Percent of total that has greater than $100,000,000 assets	8.8	11.7	7.6	8.5

Quite apparently, the truth of the matter is that the percentage depletion allowance system gives the extractive industries an opportunity to significantly decrease the amount of taxable income for which they are liable. This is the case of the petroleum industry. In this industrial group, a few elite corporations are garnering a consistently greater share of their industry's total allowance. So a system, which is unfair to the country as a whole is even inequitable within the privileged industry itself. In 1966, the Treasury lost nearly $2.5 billion in depletion deduction to the oil producers and refiners. This is a group of 330 separate concerns. Yet, only 28 of them—that is, 8.5 percent—were able to claim more than 99 percent of the total deduction. This is up from 98 percent in 1965. This trend must be curbed.

Periodically, attempts have been made to curb the depletion disgrace. Senator PROXMIRE has described his oft-proposed amendment as follows:

For those who have gross income from oil and gas properties of less than $1 million a year, it would not affect their depletion allowance at all. For those who gross between $1 million and $5 million it would reduce their depletion allowance from 27.5% to 15%. That would not be an elimination of the allowance, but merely a reduction.

This amendment, which would not only correct the disparity that exists within the industry, but would be a step toward more equitable national structure, has always been defeated.

My own bills would reduce depletion allowance on domestic production to 15 percent and repeal it entirely on American-owned foreign production.

The 1969 Treasury report stated that if only the percentage depletion arrangement for the petroleum industry were eliminated, the tax increase would be $1.5 billion. Our Government desperately needs this money. We have more pressing priorities than subsidizing one of the Nation's most lucrative industries—see appendix III. A cursory investigation shows that these funds could allow the Public Health Service to maintain an additional 82,000 occupied beds for an entire year; or we could build up to 24,000 additional public school classrooms, and fully furnish them; or we could extend present blind and disabled benefits to an additional 2.75 million people. These are places where our help is needed—not in a multibillion-dollar-per-year industry.

I find it particularly unfortunate that action was not taken to close the loophole of "intangible drilling expenses." This little-understood loophole is costing the Treasury—and the taxpayers of America—nearly a billion dollars a year in revenue. It is absolutely imperative—if the American citizen is to be given real tax justice—that remaining loopholes such as this be closed in the immediate future.

The option to expense or to capitalize intangible drilling and development costs has existed since the first income tax statute. It was conceived of, not by Congress, but, by the IRS in a special Treasury regulation. It was, however, recog-

nized by the courts as in 1933 when the 10th Circuit Court stated that the code had been examined by Congress continually without any objection being raised; therefore, implicitly they must accept it.

In 1945, the Fifth Circuit Court of Appeals, questioned this privilege. It felt that these expenditures were, in fact, capital outlays, not expenses; and were therefore deductible only over time, and not immediately. So Congress quickly adopted a resolution affirming the IRS power to grant the more favorable treatment to the intangible costs; and in 1954, directed that such a ruling become a statute.

Specifically, these "intangibles" include anything which in and of itself is of no salvage value. Any expenditure for labor, fuel, repairs, hauling, or supplies used in the drilling, shooting, or cleaning of the wells; or in the clearing of the ground; or in the draining, surveying, or construction of roads; or any other geological work; or in the construction of derricks, tanks, pipelines, and other physical structures. Altogether this amounts to nearly 75 percent of the cost of drilling an oil well. The remainder can still be deducted by the normal method; that is, over a period of "useful life."

The benefit of this arrangement is that the immediate writeoff of large sums of money shields an equal amount of otherwise taxable revenue. This money is then available for reinvestment and further increased revenues. During 1960—the most recent figures available—$1.3 billion were deducted from taxable incomes. The Treasury Department estimates that if this section was abolished, an additional $800 million in revenue would be generated.

APPENDIX I

TWENTY-THREE PERCENT DEPLETION APPLIES TO THESE MINERALS

- Antimony
- Anorthosite (to extent alumina and aluminum compounds extracted therefrom)
- Asbestos
- Bauxite
- Beryl
- Bismuth
- Cadmium
- Celestite
- Chromite
- *Clay (to extent alumina and aluminum compounds extracted therefrom)
- Cobalt
- Columbium
- Corundum
- Flourspar
- *Graphite
- Ilmenite
- Kyanite
- Lead
- Lithium
- Manganese
- Mercury
- Mica
- Nepholite Syenite (to extent alumina and aluminum compounds extracted therefrom)
- Nickel
- Olivine
- Platinum
- Platinum Group Metals
- Quartz Crystals (Radio Grade)
- Rutile
- Block Steatite Talc
- Sulphur
- Tantalum
- Thorium
- Tin
- Titanium

TWENTY-THREE PERCENT DEPLETION APPLIES TO THESE MINERALS—continued

- Laterite (to extent alumina and aluminum compounds extracted therefrom)
- Tungsten
- Uranium
- Vanadium
- Zinc
- Zircon

FIFTEEN PERCENT DEPLETION APPLIES TO THESE MINERALS

- Aplite
- Barite
- Bentonite
- Borax
- Calcium Carbonates
- *Clay, Ball
- *Clay, China
- *Clay, Refractory & Fire
- *Clay, Sagger
- Copper
- Diatomaceous Earth
- Dolomite
- Feldspar
- Fullers Earth
- Garnet
- Gilsonite
- Gold
- Granite
- *Graphite (Flake)
- Gypsum
- Iron Ore
- Magnesium Carbonates
- Marble
- Metal Mines (not otherwise named)
- *Mollusk Shells (when used for chemicals and content)
- Molybdenum
- Phosphate Rock
- Potash
- Quartzite
- Rock Asphalt
- Silver
- *Slate
- Soapstone
- *Stone (dimension or ornamental)
- Talc
- Thenardite
- Tripoli
- Trona

FIFTEEN PERCENT DEPLETION APPLIES TO THESE MINERALS—continued

- Limestone
- Magnesite
- Vermiculite
- Other minerals not covered elsewhere

TEN PERCENT TO THESE MINERALS

- Brucite
- Coal
- Lignite
- Perlite
- Sodium chloride
- Wollastonite

FIVE PERCENT TO THESE MINERALS

- *Clay (used for drainage and roofing tile flower pots, etc.)
- Gravel
- *Mollusk shells
- Peat
- Pumice
- Sand
- Scoria
- *Shale
- *Stone
- If from brine wells—bromine, calcium, chloride, magnesium chloride

SEVEN AND ONE-HALF PERCENT TO THESE MINERALS

- *Clay and shale (used for sewer pipe or brick)
- *Clay, shale, and slate (used as lightweight aggregates)

* Note differing rates, depending on use. Except for sulfur and uranium, all minerals in the 23 percent bracket have a 15 percent depletion rate for foreign production.

APPENDIX II

1969 TAX REFORM STUDIES AND PROPOSALS APRIL OF 1969 SUBMITTED BY THE TREASURY DEPARTMENT

Tax rates on corporate taxable income compared with actual tax rates on total net income for 1965

[In percent]

	Effective tax without surtax or 7-percent investment credit	Tax with surtax, without investment credit	Tax with both	Actual tax on taxable income	Actual tax on total net income
All industries	48	45.8	43.4	42.3	37.5
Petroleum	48	47.8	44.8	43.7	21.1
Other minerals	48	46.4	42.7	40.5	24.3
Lumber	48	45.1	41.2	29.6	29.5
Commercial	48	45.0	43.4	42.2	24.4
Other manufacturers	48	47.2	44.9	44.4	43.3

Note: The reduction in effective rate from 43.4 percent to 37.5 percent for all industries was due to the following:

Percent depletion	2.2
Tax-exempt interest	.9
Capital gain rate	.8
Others	2.0
Total	5.9 (+37.5=43.4)

HYPOTHETICAL ILLUSTRATION

	Income	Cost	
10 exploratory wells, dry, at	$10,000	$100,000	$70,000 deduct current. 30,000 deduct as depreciation.
1 successful well with deposit in ground valued at $220,000		10,000	5,000 deduct current. 5,000 lease cost [1] (not deductible).
Well income	800,000		220,000 deduct (27½ percent allowance).
Lifting cost		200,000	200,000 deduct current.
Total	800,000	310,000	

Net income=$490,000.
Taxable income=$275,000 (= income—[cost+depletion allowance]).
For tax purposes, cost is $305,000 because the lease cost is not deductible.

APPENDIX III

TAXES PAID BY A SELECTED GROUP OF THE NATION'S LARGEST REFINING COMPANIES—1967 AND 1968

[In thousands]

	Net income before tax	Federal tax	Percent	Foreign, some State's tax	Percent	Profit after tax
Standard Oil, New Jersey:						
1967	$2,098,283	$166,000	7.9	$700,000	33.0	$1,232,283
1968	2,303,587	223,999	9.7	802,907	34.8	1,276,681
Gulf:						
1967	955,968	74,142	7.8	303,539	31.8	578,287
1968	977,321	8,005	.81	342,997	35.1	625,319

APPENDIX III—Continued

TAXES PAID BY A SELECTED GROUP OF THE NATION'S LARGEST REFINING COMPANIES—1967 AND 1968—Continued

[In thousands]

	Net income before tax	Federal tax	Percent	Foreign, some State's tax	Percent	Profit after tax
Texaco:						
1967	$892,986	$17,500	1.9	$121,100	13.5	$754,386
1968	1,019,930	23,800	2.4	160,600	15.8	835,530
Mobil:						
1967	594,593	26,900	4.5	182,300	30.7	385,393
1968	673,739	22,000	3.3	223,500	33.2	428,239
Standard Oil, California:						
1967	513,067	6,000	1.2	85,400	16.6	421,667
1968	569,431	16,700	2.9	100,900	17.7	451,831
Standard Oil, Indiana:						
1967	366,347	74,021	20.2	10,576	2.9	282,250
1968	895,064	74,678	18.8	10,892	2.7	309,494
Shell:						
1967	342,022	44,940	13.1	12,233	3.6	284,849
1968	387,767	63,378	16.3	12,298	3.2	312,091
Cities Service:						
1967	165,289	32,347	19.6	5,105	3.1	127,837
1968	138,613	12,683	9.2	4,594	3.3	121,336
Union:						
1967	$163,820	$10,400	6.3	$8,457	5.2	$144,963
1968	164,232	5,955	3.6	7,045	4.3	151,232
Sun:						
1967	146,946	24,700	16.8	13,670	9.3	108,576
1968	227,790	44,290	19.4	19,070	8.4	164,430
Atlantic-Richfield:						
1967	145,259		0	15,254	10.5	130,005
1968	240,272	2,999	1.2	37,713	15.7	199,560
Marathon:						
1967	138,520	3,700	2.7	60,962	44.0	73,858
1968	155,335	4,350	2.8	67,659	43.6	83,326
Sinclair:						
1967	150,017	10,585	8.1	24,060	18.5	95,372
1968	101,265	−2,747	0	27,429	27.0	76,583

THE ALIENATION GAP

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. PETTIS. Mr. Speaker, I am pleased to endorse an amendment to the Constitution which would lower the voting age to 18.

The upcoming generation is undoubtedly the best educated and most concerned of any that we have produced. The majority of today's youth has demonstrated a responsible attitude toward tackling the issues which face our society and the electorate. Unfortunately, many young adults have felt alienated. My colleagues have asked me how we can channel this tremendous concern and activity. We can begin today by lowering the age of meaningful political participation to 18.

In February of this year, a Youth Franchise Coalition, composed of 23 organizations, banded together in an effort to persuade Congress and State legislatures to act favorably on legislation to lower the voting age. This coalition represents the first concentrated nationwide effort to push for legislative action on all fronts.

The last four Presidents, including Richard Nixon, have endorsed a lower voting age. Note also, that a Presidential Commission on Registration and Voter Participation recommended in 1963 that the States give serious consideration to lowering their voting ages.

At this time, four States have a voting age lower than 21: in Georgia and Kentucky, it is 18; in Alaska 19, and in Hawaii 20. In all State legislatures with the exception of Mississippi, bills have been introduced in 1968 or 1969 to lower the voting age. Momentum is clearly building in favor of lower voting ages. As more States begin to approve a lower voting age, there will be increasing pressure for Congress to enact a uniform, national voting age.

There are those who question whether persons 18, 19, or 20 are wise enough and mature enough to be given the privilege of voting. In general, I think it must be conceded that they are. Improved education and vastly superior means of communication have combined to make our young adults informed and intelligent.

It is a fact that the electorate is now balanced in favor of older people, a phenomenon resulting from increasing longevity. At the same time, the population as a whole grows increasingly younger. The inclusion of those 18, 19, and 20 within the electorate, therefore, would bring it into closer approximation with the population as a whole.

Certainly, great responsibilities go with the right to vote. With the vote, the 18-year-old must accept greater responsibilities, including knowledge and concern with the financial obligations contingent on policy decisions.

Mr. Speaker, if we desire to counteract the politics of alienation, we would be well advised to take this small step of lowering the voting age. We can only encourage and cultivate responsibility by telling people we will give them an opportunity to act responsibly. Let us be honest with ourselves when we call for positive action within the system and, in doing so, we will be honest with the younger generation.

STUDENT UNREST

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, as part of my efforts to bring to the attention of my colleagues pertinent material on student unrest, I want to include at this point in my remarks a thoughtful and provocative article by John W. Ryan, vice president and dean for regional campuses of Indiana University, which appeared in the recent weekend issue of the Christian Science Monitor:

CAUGHT IN A THICKET OF POLITICAL PRESSURES

(By John W. Ryan)

(NOTE.—From campus radicals to lawmakers, from aroused alumni to educational policymakers, a variety of advocates think they know what universities should be and do. But many of those who press hardest for their own ideas may well be endangering academic freedom. An authority on this intensely debated subject outlines the problem.)

American universities are caught in a thicket of political pressures. Current student efforts to "politicize" the institution are only one aspect of a developing trend by various groups, on campus and off, to shape the university to their own purposes or ends.

It is not surprising that enterprises of such enormous magnitude in the social and economic activity of American life should have attracted the attention of major economic and political-interest groups.

This attention carries with it political pressures. Universities in the United States are unquestionably the targets of political pressures from all segments of the political framework—in forms ranging from the most subtle to the most obvious.

The university today must conduct its deliberations and its decisionmaking in an environment in which political pressure is an undeniable ingredient. Elected officials at federal and state levels now have power over a sizable part of the purse of universities, public and private, and the very existence of such power creates a pressure factor. Various groups interested in influencing university decisions about program, research, and organization realize the importance—sometimes decisive—of bringing such power to bear on behalf of their particular interest.

FUND FIGHT FOREMOST

Elected officials do not ignore their power nor the attempts by interest groups to bring the power to bear, and they should not. Universities have grown in size, level of financial support, and breadth of study areas in no small part through political pressure favoring these developments.

Allocation of public funds, directly (state and federal appropriations and/or grants) and indirectly (estate and income-tax policies) is the most visible of the battlegrounds on which the many interest groups contend.

The university today is in turmoil. Beyond the customary intellectual questioning and searching characteristic of an academic community, there is now physical confrontation of groups which demand that the university organize itself and function to achieve the particular social and political goals.

One must expect this from a university which is valuable to so many as the upward-status ladder or the door of economic and professional opportunity. Just because the

university is so important to so many different interests, it will be and is being fought over. None of these interests is reluctant to mount political pressure to influence university decisions.

GOALS OF "NEW LEFT"

The avowed objective of students and faculty of the "new Left" is to "politicize" the university, to polarize the academic community into adversary position on issues largely outside the traditional interests of the institution. This is of course one major area of developing political pressure on the universities. Counterpressures naturally follow.

Increased state pressure on the operation of universities is one reaction to recent campus unrest. Much legislation speaks directly to this point. A Michigan legislator now investigates the Michigan state universities, saying that "people are sick and tired of shaggy-haired idiots interfering with the activities of good students."

In another state, a resolution in the State Senate calls for the dismissal of the state university president on the grounds that demonstrations and disruptions have given the university an "unseemly nationwide reputation." In Colorado, the State Senate's Judiciary Committee has voted to investigate student unrest.

A bill in the Illinois Legislature would make mandatory the expulsion of any student participating in vandalism, rioting, or the seizure of buildings at state-supported colleges and universities. In Maryland, a measure has been entered to void state scholarships to any student convicted of criminal charges in connection with campus disorders. In California, legislators have introduced more than 40 bills designed to curb student protests in one way or another.

STATE RESPONSE MANIFOLD

Certainly, it is obvious to anyone following daily news reports that activities of campus groups have provoked direct reaction from federal and state legislative and executive bodies, reaction which threatens to damage seriously the ability of universities to operate with the self-determinaton essential to intellectual activity.

Direct response to campus turmoil is but one aspect of state action which threatens academic freedom.

Since January, state legislation shows a definite trend toward increased centralized control of public higher education. In Utah, for example, a new 15-man board this summer takes control of the state's seven public institutions of higher learning. In Ohio the board of regents, which controls that state's public universities, enacted several measures for submission to the Legislature over the objections of the universities' presidents—including one to raise fees, another to phase out subsidies for out-of-state students, and a third to create five regional "university colleges," which would heavily stress technical education and remove university branches from main campus control.

FEDERAL ROLE MORE SPECIFIC

The 1969 Indiana Legislature received a recommendation from its Commission on Post High School Education calling for setting up a board of regents responsible for all public higher education in the state. Though legislation to effect this did not pass, a commission has been authorized by the governor to exercise similar budget and program-review responsibility for the period until the next legislative session.

Political pressure arising from influence on financial support is not exclusively a phenomenon of state action. The federal role in university finance is more specific. But its magnitude invites the attention of legislative and administrative agencies beyond the projects themselves, involving them in management and procedural matters within the university structure.

Federal finance through research grants and contracts remains a major source of funding for some universities, thus exerting a divided influence on the research choices and capital investment made by individual professors, students, and the institutions themselves.

[In the fiscal year ending June 30, federal funds flowing to colleges and universities for research totaled $1.5 billion. An additional $711 million went to laboratories administered by academic institutions. Research grants have declined since 1964. They jumped sharply in the preceding seven-year period, spurred by the Russians' sputnik success in 1957.]

Not only is federal finance important; it is also concentrated in relatively few institutions. Charles V. Kidd, formerly of the National Institutes of Health, estimates that 20 universities (out of 2,400 colleges and universities) get 60 percent of the federal funds, and 50 get 90 percent of the money. One obvious conclusion drawn by the other institutions is that if they want a share of the funds, they must reshape themselves to be more like those 50 getting 90 percent of the money.

This is subtle, but real, pressure on the decisionmaking of universities, putting an emphasis on what Paul Miller, former president of the University of West Virginia, calls the "agent-client method of providing financial support."

The massive federal funding for student financial-aid programs now faces tightening restrictions on both use of funds and behavior of recipients as one channel for bringing political pressure to bear on the university—and this is a nonelection year.

Next year is not likely to be a time of calm and order on the campus, but rather of confrontation, activism, and violence. Therefore, I expect much more public reaction and political pressure on the university next year than we have seen to date.

PUBLIC STAKE RISES

One of the reasons for the increasing political pressure on universities is their immense claim on public funds. Considerable political pressure also results from the massive demands that privately funded education places on the traditional sources of finance, particularly the tuition-paying parent and the conscientious alumnus-contributor.

Financial considerations cut both ways on the political scene.

The upward spiral of university demands on public funds clearly draws political attention, but so do efforts to minimize the claims on public revenue.

Attempts by the university to reduce the drain on public funds often generate political counterpressures. Higher user charges (tuition, fees, dormitory rates) and curtailment of program expansion tend to bring on political reaction. The same legislative and administrative officials who want to avoid heavier financial commitments to higher education also want to prevent user-charge increases.

COST OF BARRING INNOVATIONS

Demands for new academic degree programs, special projects, and off-campus student projects arise constantly inside and outside the university. A negative response to all such demands (universities usually decline to undertake the new programs asked of them) puts a modest brake on escalating budget requirements. But this in turn produces pressure from faculty, students, alumni, and parents, as much as from elected public officials, for a favorable response to such demands.

Political pressure, in short, does not follow a consistent party line in what is encouraged or discouraged.

Because of the rising financial needs and the political opposition to public-fund increases, universities have redoubled their emphasis on management techniques aimed at greater efficiency and on reallocation of resources to reduce the demand for new funds. Better decisionmaking too, it is argued, can pare budgets by realigning priorities through cost-benefit analysis. Management of universities can benefit from such attention, but political pressures on the university stem from the nature of the decisions rather than how efficiently they are made.

INTERAGENCY COMPETITION

One cannot overlook the broader problem facing the universities, particularly those publicly controlled. This flows from political pressures for the increase of public-service programs (conservation, welfare, health, etc.) at the very time other forces are pressing for spending cutbacks and tax reduction. The result is that the university must compete for public funds with other agencies whose functions are applauded by the universities and whose very programs may grow out of university academic, research, and service achievements.

Among other developments that give rise to pressures on the university are these:

Professionalism—the establishment of high standards of competence and ethics in a specialized field of knowledge—has characterized education for careers in law, health sciences, engineering, management, education, and many other areas. The increase of knowledge in all of the traditional professions has stimulated subgroup specialization and the growth of demands on the university to serve these specialized areas with professional programs, degrees, and certifications. In part this has been the result of the sheer increase in knowledge through research. It also results from the desire of "new professions" to attain the status and exclusivity of the "old professions" by such means as requiring successful completion of a graduate professional curriculum. Demands on university faculties and funds inevitably result.

ALLOCATIONS DEBATED

The university is perceived as having know-how which enables it to experiment and train people for new roles in society. Public agencies under political pressure themselves to undertake new programs or move in now directions see the university as an allied agency, and so do nongovernmental groups with special goals. University members, sensitive to society's needs and problems, are willing to collaborate in these efforts.

Within the university, however, there is a running debate over allocating resources among instruction, research, experimentation, and external service. Groups outside the university, as well as those inside, plead for funds and try to get priority for their favorite projects.

The university *itself*, in its traditional roles of instruction and research, has generated new paraprofessional occupations in management, electronics, engineering, health sciences, social service, and education among others. The advanced professional today requires support staff in highly technical fields which did not exist a decade ago, and many pepole now want to qualify themselves educationally to serve in such capacities. Thus begins the cycle of "pressure"; People feel a need seek a response and often expect the university to *do* something.

ENROLLMENT BOOST ASSUMED

The population explosion, with its consequence increase in demand for admission to college, has forced public universities to base plans and budgets on an assumption of a constantly increasing enrollment. Annual fund requests rise to support the larger numbers. The built-in assumption of expansion creates an automatic increase in cost.

The assumption itself derives from pressure, political and otherwise, to provide higher educational opportunity to the growing number of those who desire it. The pres-

sure has been necessary to sustain the growth, because many in the academic community have been opposed to ever-expanding enrollments and programs. Many have worried quite as much about the growing complexity of graduate and professional programs, as others have worried about rising costs. These pressures from outside the university have found a response inside, both to expansion and to restraint in expansion.

The phenomenon of social change in America and in the world draws political attention to the university. The university is the persistent critic of itself, and of the society in which it exists. At the same time, it is a prominent institution in the framework within which society operates. Society preserves itself, renews itself, examine itself—in part through the university. The more valuable the university becomes to both the conservators and changers of society, the more each will bring pressure, including political pressure, to bear on university decisionmaking.

THE BOYS COME HOME

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. HAGAN. Mr. Speaker, I want to call to the attention of my colleagues the article from the Tattnall Journal of Reidville, Ga., entitled, "The Boys Come Home." I think that this is one subject on which all of us can agree—"it is good to have them home again, those who lived to come back."

THE BOYS COME HOME

The sight of United States soldiers just back from Vietnam parading, in Seattle, is a nostalgic thing, one which produces a lump in many a throat. Whatever the mistake of politicians, these men fought a war as ordered—and now it is good to have them home again, those who live to come back.

Those who remember homecomings after the Spanish-American War, in 1919, after World War II in 1945 and 1946 and after the Korean War, know the drama. The nation owes each returning combat veteran a debt—regardless of the issues beclouding the Vietnam War.

All Americans hope the recent lull in casualties in Vietnam, and the beginning of the process of bringing the boys home, are connected—and that the process will continue. In any event, many young Americans who have obeyed the call of duty and risked their lives carrying out the orders of their government, and military superiors, are coming back.

The nation is proud of their sacrifice, their many achievements. Those of us who did not have to serve, who enjoyed business as usual or life as usual while others fought in the mud and jungle for their lives, should not forget our debt to them, and to those who didn't come back.

THE ROLE OF THE NEW LEFT IN THE ARAB-ISRAEL WAR

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. BOB WILSON. Mr. Speaker, I have noticed an expression of concern in the press about the role of the new left in helping the Communists and Egyptian President Nasser "Vietnamize" the Arab-Israel war. It appears that the anti-military and antiwar mood in America has been exploited by the enemies of Israel as well as the enemies of the United States.

I refer to a syndicated article by a well-known Washington correspondent, Mr. Milton Friedman, correspondent of the Jewish Telegraphic Agency. It appeared throughout the Nation and abroad. He notes:

The Arab calculation is that Americans, exasperated by Vietnam, may pressure Israel to make unilateral concessions in the name of "peace".

For the information of my colleagues, I insert the article in the CONGRESSIONAL RECORD, as follows:

NEW LEFT TO HELP NASSER "VIETNAMIZE" ARAB-ISRAEL WAR

(By Milton Friedman)

WASHINGTON.—President Nasser of Egypt has responded to the anti-war mood sweeping America by escalating the sub-war of attrition against Israel. Nasser hopes to emulate North Vietnam's Ho Chi Minh by endless guerrilla warfare that will drain Israel and generate a defeatist mood among Israel's supporters abroad. Communist and Arab propagandists are skillfully preparing "teach-ins" for the New Left in the United States. When universities reopen in September, a lot will be heard about self-determination of Palestinian Arabs.

Attempts are already being made to equate Israeli occupation of territories seized in the Six-Day War with the American involvement in Vietnam. Nasser is counting on the American youths, Jewish and non-Jewish, who are refusing military service to see the Arab "liberation" struggle in the same context as Vietnam's National Liberation Front.

Much water has flowed down the Jordan since the tense days of May, 1967, when virtually all Americans, young and old, supported Israel. They saw the Arabs and Russians ganging up or Israel. But since the endless alarms, the artillery battles, the jet flights and the guerrilla terrorism, a new public mood has emerged in the West. People, especially the young, are saturated. A growing trend favors not only withdrawal from Vietnam but disengagement from even the vague commitments the United States has to Israel. There are troubles enough at home—inflation, riots, pollution, urban chaos, and still continuing war in Vietnam.

No discernible anti-Israel sentiment has affected any large sector of the public. Instead, the mood appears to be a wish that both Arabs and Israelis would just disappear in the desert dunes.

Elements of the New Left, however, are about to become involved. The involvement will be on the side of the Arabs. Israel is depicted as linked with neo-colonialism, imperialism, and the U.S. defense establishment. The Arabs are seen as emerging, under privileged people who are struggling against racism, exploitation, and domination.

Israeli authorities have learned that a few individuals of Jewish origin who are New Left activists have been in Israel this summer looking for disgruntled Arabs. Such New Leftists are preparing for the fall teach-ins. Proclaiming that they are Jewish and therefore unprejudiced, such persons are expected to focus attention on the plight of the Arab refugees. Their full line will aid the propaganda of the Arab terrorists and do much to undermine Israel among non-Jewish liberals. Israel, a free nation, has not denied visas to such agitators.

Nasser, however, can only be joyous. He is convinced that the United States, wishing to avoid confronting the Soviet Union, will ignore the increasing flow of Russian weapons and technicians to Egypt. If the anti-war atmosphere in the United States is broadened, the supply of U.S. jets to Israel may be jeopardized. The Arab calculation is that Americans, exasperated by Vietnam, may pressure Israel to make unilateral concessions in the name of peace.

Another factor in Arab thinking is the lesson of attrition learned in Vietnam. Even if the Vietnamese suffered 10 dead for every American killed, the U.S. losses are great enough to sway public opinion. Since the Arabs so vastly outnumber the Israelis, contrasted with the tremendous numerical troop superiority America has over North Vietnam, the Arab strategy appears even more logical.

QUESTIONNAIRE ON TAXES, INFLATION, AND GOVERNMENT SPENDING

HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. RUPPE. Mr. Speaker, following are the results from a poll I recently conducted in the 11th Congressional District of Michigan. The questionnaire was forwarded to all postal patrons in the 11th District, and I believe you will find the results to be of great interest.

Questionnaire results—Inflation, taxes, and Government spending

[Answers in percent]

1. In an effort to check inflation and rising prices, would you support:

(a) Substantial reduction in domestic programs:

Yes	43
No	33
Undecided	24

(b) Substantial reduction in military spending:

Yes	57
No	22
Undecided	21

(c) Extension of the 10% surtax for six months and a 5% extension for the succeeding 6 months, anticipating a tax reform program for this year.

Yes	50
No	33
Undecided	17

2. How much do you feel Congress should spend on the following:

(a) Education.

More	35
Less	13
Same	41
Zero	1
Undecided	10

(b) Poverty and hunger programs.

More	38
Less	21
Same	29
Zero	3
Undecided	9

(c) Antiballistic missiles.

More	20
Less	22
Same	28
Zero	17
Undecided	13

(d) Space program.

More	6
Less	36
Same	32
Zero	15
Undecided	11

(e) Highways.

More	37
Less	10
Same	43
Zero	1
Undecided	9

(f) Pollution control.

More	70
Less	2
Same	17
Zero	2
Undecided	9

(g) Programs to aid inner cities.

More	23
Less	22
Same	30
Zero	13
Undecided	12

(h) Programs to aid rural areas.

More	33
Less	14
Same	29
Zero	9
Undecided	15

(i) Vietnam war.

More	10
Less	36
Same	22
Zero	23
Undecided	9

(j) School lunch program.

More	22
Less	12
Same	50
Zero	9
Undecided	7

(k) Law enforcement grants.

More	57
Less	2
Same	27
Zero	3
Undecided	11

(l) Supersonic transport (SST) development.

More	6
Less	25
Same	24
Zero	29
Undecided	16

DOMESTIC AFFAIRS

1. Is the Federal government directing enough attention toward actively protecting the consumer interest?

Yes	28
No	60
Undecided	12

2. Should cigarette advertising be banned from radio and television?

Yes	54
No	38
Undecided	8

3. Should the electoral college be abolished and the President and Vice President elected by popular vote?

Yes	75
No	13
Undecided	12

4. Do you feel that some sort of national guaranteed income should replace present welfare programs?

Yes	30
No	60
Undecided	10

5. Do you favor reorganization of the Post Office Department along the lines of a public corporation?

Yes	65
No	27
Undecided	8

6. Regarding the Selective Service System, do you support:

(a) The present draft system?

Yes	19
No	38

(b) Moving toward an all-voluntary force (after Vietnam)?

Yes	55
No	18

(c) The lottery method, drafting young men first?

Yes	36
No	24

(Some voters considered the above an "either/or" question, while others did not. Consequently, the Yes answers for (a), (b), (c) combined exceed 100 percent.)

7. Would you support the establishment of a National Youth Conservation Corps?

Yes	37
No	29
Undecided	34

FOREIGN AFFAIRS

1. If we do not establish peace in Vietnam in the near future, which one of the following broad policy courses would you have me recommend to the President?

(a) Continue Paris negotiations and hold the present level of American commitment.

Yes	13

(b) Begin unilateral withdrawal of U.S. forces.

Yes	32

(c) Increase pressure on North Vietnam and resume bombing.

Yes	22

(d) Offer to agree to a coalition government in South Vietnam which includes the Viet Cong in return for a cease fire.

Yes	17

(e) Declare all-out war on North Vietnam and invade.

Yes	25

(Here again, some voters checked more than one answer. Consequently, (a), (b), (c), (d), (e), combined answers exceed 100 percent.)

2. Regarding foreign aid, should the United States:

(a) Continue to extend military assistance to other nations?

Yes	25
No	50
Undecided	25

(b) Continue to extend economic and technical assistance to other nations?

Yes	59
No	28
Undecided	13

3. Should I recommend to the President that he extend diplomatic recognition to Red China?

Yes	36
No	52
Undecided	12

4. Who do you feel represents the greatest threat to the security of the free world?

China, yes	30
Russia, yes	8
Both equally, yes	48
Undecided	14

5. Should the United States adopt a 12-mile offshore territorial limit against other nations who impose more than a 3-mile limit?

Yes	78
No	12
Undecided	10

TRIBUTE TO THE INDEPENDENCE OF NIGER

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. POWELL. Mr. Speaker, on this 9th anniversary of Niger's independence—August 3, 1960—I would like to extend my congratulations to the people of Niger and my wish that they continue to be successful in their drive toward economic prosperity.

With a population of 3.5 million people and a country the size of California and Texas combined, Niger has many problems, but one of them is not overcrowding. Actually, she is remarkably free of the turmoil and agonies which is convulsing her neighbor to the south, Nigeria.

Her economy has shown a decided improvement since independence. Although 80 percent of her GNP comes from agriculture, her GNP has shot up fourfold from 1958 to 1968. Although Niger has registered a trade deficit every year since 1960, these deficits are being progressively reduced. The reductions are primarily due to the success of her farm program, which increased the efficiency of the farmers and herdsmen while encouraging crop diversification.

In this age of moon landings and Mars sightings, Niger might do well to ponder the words of Astronaut Aldrin as he walked on the moon:

> I say that the rocks are rather slippery. . . . About to lose my balance in one direction and recovery is quite natural and very easy.

With a firm resolve, a high morale, and an exemplary determination, I am sure that the people of Niger, under the moderating inspiration of their exceedingly competent President, Hamani Diori, will continue on the road to peace, progress, and prosperity.

"PUBLIC BE DAMNED" ATTITUDE OF POTOMAC EDISON CO. OF WEST VIRGINIA

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. OTTINGER. Mr. Speaker, the Washington Post this month has been following a story that concerns a subject of vital importance to the Congress. The articles, which I submit for the RECORD, report the frustrations of citizens who are seeking the assistance of their Government to prevent the destruc-

tion of a public resource at the hands of a privately owned electric utility which has again demonstrated a "public be damned" attitude.

The Potomac Edison Co. of West Virginia, in blatant disregard of the public interest, has indicated its intention to proceed with the irreparable destruction of a unique and valuable scenic, historic, and recreational area. While these shocking actions come as no surprise to those of us who have followed the workings of the private utility industry for any length of time, we must all be dismayed by the collaborative assistance that is being rendered by the one agency with principal responsibility for the preservation of these public values, the Department of the Interior.

For many years now, several of us in both Houses of the Congress have been committed to the preservation and promotion of the Potomac River. Its shores have been the silent witness to countless great moments in history. Its potential for enjoyment and relaxation is today, more than ever before, so vitally needed by our overcrowded and overburdened population. Yet, we all recognize that if the Potomac is to be preserved and developed as it must be, it will require the commitment of private as well as public resources. Much of the area contiguous to the Potomac and its bordering Chesapeake and Ohio Canal is in private ownership.

Mr. and Mrs. Harold Sangster own 311 acres of undeveloped land near Shepardstown, W. Va., with three-quarters of a mile bordering the Potomac. Their land is rich in history, in scenic splendors, and in recreational opportunities. Indeed, the Department of the Interior's interdepartmental task force on the Potomac specifically identified the property as a recreation concentration area and much of the property would be within the boundaries of the Potomac National River Park as proposed by the Department last year. No doubt there will be increased pressures on the Department in coming years to utilize public funds to acquire such parcels of land to insure their preservation for the public good.

No such expenditure would be required in the case of the Sangster property. They acquired it specifically with the object of developing it consistent with the Department's own master plan, as a recreation area. Now the realization of this objective is about to be destroyed by the needless taking of this unique public resource for the selfish motives of a private power company. In total disregard of alternative routings that I have reason to believe would be compatible with environmental considerations and with the company's obligations to its users, the Potomac Edison Co. is about to wantonly bisect this property by constructing a 500-kilovolt powerline running along the shores of the Potomac.

With nowhere else to turn, the Sangsters looked to the Department of the Interior for help. As part of their overall plan to develop this property for recreational purposes, they offered the Department a free scenic easement over their property. All they asked in return was that the Department act to preclude the construction of the powerline over their land, the public value of which the Department had already formally recognized.

The Department turned a deaf ear. The Department clearly recognized that the public interest required preservation of this rich undeveloped land; yet, it based its refusal to pursue any of the alternative courses of action suggested to it solely on the ground that it lacked statutory authority. Despite requests for a supporting memorandum, the Department has never submitted any document setting forth the legal justification for its position. I was suspicious of this construction of the Department's authority and my suspicions have been confirmed. The full authority of the Department to act in the public interest has been set out in detail in a letter sent to Secretary Hickel by all seven members of the Subcommittee on Conservation and Natural Resources of the House Committee on Government Operations. That letter is as follows:

HOUSE OF REPRESENTATIVES, CONSERVATION AND NATURAL RESOURCES SUBCOMMITTEE OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C., July 11, 1969.

Hon. WALTER J. HICKEL,
Secretary of the Interior, Department of the Interior, Washington, D.C.

DEAR MR. SECRETARY: We request that you undo a recent action by your Department which runs counter to the public interest and your policy to protect the Potomac River and the Federal interest in the Chesapeake and Ohio Canal National Monument.

The Potomac Edison Company is constructing a 500 kilovolt transmission line through Pennsylvania, Maryland and West Virginia. Its original routing would have adversely affected the scenic view at Antietam National Battlefield and other historic places. As a result of widespread protests by many people, including several of us, the Interior Department, to its great credit, insisted that it would not grant the Company the permit it needed to cross the Chesapeake & Ohio Canal until the line was rerouted to protect those scenic and historic values.

We now learn that on July 1, 1969, your Department granted the crossing permit to the Company but disregarded important environmental values in an area immediately upriver from Dam 4, between Whiting Neck and Terrapin Neck, about 4 miles northwest of Shephardstown, West Virginia. There the Company intends to construct its line, with towers up to 137 feet high, parallel and immediately adjacent to the boundaries of the proposed Potomac National River Park. The line and towers will gravely impair the scenic view from the River and from the C. & O. Canal. In addition, the line will cut through the middle of the 311 acres Sangster tract which is in the Recreation Concentration Area especially designated by the Federal Interdepartmental Task Force on the Potomac. This tract, which for about three-fourths of a mile borders the Potomac River and offers direct access thereto, provides great opportunity for recreation development in an area where such access is greatly restricted by high bluffs along the River. Your Department has repeatedly acknowledged the unique values of the land and the urgent necessity to preserve them.

There are two aspects to this matter which are disturbing. *First*, that your Department granted the crossing permit in disregard of the recreational and scenic values in the Recreation Concentration Area through which the Company now intends to run the line along the boundary of the proposed park and less than $\frac{1}{10}$ mile from the River's edge, even though its earlier plans had a route that would have passed through farm land away from the Sangster tract where the towers would not have been visible from the River. *Second*, that the Department refused to accept from the owners the scenic easements and public access rights they offer to your Department, without cost to the Government, in their effort to protect the recreational and scenic values in this Recreation Concentration Area.

Unless your Department takes immediate action to protect the public interest in this case, the Company will acquire its right of way over this property by condemnation and promptly construct the line, thereby forever precluding the preservation of the scenic and recreation values in this area, including those of the C. & O. Canal National Monument.

Your Department has a particular obligation to prevent this result in light of Congressional interest in pending bills regarding the Potomac Basin (such as the Potomac National River bill, Potomac River Basin Compact, and proposals to expand the recreational status of the C. & O. Canal), and to maintain the status quo in this area until the Congress takes final action on these legislative proposals. Such protection can be achieved (1) by revoking the C. & O. crossing permit unless the Company agrees to construct its line where it will not be visible from the River, and the C. & O. Canal; and (2) by the Department's immediately accepting scenic easements and public access rights which will thereby protect the area against destruction of its scenic and recreational values. Your Department clearly has authority to take both of these actions, under the laws relating to National parks and monuments (16 U.S.C. 1), the C. & O. Canal (sec. 4, 67 Stat. 359, P.L. 83–184), the Outdoor Recreation Act (16 U.S.C. 4601–1(h)), and the National Park Foundation (secs. 1, 3, 81 Stat. 656, P.L. 90–209).

We call to mind that on at least two recent occasions—concerning the Hunting Creek landfill, and the imposition of new requirements on off-shore oil drilling leases—you demonstrated the courage and wisdom to reverse prior Department policies which had disregarded the public interest and endangered the environment. We urge that you do so here also.

We shall appreciate you promptly informing us of your action on this matter.

Sincerely,

HENRY S. REUSS,
Chairman.
GUY VANDER JAGT.
FLOYD V. HICKS.
PAUL N. MCCLOSKEY, Jr.
JIM WRIGHT.
JOHN E. MOSS.
GILBERT GUDE.

I join with the members of that subcommittee in demanding action by the Department.

The real issue now presented is whether the Department will act where necessary to protect the public interest. Whether it will encourage or frustrate the dedication of private resources for the public good. We will all await its response with interest.

As for the Potomac Edison Co., its actions only again confirm what many of us have long known: when public values conflict with utility greed, the latter will

prevail. The company's total disregard of the public welfare, notwithstanding that I have every reason to believe that it could have selected a compatible alternative route, again demonstrates the need for public supervision of routing decisions. Many of us in the Congress will work diligently in coming months to ensure such supervision.

So that we may all have the opportunity to examine the relevant documents that have thus far been prepared in connection with this matter, I would now like to submit them for the RECORD. It will be noted that the Department's cursory reply to the extensive legal memorandum submitted to it came less than 24 hours after that submission.

[From the Washington Post, July 20, 1969]

PLANNED POWER LINE WOULD RUIN SCENERY, HOUSE COMMITTEE CLAIMS

(By John Hanrahan)

A controversial power transmission line, diverted last year to avoid Antietam National Battlefield, has been rerouted in such a way as to destroy the scenic and recreational values along the Potomac River, a congressional subcommittee has charged.

In a letter sent last week to Interior Secretary Walter J. Hickel, the House Conservation and Natural Resources subcommittee urged that the permit to construct the line be revoked unless the company "agrees to construct its line where it will not be visible from the River and C&O Canal."

The Interior Department on July 1 granted the permit to Potomac Edison Co. to allow it to cross the Potomac and the C&O Canal into Maryland with its 500 kilovolt transmission line between Whiting Neck and Terrapin Neck, about four miles northwest of Shepherdstown, W. Va. Towers of up to 137 feet high are included in the project.

The approval came despite protests from the affected West Virginia property owners, Mr. and Mrs. Harold L. Sangster, who said they wanted to protect the recreational and scenic values of the land and offered the Interior Department scenic easements and public access rights.

The department, in a June 26 letter signed by Assistant Secretary Leslie L. Glasgoe, refused the offer, saying, "We have concluded that the presently contemplated alignment meets the basic objectives of the Department of the Interior."

The House subcommittee, in a letter signed by its chairman, Rep. Henry S. Reuss (D-Wis.), urged Hickel to "undo a recent action by your Department which runs counter to the public interest and your policy to protect the Potomac River and the Federal interest in the Chesapeake and Ohio Canal National Monument."

The line and the proposed 137-foot towers, which are parallel to the Potomac for three-quarters of a mile and are immediately adjacent to the boundaries of the proposed Potomac National River Park, "will gravely impair the scenic view from the River and the C&O Canal," the subcommittee stated.

In addition, the subcommittee noted, the 311-acre Sangster tract through which the power line will cut, "is in the Recreation Concentration Area especially designated by the Interdepartmental Task Force on the Potomac." It was especially disturbing the subcommittee said, that the Interior officials had turned down an opportunity to preserve the area "without cost to the Government . . ."

[From the Washington Post, July 26, 1969

SECOND ROUND IN THE POWERLINE FIGHT

The rerouting of a Potomac Edison Co. power line a few months ago to avoid the Antietam National Battlefield has itself come under sharp challenge. The House Conservation and Natural Resources Subcommittee has asked Secretary Hickel to revoke the permit given for use of a modified route for the controversial line across the Potomac River and the C and O Canal National Monument because of new encroachments on scenic values. Certainly this complaint should be amply aired before condemnation of the land in question is sought.

Chairman Henry S. Reuss of the Subcommittee has made a convincing case. Under the new plan the 500-kilovolt transmission line, with 137-foot towers would be built in a section northwest of Sheperdstown, W. Va., immediately adjacent to the boundaries of the proposed Potomac National River Park. The view from the river and the old canal would be impaired, and the line would cut through the middle of a 311-acre tract which has been designated as a "recreation concentration area" by the Potomac planners. The tract is essential to the future park, according to the subcommittee because it offers access to the river in an area characterized by the high bluffs along the shore.

The action of the Interior Department in consenting to a crossing of the river at this point was especially unfortunate because the owner of the tract had offered to give the Government a scenic easement and public access rights to protect its scenic and recreational values. If the Potomac National River Park or anything comparable to it is ever to be achieved, the Interior Department ought to be accepting every easement of this kind that is offered to it.

The Subcommittee has made an extreme request that the C and O crossing permit be revoked "unless the Company agrees to construct its line where it will not be visible from the river, and the C and O Canal." Since the power line presumably has to cross the river and the canal at some point to connect with existing transmission lines at Doubs Station on the Maryland side, it is difficult to see how it can be kept entirely out of sight with present technology. But the necessity of a crossing does not justify the construction of an ugly power line for three-quarters of a mile along the edge of the proposed park. Secretary Hickel's firm stand for protection of the scenic values along the Potomac in other cases calls for a re-examination of this decision while there is yet time to avoid a grave mistake.

The power company has filed a condemnation suit in West Virginia in order to acquire right-of-way needed for its line across Sangster property. Unless the Department acts swiftly, the subcommittee warned, it will mean "forever precluding the preservation" of the area.

Gladys Kessler, one of the attorneys for the Sangsters, said that in a June 20 meeting Interior officials had agreed that the area was worthy of preservation. She said the Sangters had suggested that the line either be moved back on their property one-half mile from the River and Canal or further back across a road and off their property.

Bernard Meyer, associate solicitor for the Interior Department who was involved in talks with the Sangsters' attorneys, said yesterday, "Its inevitable in our civilization to have some crossings" of the River and Canal with power lines.

Meyer said the Department had been involved in long discussions with the power company since the dispute over Antietam erupted two years ago. The Park Service approved the permit, he said, because it was satisfied that this was the proper routing for the line. Agreement to reroute the line from Antietam was reached in March, 1968.

Potomac Edison, he said, also was becoming concerned with the long delays. "I'm sure the power company feels it has an obligation to its customers and its stockholders in this matter," he said.

Plans for the $25-million, 155-mile power line from Hatfield's Ferry, Pa., through Maryland and into West Virginia, then back to Maryland to its terminal at Doubs, Frederick County, were first disclosed in May, 1967. As proposed, the line would have cut through a scenic area just south of the battlefield.

Stewart L. Udall, then Interior Secretary, helped block that route by withholding the permit to cross the C&O Canal.

The Maryland General Assembly, spurred by the sudden disclosure that power companies had virtually unlimited condemnation powers, enacted legislation requiring the State Public Service Commission to hold hearings and then decide whether to grant certificates for erecting such lines.

[From the Washington Post, July 31, 1969]

INTERIOR DENIES PLEA ON POWER LINE

(By John Hanrahan)

The U.S. Interior Department has rejected a congressional subcommittee's request to revoke the permit to construct a controversial power transmission line across the Potomac River near Shepherdstown, W. Va.

The power line, which includes towers of up to 137 feet high, will cross the river and the Chesapeake & Ohio Canal "at a point of minimal adverse environmental impact with regard to the resource values of the region as a whole," said Leslie L. Glasgow, assistant Interior Secretary.

Glasgow's comments came in a letter written Monday to Rep. Henry S. Reuss (D-Wisc.), chairman of the Conservation and Natural Resources Subcommittee of the House Committee on Government Operations.

The subcommittee has yet to respond to Glasgow's letter.

In a letter to Interior Secretary Walter J. Hickel two weeks ago, Reuss and six subcommittee members contended that the power line had been rerouted in such a way as to destroy scenic and recreational values along the Potomac. The line and the towers would run immediately adjacent to the boundaries of the proposed National Potomac River Park.

The subcommittee also expressed concern that the Department had refused the offer of scenic easements from the owners of the 311-acre tract through which the power line will cut, stating this would be an opportunity to preserve the area "without cost to the government."

The power line is the same one that the Interior Department last year ordered to be rerouted in order to avoid Antietam National Battlefield. The permit to cross the Potomac and C&O Canal with the power line was granted July 1 by the Department to the Potomac Edison Co.

The subcommittee has contended that the area is worthy of preservation to protect the scenic view and the Federal interest in the C&O Canal National Monument and the Potomac as a recreation area.

The 500 kilovolt transmission line which will run parallel to the river and canal for three-quarters of a mile, is to cross into Maryland between Whiting Neck and Terrapin Neck, about four miles northwest of Shepherdstown.

In his letter, Glasgow stated that "The presently contemplated alignment meets the basic objectives of this Department." Claiming that the Department does "not now have authority to acquire permanent interests in the Sangster property," Glasgow added:

"Furthermore, even if authority did exist to accept a scenic easement . . . it would be inappropriate to consider taking such action as has been suggested if its effect would be inappropriate to consider the line . . ."

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., May 26, 1969.

Hon. JENNINGS RANDOLPH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR RANDOLPH: We regret very much the delay in replying to your written inquiry on behalf of Mr. Harold L. Sangster

concerning a 500 KV transmission line which the Potomac Edison Company had intended to build across the center of the Sangster property. You should be aware that this Department carried on extensive negotiations with the Potomac Edison Company over the past 2 years concerning the entire routing of this transmission line as it would affect such areas in the public interest as the Antietam Battlefield (Maryland) Harpers Ferry (West Virginia), the South Branch-Cacapon River (West Virginia), the Chesapeake and Ohio Canal (Maryland), and the Potomac River (Park) proposals. Such work culminated in a compromise routing agreed to by this Department and the Potomac Edison Company on March 14, 1969, subject to final review of the line's plan-profile drawings and issuance of a right-of-way document by the National Park Service for crossing the Chesapeake and Ohio Canal National Monument (Maryland). By January of this year the plan-profile drawings were approved.

This Department has very carefully considered the matter of the line location in relation to the Sangster property as such property would be in the public interest of the Potomac River (Park) proposals. On May 16 the president of the power company was asked by telephone to consider moving the line to the south edge of the Sangster property which would afford reasonable assurance to minimize the impact of the line upon the Potomac River (Park). The president of the power company called on May 19 and stated that it was necessary to discuss the request with company attorneys. We had no response and again called him today. He advised that the company was considering moving the line as requested but as yet no decision had been reached, and would advise us definitely at a later date.

We appreciate your concern in these matters of public interest and hope you and Mr. Sangster understand the position of this Department. Please contact us again if you feel we could be of further assistance.

Sincerely yours,

LESLIE L. GLASGLOW,
Assistant Secretary of the Interior.

U.S. SENATE,
COMMITTEE ON PUBLIC WORKS,
Washington, D.C., April 8, 1969.

Mr. HAROLD SANGSTER,
Scrabble, W. Va.

DEAR MR. SANGSTER: Thanks for your letter of April 7 relative to your property in Scrabble and the proposed transmission line to be constructed by Potomac Edison. Your concern is understood and I appreciate your counsel.

I have written to the Interior Department and to Potomac Edison Company in this regard and will be in touch with you as soon as a response is received.

With best wishes, I am

Truly,

JENNINGS RANDOLPH.

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., May 29, 1969.

HON. JENNINGS RANDOLPH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR RANDOLPH: This is in further reference to your inquiry concerning the Potomac Edison Company's 500 KV transmission line which, according to the presently planned alignment, would cross Mr. Harold L. Sangster's property in West Virginia.

On the morning of May 28 Mr. David Granger of the firm of Clifford, Warnke, McIlwain, Glass and Finney, representing the Potomac Edison Company, met with me and members of my staff to discuss our request to consider moving the line as indicated in my letter to you of May 26. Mr. Granger summarized the power company's position substantially as follows:

1. The company has negotiated in good faith, has incurred more than a year in delay in project time and hundreds of thousands of dollars of additional expense in an earnest effort to meet the Department of the Interior's concerns.

2. The Department should not withhold issuance of the right-of-way easement to which the company is entitled on the basis of a request for special treatment by one private landowner. Such action would precipitate many such requests for special consideration, resulting in unreasonably increased project costs and further delay in meeting the public need for regional electric power supply.

Mr. Granger was asked if the company had in fact carried on any negotiation with Mr. Sangster, and he promised to look into this aspect and let us know as soon as possible.

This Department is fully aware and appreciative of the fact that the Potomac Edison Company has made a great effort which demonstrates significant progress in its and the utility industry's growing concern and actions with respect to the impact of transmission lines upon the quality of the environment. This agreement, whereby the company has moved so as to minimize intrusion upon and not dissect the complex of Antietam Battlefield-Harpers Ferry and the South Branch-Cacapon River area of regional and national historic and scenic interest, should be recognized as a long step in the right direction. It is our hope to retain this progress. We appreciate your interest and concern for environmental quality.

Sincerely yours,

LESLIE L. GLASGOW,
Assistant Secretary of the Interior.

JUNE 5, 1969.

Mr. LESLIE L. GLASGOW,
Assistant Secretary of the Interior U.S. Department of the Interior, Washington, D.C.

DEAR MR. GLASGOW: We understand that you recently discussed with a representative of the Potomac Edison Company the presently planned crossing of Mr. and Mrs. Harold L. Sangster's property by a 500 KV transmission line. In the course of that discussion, the representative of Potomac Edison apparently made certain statements to you which, we feel, cannot remain unanswered.

It was stated that Potomac Edison had negotiated, in good faith, with Mr. and Mrs. Sangster and had already incurred great delays and expense in responding to the concerns of the Department of the Interior. In fact, the Company has not negotiated at all with Mr. and Mrs. Sangster on the critical question of where the transmission line will go. The Company advised us orally that they explored a proposed alternative routing we had suggested and rejected it as involving too much delay. They never subjected their conclusion to the scrutiny of our engineers who advise us the alternative routing of a very minor part of the line could probably be accomplished without any significant delay. In fact, Potomac Edison's own estimate of delay (3–6 months) given in March of this year suggests that had they begun at that time, in good faith, to reroute the line, the work would now be completed. As with the delay associated with the line rerouting requested by the Interior Department to protect Antietam and other areas and the Paw-Paw Bends, the alleged delay connected with the minor alterations we suggest is really a delay created by Potomac Edison's unwillingness to quickly resolve the issue when first raised.

Potomac Edison has also alleged that the request which we make is on behalf of a private landowner for special treatment. In fact, our request is made on precisely the same basis that the Department of the Interior requested the original rerouting—to preserve unique land for recreational and scenic purposes in the public interest. We know of no other similarly situated property on the entire proposed route. It is because of the very uniqueness of this 311 acre tract of land that we are so concerned about the irreparable damage which will be caused by this transmission line.

We very much appreciate the deep concern which the Department of the Interior has shown for the preservation of scenic and recreational land. We applaud their long and difficult struggle to preserve the Antietam Battlefield and Paw-Paw Bends. As the Department advised in its March 14, 1968 news release, it was the desire of the Department and of Charles D. Lyon, president of Potomac Edison, to preserve the Potomac River, riversides and adjacent setting as scenic and recreational areas for present and future generations. If the proposed crossing of Mr. and Mrs. Sangster's land is not prevented, the expressed desire of all concerned, to preserve the riverside and adjacent setting, will not be achieved.

Thank you for your interest in this matter.

Sincerely,

ANTHONY I. ROISMAN.

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., June 2, 1969.

HON. JENNINGS RANDOLPH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR RANDOLPH: This responds further to your inquiry concerning the Potomac Edison Company 500 KV transmission line as it would affect the Harold L. Sangster property (West Virginia) and following our previous letters of May 26 and 29 to you, we can report that:

1. This Department has fully examined this matter in depth.

2. This Department passed on to the company the concern expressed on behalf of the Sangsters by asking the power company to consider moving the line to the south side of the Sangster property. The company has indicated that it was not willing to alter the line as related to the Sangster property.

3. The company's counsel has reported that there were negotiations with Mr. Sangster and his attorneys since April 1968. We were informed also that during the period from April 1968 until February 1969 the discussions centered on the purchase price for a right-of-way across his property.

4. The company's counsel indicated Mr. Sangster or his representative did not object to the proposed taking of the right-of-way on the ground that it conflicted with his land use plans until February of this year. Mr. Sangster's counsel first visited this Department in March of this year at which time this Department was verbally informed of Mr. Sangster's land use plans.

After many months of serious negotiation between this Department and the company concerning this line, a final understanding resulted on January 3 of this year in line routing and alignment, tower heights and location, and vegetative treatment of the right-of-way. Throughout negotiations with the company this Department based its concern solely on the factors of public interest without consideration for any specific private land ownership.

You may be assured that this Department, in its extended negotiations with the company, has made an earnest effort to minimize the impact of the line upon the regional landscape and the areas of particular historic and scenic interest of the region. The effect of the compromise agreement is that the Potomac Edison Company is taking a great step toward the public interest in minimizing the adverse impact of transmission lines upon environmental aesthetics.

Since the company is willing to meet all the conditions of the agreement of March 14, 1968, we feel it is appropriate to issue the right-of-way easement across the Chesapeake

and Ohio Canal National Monument and thus avoid further delay in the progress of this project to improve the reliability and supply of electric power to this region.

We appreciate your concern and interest in the utility aspects of environmental quality. Please contact us again if we can be of assistance in such matters.

Sincerely yours,

LESLIE L. GLASGOW,
Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, D.C., June 16, 1969.

Mr. ANTHONY Z. ROISMAN,
Berlin, Roisman & Kessler,
Washington, D.C.

DEAR MR. ROISMAN: This is in response to your letter of June 5 concerning the Potomac Edison Company's 500 KV transmission line crossing the property of Mr. and Mrs. Harold L. Sangster.

The information you have offered concerning the degree of negotiation carried on between the company and the Sangsters is of general interest. This Department, however, is not in a position to negotiate the location of this line on behalf of any individual private land owner.

You have made mention of the general line routing agreement of March 14, 1968 of former Secretary Udall and Mr. Lyon, president of the Potomac Edison Company. On January 3, 1969 this Department accepted the company's proposals for meeting the conditions of the March 14 agreement. Therefore, as of January 3 this Department has stood in confirmed agreement with the company on matters pertaining to the routing and construction of the line.

In April of this year a number of inquiries were received by this Department from members of Congress concerning the location of the line on the Sangster property. Those inquiries requested that issuance of the right-of-way document for the line to cross the Chesapeake and Ohio Canal National Monument be withheld while the Department reviewed the location of this line with regard to the Sangster property. As indicated above, this Department cannot now act to repudiate its agreement with the company which was negotiated in good faith.

However, in light of Congressional requests this Department did review the line routing as it appeared to be located on the Sangster property. In addition, because it would appear not to conflict with the proposed Potomac National River (Park) if the line were located farther south, this Department did ask the Potomac Edison Company to consider moving the line at least to the south edge of the Sangster property. This action on our part is all that we can do within the scope of the standing agreement.

Since this matter has been reviewed as requested, the right-of-way easement for crossing the C&O Canal will be issued in the very near future.

We hope you will understand the position of this Department.

Sincerely yours,

EDWARD A. HUMMEL,
Associate Director.

JUNE 25, 1969.

HON. LESLIE L. GLASGOW,
Assistant Secretary of the Interior, U.S. Department of the Interior, Washintgon, D.C.

DEAR DR. GLASGOW: Pursuant to the understanding we reached at our meeting on June 20, we have outlined below why we think it clear that the Department is free to delay issuance of a permit to the Potomac Edison Company to cross the C&O Canal until it has been established that all efforts have been made to preserve the scenic, recreational and historic features of the Canal itself, the Potomac River and the surrounding land areas.

Preliminary, it is appropriate to focus on the significance of the Potomac Basin, particularly in the geographical area with which we are concerned. As President Johnson observed in directing the Secretary of the Interior to "clean up the river and keep it clean . . . protect its natural beauties [and] provide adequate recreational facilities," the river "should serve as a model of scenic and recreation values for the entire country."

One of the major obstacles to providing the needed recreational facilities is access to the river itself. As the Department of the Interior recognized in its own Report on the Potomac, "The Nation's River," the "main reach of the flowing river . . . is greatly menaced by rapid and inappropriate development along its banks, and through most of its length it is hard for people to reach." The Report went on to point out that "the bulk of the land between the canal and the river—7200 acres out of 10,000—is privately owned. Along most of the 120 miles where the canal property touches the Potomac, it is much too narrow to permit heavy use, so that public enjoyment of the river except at occasional spots is limited to hikers, cyclists, and boatmen." The Report concludes that "for the most part the Basin's main flowing streams remain a closed book."

What is particularly relevant to our consideration is the explicit designation of this property as a "Recreation Concentration Area" by the Federal Interdepartmental Task Force on the Potomac. Such designation is based on the fact that the property affords unique access to the river on the West Virginia side and, consequently, should be preserved and developed for fishing, camping [and] picnicking."

As you know, this property, over which the Potomac Edison Company seeks to run a 500 kv power line, includes more than 311 acres of undeveloped West Virginia land with three-quarters of a mile bordering on the Potomac River at a point where it is pollution free and where its water level remains virtually constant. Additionally, the property has several other unusual characteristics: two historic stone houses, one of which is approximately 250 years old and which has a mill race and an apple cellar, an unusual and popular cave formation known as Chimney Rock, and a winding, scenic, trout stream which conservation specialists at the Department of Agriculture have indicated is suitable for damming for creation of a spring-filled pond.

As you also know, the present owners of the property acquired it several years ago with the full intention of developing it only for purposes consistent with its unique scenic, historical and recreational attributes. Moreover, their dedication along these lines is evidenced by their willingness, as expressed on several occasions to the Department, to convey either to the Department, the Nature Conservancy or any other public trustee, a scenic easement which would insure the preservation and development of the property in harmony with these purposes.

Having put the case in context, let us now be clear what the precise issue is at this point. Based upon our discussions with the Department, it is our understanding that the Department accepts the uniqueness of this particular piece of land, that the Department agrees that such property should not be encroached upon by Potomac Edison's proposed power line, and that the Department recognizes the need to exercise its full authority to stop such encroachment and to bring about a rerouting of the line in order to avoid jeopardizing development of the Basin.

The issue, therefore, is whether any statutory restrictions preclude the Secretary from delaying issuance of the permit until he is assured that the property, the River, and the Canal, will be fully protected. As we show, not only is the Secretary **not** bound by any such statutory restrictions, but rather he has ample discretionary authority, if indeed not the affirmative obligation, to act as the guardian of these public resources.

The basic statute under which the Secretary is operating in this instance, conferring the authority to grant power line easements over the C&O Canal, clearly spells out his broad discretion to condition the grant of any easement to the full extent required for the protection of the Federal interest. The statute provides, in Section 4, that:

"The Secretary of the Interior is further authorized, in his discretion, to grant perpetual easements, subject to such conditions as are necessary for the protection of the Federal interest, for rights-of-way through, over or under the parkway lands along the Chesapeake and Ohio Canal, now or hereafter acquired, for railroad tracks or for other utility purposes . . ." [Public Law 83–184, 67 Stat. 359; see also Section 1]

Beyond that, the general enabling National Park Service legislation, which governs management of the C&O Canal, emphasizes that the purpose of such management is to: "promote and regulate the use of . . . national . . . monuments . . . as provided by law, by such means and measures as conform to the fundamental purpose of the said . . . monuments . . . which purpose is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." [16 U.S.C. 1]

The power line route selected by the company for crossing the property in issues would not only parallel the Potomac for approximately three-quarters of a mile, it would also require the construction of four large towers on the high bluffs on the West Virginia shore. As a consequence, visitors to the Canal, a "unique resource" according to the Department, particularly noted for its hiking suitability, will have their enjoyment of the River and of its scenic West Virginia shore marred by the presence of that long stretch of line. There can be no doubt that the scenic and recreational splendors of the Canal fall within any definition of "Federal interest" which Congress had in mind when it cautioned the Secretary to grant easements "subject to such reasonable conditions as are necessary for [its] protection."

Moreover, the C&O Canal is, of course, a national monument. Squarely involved, therefore, is the affirmative obligation of the National Park Service to "promote" its use. Again, as the Department has pointed out, "[a]long most of the 120 miles where the canal property touches the Potomac, it is much too narrow to permit heavy use." In the case of the particular stretch of the canal that lies directly across from the property in question, "promotion" of its full enjoyment properly includes not only the scenic effects of hiking on the canal itself, which would be impaired, but enjoyment of the magnificent West Virginia palisades, the very palisades on which the line is to be constructed.

In short, any action taken by the Secretary would be in furtherance of his statutory responsibility "to conserve the scenery and the natural and historic objects [of national monuments] . . . and to provide for [their] enjoyment [so as to] leave them unimpaired for the enjoyment of future generations."

Any remaining question as to whether the preservation of the private property in question is a "Federal interest" is affirmatively answered by the declaration of policy set forth in Section 1 of the Outdoor Recreation Act, 16 U.S.C. 4601:

"The Congress finds and declares it to be desirable that all American people of present and future generations be assured adequate outdoor recreation resources, and that it is desirable *for all levels of government and private interests* to take prompt and coordinated action to the extent practicable with-

out diminishing or affecting their respective powers and functions to conserve, develop, and utilize such resources for the benefit and enjoyment of the American people." [Emphasis added, see also 16 U.S.C. 4601–4, 16 U.S.C. 742 and 16 U.S.C. 661].

To facilitate the realization of these objectives, the Secretary is authorized to (16 U.S.C. 4601–1):

"Provide technical assistance and advice to and cooperate with States, political subdivisions, and private interests, including nonprofit organizations, with respect to outdoor recreation."

The need to stimulate responsible private development of public resources was particularly emphasized in the report of the Senate Committee on Interior and Insular Affairs on this legislation (Senate Report No. 11, 88th Cong. 1st Sess., p. 3):

"The committee agrees with the [Outdoor Recreation Resources Review Commission] that private interest groups, both commercial and nonprofit, should be provided technical assistance within the general guidelines to be found in the ORRRC report . . .

"Private cooperation is especially needed in the field of hunting and fishing, the 7th and 12th ranking outdoor recreation activities, since the bulk of hunting occurs on private lands and access to public waters is quite generally over private property."

We thus have the general statutory mandate addressed to the Department "to conserve, develop, and utilize [outdoor recreation] resources for the benefit and enjoyment of the American people" and to promote and protect from impairment, national monuments, such as the C&O Canal, as well as the specific statutory authorization to grant easements across the Canal only after the Secretary is satisfied that he has imposed all "reasonable conditions as are necessary for the protection of the Federal interest." With this solid foundation of statutory authority, there can be no doubt that the Secretary is in no way precluded from delaying issuance of the permit until all the recognized public values are fully protected.

We recognize that in discharging these responsibilities the Secretary has considerable discretion. We suggest, however, that there is an analogy to be drawn from two recent landmark decisions, *Udall* v. *Federal Power Commission*, 387 U.S. 428, and *Scenic Hudson Preservation Conference* v. *Federal Power Commission*, 354 F. 2d 608 (C.A. 2, 1965), certiorari denied, 384 U.S. 941 (1966). Each call upon government agencies with authority to commit public resources for the development, by private companies, of electric power, to approach their responsibility to protect the public resource in the broadest conceivable fashion. Indeed in *Udall* v. *FPC*, the so-called *High Mountain Sheep* case, it was the Secretary of the Interior who urged that broad construction which was adopted by the Supreme Court. There is no justification for the Secretary to view his own responsibility in this instance as any less inclusive, especially in light of the affirmative statutory responsibility already discussed.

Moreover, the Secretary has already recognized his responsibility with respect to this very power line. We have reference, of course, to the Antietam dispute in which the Secretary insisted that the proposed line be rerouted from a particular point on private property where its presence would have gravely impaired the view from Antietam to a less intrusive point on private property. In that instance, the Secretary denied the application to cross the C&O Canal on the specific grounds that the proposed routing would have violated the historic, scenic and proposed recreational areas in Maryland and West Virginia.

The Antietam dispute is on all fours with the present dispute: in both instances, scenic, recreational, and historic values of the Potomac River Basin area faced impairment; in both instances, the Secretary was called upon to influence the rerouting of the power line on private property; in both instances, the Secretary was authorized to grant the requested easement "subject to such conditions as are necessary for the protection of the Federal interest"; and in both instances, the Secretary was faced with the basic policy question of whether to exercise his statutory discretion to delay issuance of the permit until he was satisfied that all public values would be adequately protected.

While we recognize the fact that the Department has the authority to acquire land contiguous to the Antietam Battlefield, we submit that that is not a distinguishing factor and indeed was never suggested to be the basis for the Secretary's actions. More to the point is the fact that the Secretary utilized the authority he had stemming from his responsibility for the Canal to protect *other* public areas. One of the public areas to be protected here is the Canal itself.

Moreover, the private property owners involved here have, of course, offered to convey either to the Department or its designee an easement which fully protects the public values of the property. There can be no doubt that the Department is fully authorized to take advantage of this offer. In the Outdoor Recreation Act, Congress recognized that the donation of private property is to be encouraged so as to minimize the financial impact on the Federal government. Accordingly, it authorized the Secretary of the Interior to (16 U.S.C. 4601–1(h)): "accept and use donations of money, property, personal services, or facilities for the purposes of [the Act]."

More recently the objective of stimulating the dedication of private property was given renewed emphasis when Congress established the National Park Foundation "[i]n order to encourage private gifts of real and personal property or any income therefrom or other interest therein for the benefit of, or in connection with, the National Park Service, its activities, or its services, and thereby to further the conservation of natural, scenic, historic, scientific, educational, inspirational, or recreational resources for future generations of Americans . . ." [Public Law 90–209, 81 Stat. 656]

The Senate Committee on Interior and Insular Affairs in its report on the bill, pointed out that the "thrust of this bill is to encourage our citizens to participate in a more meaningful way in the efforts of their Government to provide park and recreational opportunities for America." (Senate Report No. 532, 90th Cong., 1st Sess., p. 1)

In fulfillment of this objective, Congress provided that (Public Law 90–209, § 3):

"The Foundation is authorized to accept, receive, solicit, hold, administer, and use any gift, devises, or bequests, either absolutely or in trust of real or personal property or any income therefrom or other interest therein for the benefit of or in connection with, the National Park Service, its activities, or its services: *Provided*, That the Foundation may not accept any such gift, devise, or bequest which entails any expenditure other than from the resources of the Foundation. An interest in the real property includes, among other things, easements or other rights for the preservation, conservation, protection, or enhancement by and for the public of natural, scenic, historic, scientific, educational, inspirational or recreational resources. A gift, devise, or bequest may be accepted by the Foundation even though it is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest therein is for the benefit of the National Park Service, its activities, or its services."

Apart from all the existing statutory authority and precedent, we should not ignore the fact that the Potomac River Basin, including the C&O Canal, is the focal point for a considerable amount of legislative and citizen concern. We of course have reference to such proposals as the Potomac National River Bill, the Potomac River Basin Compact, and the various proposals that seek to broaden the status of the C&O Canal as a scenic and recreational center.

It would be unfortunate if the Department, through inadvertence or inaction, which would constitute a breach of its underlying mandate to conserve our vanishing natural resources, permitted the desecration of a piece of property which is so essential to the fulfillment of each of those proposals. At the very least, in light of all this legislative activity, it is incumbent upon the Department to maintain the status quo from an environmental standpoint until the status of the Potomac River Basin is clarified.

This is particularly essential in view of the fact that the property in issue would be included within the boundary of the proposed Potomac National River. Indeed, the power line at issue is proposed to be constructed on that very boundary.

The same reasoning underlies the selection of that boundary for purposes of the National River and as the site of the company's towers and line, namely, that it is a natural highpoint on the West Virginia side clearly visible within the proposed park area. It must be recognized, therefore, that if a Potomac National River bill is enacted, there is every likelihood, especially in view of the Department's singling out of this property for public development purposes, that the property would be acquired by the Federal government. As has already been indicated, the present owners of the property are not only intent on developing the property consistent with its public recreational and scenic potential, but have offered to freely convey appropriate easements to the Department or a public trustee to guarantee such development. Thus, the Federal government would be relieved of the financial burden of acquiring the property without sacrificing any public purposes.

In the final analysis, the Department, as a policy matter, is squarely faced with the question of whether it will exercise the discretion it clearly enjoys under its statutory authority to encourage and assist the development of private property for public purposes. The alternative, should the Department fail to exercise its discretion, is Federal ownership of all property affected with a public interest.

To summarize, the Department's exercise of its discretion can be based on a number of factors. The statutory authority we have discussed above, in and of itself, grants the Secretary sufficient authority to delay issuance of the permit until he is satisfied that the "Federal interest" is adequately protected. Beyond that, we cannot ignore the Federal involvement in the development of the Basin area including the Department's dedication to the promotion of the C&O Canal and the general concern for the development of the River "as a model of scenic and recreation values for the entire country".

As you of course can appreciate, in preparing the above outline of the Secretary's authority to delay issuance of the permit, we have not had the benefit of reviewing any memoranda prepared by your staff. Therefore, should your staff urge you to take a position other than that which we have outlined, we would appreciate the opportunity to review and comment on any memorandum which is prepared for your consideration.

We appreciate your consideration of the issues we have discussed and look forward to hearing from you shortly.

Yours truly,

EDWARD BERLIN.
GLADYS KESSLER.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., July 11, 1969.

Mr. EDWARD BERLIN,
Miss GLADYS KESSLER,
Berlin, Roisman & Kessler,
Washington, D.C.

DEAR MR. BERLIN AND MISS KESSLER: In reply to your letter of July 3 concerning the Potomac Edison Company transmission line across the property of your clients, the Sangsters, we shall reaffirm the statement made in our letter of June 26 to you, "* * * the presently contemplated alignment meets the basic objectives of the Department of the Interior * * *". You are aware that the easement for a right-of-way for this transmission line to cross the Chesapeake and Ohio Canal has been issued. At the present time there is no authority for this Department to accept the offer of your client for a scenic easement of the Sangster property; however, if and when such authority is available this Department will be happy to consider the offer.

It is good to know the heartfelt concern of Mr. and Mrs. Sangster for the environmental quality of their property. This Department is not without interest and appreciation for Mr. and Mrs. Sangster along with similar property owners along the ultimate route of this transmission line.

Sincerely yours,

LESLIE L. GLASGOW,
Assistant Secretary of the Interior.

BERLIN, ROISMAN & KESSLER,
Washington, D.C., July 3, 1969.

Hon. LESLIE L. GLASGOW,
Assistant Secretary of the Interior, U.S. Department of the Interior, Washington, D.C.

DEAR MR. GLASGOW: We have received your two-paragraph letter of June 26, which purported to reply to the 9 page legal memorandum submitted to you at 6:15 p.m. on June 25.

Your reply is an insult—an insult to the owners of the West Virginia property in question who looked to the Department as their last hope for the preservation of land which is to be developed in the public interest; an insult to the Congress whose legislation authorizing the Department to protect the public values at stake here is being blatantly ignored; and an insult to the American public whose crying need for recreational and scenic opportunities is being ruthlessly sacrificed to the irresponsible demands of an electric utility company.

To be specific: At a meeting on June 20, with you and your staff, it was conceded by the Department that the property in question was endowed with unique recreational and scenic values worthy of preservation. We accepted in good faith your personal assertion that only the legal advice of your staff—to the effect that you lacked sufficient statutory authority and discretion—precluded you from exerting additional Departmental efforts to save this property. Relying fully upon your statement of the Department's position, we submitted a comprehensive legal memorandum outlining the substantial statutory authority on which the Department could justify its protection of property with recognized and unique public values.

Moreover, we repeated the offer to convey to the Department, at no cost, a scenic easement over these 311 acres in order to ensure their future protection. The memorandum established conclusively that the Department's prior rejection of such an easement, on the ground that it lacked statutory authority, was ill-founded and insupportable.

In the face of incontrovertible statutory evidence, you abandoned the fears you expressed earlier regarding your authority to act in this matter, reversed your earlier conclusion, and shifted to the position "that the presently contemplated alignment meets the basic objectives of the Department".

We submit, (1) that neither you nor your staff ever gave any good faith consideration to the legal memorandum submitted for you, (2) that you have misrepresented the Department's position by shifting your ground from the meeting of June 20, to your reply of June 26, and (3) that you have unconscionably violated the public responsibility Congress entrusted to you for enforcing legislation to preserve our environment for generations to come.

Finally, it should be clear that, despite issuance of the permit, the responsibility of the Department has not been diminished. It is still open to the Department, and incumbent upon it, to exercise the responsibility which it plainly has to protect the public interest. Our memorandum made clear the Department's statutory authority to acquire rights in property which should be preserved for recreational development. For the Department to refuse the offer of a free scenic easement over this property would be an unconscionable abdication of its responsibility to the American public, and a total disregard of its Congressional mandate.

Yours truly,

EDWARD BERLIN.
GLADYS KESSLER.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., June 26, 1969.

Mr. EDWARD BERLIN,
Miss GLADYS KESSLER,
Berlin, Roisman & Kessler,
Washington, D.C.

DEAR MR. BERLIN AND MISS KESSLER: We have had an opportunity to study the position set forth in your letter of June 25, 1969, with respect to the proposed permit to the Potomac Edison Company to cross the C&O Canal with a transmission line which would be aligned to cross the land of your clients, the Sangsters.

After having taken into account the views expressed in your letter as well as the position you asserted in our meeting last Friday, we have concluded that the presently contemplated alignment meets the basic objectives of the Department of the Interior. Accordingly, we see no further reason for delay in issuing the permit to the Company.

Sincerely yours,

LESLIE L. GLASGOW,
Assistant Secretary of the Interior.

UNIVERSITY PRESIDENT DISCUSSES CAMPUS UNREST

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. RIEGLE. Mr. Speaker, yesterday another of our fine academicians, Dr. Morris Abram, president of Brandeis University, testified before the Senate Government Operations Subcommittee on Campus Disorders. He made some valuable points relating to the action being taken by universities to handle the student unrest problem, and to the Government's latest efforts to deal with this same situation. Since many of my colleagues were unable to attend this hearing, and because I feel that Dr. Abram's remarks should be incorporated into the public dialog, I am inserting into the RECORD a New York Times article by Nan Robertson which outlines yesterday's testimony. The article follows:

ABRAM SUGGESTS CAMPUS REMEDY—WOULD CHANNEL IDEALISM TO COMBAT SOCIETY'S ILLS

(By Nan Robertson)

WASHINGTON, August 4.—The president of Brandeis University told Congress today that it could help end campus turmoil by extricating this country from Vietnam and channeling the energies of an idealistic generation into a "human service" corps.

Morris B. Abram, who kept his own campus running during a peaceful occupation of a building by black students last January, said the budgetary savings from any Vietnam pullout must be redirected to the "glaring needs of America."

These needs, he said, "occupy the minds and thoughts of our youth, filling them with guilt and rage at their presumed impotence to correct" the situation.

Mr. Abram told a Senate subcommittee on student unrest that universities and Congress "could work together in one program, so badly needed as to cause wonder that it has been overlooked." He said that with proper funding faculties and students could supply a "skilled, supervised, committed corps of manpower to work off-campus on the great societal ills."

Mr. Abram said that 300 Brandeis students were already doing this without Government assistance, largely on their own and "under great handicaps," in Waltham, Mass., site of Brandeis.

SUGGESTS AN AMENDMENT

The witness, long a legal advocate in his home state of Georgia of Negro civil rights, also suggested the Congress could write an amendment into existing civil rights acts that would provide "injunctive relief for those whose First Amendment rights are violated by violence and coercion."

Mr. Abram said that injunctions had become commonplace to enforce 14th Amendment rights of due process and equal protection, and "have been the chief legal instrument for desegregating public society."

"First Amendment rights also deserve protection, and if not on the university campus—where?" he asked rhetorically. "It may be a very sobering experience for radical extremists to face a Federal Judge and try to explain why they think they have the right to deprive others of their constitutional guarantees."

The First Amendment's guarantees include freedom of speech and assembly.

But Mr. Abram added that "outside legal assistance" should be a "last resort" and "never an instrument of choice." He declared:

"The strength of the university and its defenses should reside within its own community—before, during and after a disruption occurs."

DID NOT CALL POLICE

The Brandeis president did not call in the police during the 10-day occupation of the campus communications building, kept classes going and received the overwhelming support of both students and faculty for combining flexibility with firmness.

The demand for the creation of a black studies department was granted by the university.

Mr. Abram told the Senate subcommittee that radical enemies of the university inside its gates had "unwitting allies" outside—implying that some of them are in Congress. "These are reacting to the violence on the campus by responses which amount to starving the university of support, public and private. 'Shut it down!' or 'Starve it down!' These policies lead to the same end."

The witness said that the general Congressional retrenchment on Federal funds for domestic programs "has placed the better institutions" of learning "in a grave financial crisis."

It is precisely these institutions, Mr. Abram warned, that are "the focus of the turmoil," involving the brightest of American students.

"In fact, the one necessary ingredient for

trouble is a critical mass of very bright students," he said.

Mr. Abram said that polls of college students show that this generation of Americans is composed of social critics—both revolutionaries and moderates. "An overwhelming majority" of the young agree strongly or partially with the statement "that our society now is characterized by injustice, insensitivity, lack of candor and inhumanity," he said.

"This generation was not sired nor raised by college administrators nor faculties, but by your friends and constituents," the witness continued. "They were educated in your home communities and under laws and conditions we either created or permitted to stand. The universities now are the habitations of your youth."

FBI OPERATIONS DURING FISCAL YEAR 1969

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. ASHBROOK. Mr. Speaker, on July 15 of this year the FBI released a summary of its operations during fiscal year 1969 which updates to a certain extent the testimony given by Director Hoover before a House Appropriations Subcommittee earlier this year. Due to the length of the appropriations testimony, the excerpts from the testimony which I inserted in the RECORD on July 8 were confined to the area of internal security and the operations of the New Left, the Communist Party, U.S.A., other radical organizations, and other information related to the internal security field. Omitted was data on the many achievements of the Bureau in organized crime, the increasing utility of the National Crime Information Center, the FBI contributions in the field of police training, and the staggering volume of work handled by the FBI Identification Division, which, for instance, this year received more than 7 million sets of fingerprints for processing.

While the more newsworthy achievements of the Bureau are brought to public attention, its function as a moneymaker are generally unknown. During the past fiscal year, fines, savings, and recoveries in FBI investigations reached a record figure totaling $345,832,583, which amounts to a return of $1.57 for every dollar appropriated for FBI operations. In addition, in the last fiscal year the Bureau had 13,166 convictions, resulting in actual, suspended, and probationary sentences totaling over 47,000 years. Also, during this period 29,220 stolen cars were recovered due to the efforts of the Bureau's agents.

As Mr. Hoover has repeatedly stated, citizen interest and concern is a necessary part of the fight against lawlessness and crime. This latest report by the Bureau on its operations offers a general idea of the scope and seriousness of the many threats to our general welfare, peace, and tranquility. I insert it in the RECORD at this point:

REPORT OF FEDERAL BUREAU OF INVESTIGATION, JULY 15, 1969

New all-time highs were scored by the FBI in various phases of its operations during Fiscal Year 1969, Attorney General John N. Mitchell announced today.

In commenting on the accomplishments of his agency during this period, FBI Director J. Edgar Hoover noted that in recent months law enforcement in the United States has been confronted with new and unprecedented challenges as a wave of unrest swept over the Nation's college campuses.

THE NEW LEFT

According to Mr. Hoover, "Never before in our history has there been such a strong revolutionary Marxist movement of young people so eager to tear down established authority. While it is the immediate goal of the New Left to gain complete control of our educational system, it is apparent that it hopes to lead a revolution ultimately designed to overthrow our system of government.

Mr. Hoover deplored the fact that sit-ins, seizure of campus facilities, destruction of university property, and the use of organized terror and violence disrupted more than 225 of the country's institutions of higher learning during the previous 12 months.

The FBI Director pointed out that fire bombs and other explosives, as well as rifles and shotguns, became familiar weapons in these so-called demonstrations, and that the 1968–1969 academic year saw a total of 61 cases of arson or bombings on our college campuses. He said that the activities of these student revolutionists resulted in over 3 million dollars damage to educational facilities and more than 4,000 arrests.

Citing the Students for a Democratic Society (SDS) as the instigator of much of this unrest, Mr. Hoover said: "The SDS remains at the core of the New Left. Some time ago it abandoned the concept of 'participatory democracy' which it had championed in years past and eagerly embraced the principles of Marxism-Leninism, even to the extent of publicly announcing its new goal of revolution. In so doing, it became the primary target for 'old left' takeover, and today we see old-line communists of every stripe seeking to seize and capitalize on the revolutionary zeal of the SDS. The Communist Party, USA (pro-Moscow), the Progressive Labor Party (pro-Peking), and the Socialist Workers Party (pro-Trotskyite) are all looking forward to a bright future in the SDS, provided they are able to gain control."

Mr. Hoover stated that efforts of the Progressive Labor Party to dominate this group came to the fore at the SDS National Convention in Chicago last month and forced a split between the National Office and the Progressive Labor Party factions of the SDS. As a result, each faction elected its own slate of national officers and will in the future attempt to lead students with opposing brands of Marxism-Leninism.

Mr. Hoover noted that typical of the FBI investigations occasioned by SDS activities was the case involving one of its members, Michael Sherrod Siskind, who attempted to set off a fire bomb at a Reserve Officers' Training Corps installation at Washington University, St. Louis, Missouri, on December 3, 1968. Siskind pleaded guilty after being charged with sabotage and received a five-year prison term.

The FBI Director pointed out that New Left violence was also seen in the series of demonstrations at the Democratic National Convention held in Chicago last August. Provocative and militant acts of demonstrators resulted in the arrests of more than 600 individuals and injuries to at least 1,100, including nearly 200 police officers. Among those indicted for violations of the Federal Anti-Riot Statutes were David Dellinger, one of the leaders of the National Mobilization Committee to End the War in Vietanam; Thomas Hayden, a co-founder of SDS; and Jerry Rubin, a leader of the militant anti-war group known as the Yippies.

BLACK EXTREMIST ACTIVITIES

Mr. Hoover declared that the increased activity of violence-prone, black extremist groups had placed added investigative responsibilities on the FBI. "Of these," he said, "the Black Panther Party, without question, represents the greatest threat to the internal security of the country. Schooled in the Marxist-Leninist ideology and the teachings of Chinese communist leader Mao-Tse-tung, its members have perpetrated numerous assaults on police officers and have engaged in violent confrontations with police in cities throughout the country. Leaders and representatives of the Black Panther Party travel extensively all over the United States preaching their gospel of hate and violence, not only to ghetto residents, but to students in colleges, universities, and high schools as well."

SELECTIVE SERVICE INVESTIGATIONS

The FBI Director noted that during the fiscal year just ended the efforts of New Left-type organizations to encourage militant resistance to the draft in colleges and even high schools had called for continuing emphasis by the FBI in this area of its responsibilities. He pointed out that the complexion of Selective Service investigations is continually changing because of the numerous different schemes to avoid the draft which are constantly appearing. According to Mr. Hoover, anti-draft militants, while continuing to counsel potential draftees in evasion tactics and the public burning of registration cards as a protest, have also attempted to further disrupt the Selective Service system by invading headquarters of local boards and destroying official records.

COMMUNIST PARTY, U.S.A.

Mr. Hoover noted that as a result of its 19th National Convention earlier this year, the entrenched leadership of the Communist Party, USA, under Gus Hall solidified its hold and erased any doubt whatsoever that the pro-Moscow faction of the Party is in firm control.

The dissidents in the Party, who were opposed to its undeviating support of the Soviet Union in such matters as the invasion of Czechoslovakia and support of the Arab nations in the struggle against Israel, were thoroughly defeated. Two of the most prominent opponents of Gus Hall's leadership, Gil Green and Dorothy Healey, former heads of the New York and Southern California Districts of the Party, respectively, both resigned from their official positions.

Mr. Hoover recalled that when the Soviets led the invasion of Czechoslovakia, both Mrs. Healey and Green issued statements to the press which were most critical of this action. To insure that this would not happen again, the Convention adopted a new rule prohibiting statements to the press which have not been cleared with the top leadership.

ORGANIZED CRIME

In connection with the FBI's continuing drive against organized crime, Mr. Hoover stated that there are reportedly some two dozen La Cosa Nostra "families" operating throughout the United States today. In scarcely more than a year's time, the heads of six of these "families" were arrested or convicted in Federal courts as a result of FBI investigations. During the same period, the "boss" of still another "family" died in a Federal prison and, in an eighth, no successor has been named nearly two years after the former leader died. Mr. Hoover pointed out that FBI investigations led to the arrest or conviction of four of the top contenders for the leadership of this "family." He said that the scope of FBI activities in this field—including the conviction of approximately 300 racket and gambling figures during Fiscal Year 1969—indicates the intensity with which the FBI is participating in the Federal Government's all-out drive against organized crime.

Mr. Hoover went on to say that two integral parts of this drive are the continuing pressure being exerted on the underworld's main source of illicit funds—gambling—and the dissemination of information to other Federal, state, and local agencies when violations uncovered do not fall within the primary investigative jurisdiction of the FBI. In this regard, more than 300,000 items of criminal intelligence information were furnished to other law enforcement agencies by the FBI during the fiscal year. As a direct result of this dissemination policy, more than 4,300 hoodlum, gambling, and vice figures were arrested during the year by these other agencies acting upon information obtained from the FBI.

Typical of the manner in which law enforcement agencies cooperate in combating organized crime was the series of raids conducted by FBI Special Agents and the New York State Police during the later part of 1968. Information obtained from FBI sources led to the recovery of more than 5 million dollars' worth of property stolen by a Cosa Nostra burglary ring operating in the New York-Northern Pennsylvania area. A portion of the stolen property, which had been dropped from a boat in Irondequoit Bay, New York, was recovered by FBI agents utilizing underwater diving gear.

Mr. Hoover also noted that as a result of FBI investigations, many other major prosecutive blows were delivered against the hoodlum element during Fiscal Year 1969.

On November 26, 1968, FBI Agents arrested La Cosa Nostra "Commission" member Stefano Magaddino and eight of his subordinates in the Buffalo area on charges involving interstate gambling activities. Seized at the time of the arrest was over $500,000 in funds belonging to the ring, whose sphere of influence reportedly ranged from New York City in the east to portions of Canada in the north.

One top hoodlum currently awaiting trial is Samuel Rizzo DeCavalcante, who has been identified as head of the Cosa Nostra "family" headquartered in the Elizabeth, New Jersey, area. DeCavalcante and two of his aides were arrested by FBI Agents on charges that they conspired to extort money from a group of professional gamblers.

In Chicago, the ranking Cosa Nostra member at the moment, John Philip Cerone, and two associates were arrested by FBI Agents on February 7, 1969, in connection with the interstate activities of a large-scale gambling operation.

As a result of some of the other major gambling investigations conducted by the FBI during the fiscal year, five persons were arrested on charges involving a numbers operation handling some 25 million dollars a year in wagering in New York and New Jersey; two other persons were arrested in connection with the smashing of another numbers operation reportedly handling about six million dollars a year in the same area; and 22 persons were arrested in connection with an investigation involving an interstate gambling operation centered in Northern Indiana.

Among those convicted and receiving sentences as a result of other FBI gambling investigations were West Coast mobster John Roselli, publicly described as a former lieutenant of the notorious Al Capone, and five of his accomplices; and Chicago gambling czar Ernest Sansone and five of his associates, whose disruption reportedly affected La Cosa Nostra-backed numbers operations as far away as Detroit, Michigan.

Mr. Hoover noted that in addition to investigations involving gambling violations, a number of other Federal statutes have been effective in the war against organized crime.

On August 8, 1968, for example, New Orleans, La. Cosa Nostra "boss" Carlos Marcello was convicted of attempting to assault a Federal officer and subsequently was sentenced to two years in prison.

On October 3, 1968, Chicago rackets leader William Daddano and five hoodlum associates were convicted in connection with the robbery of a Franklin Park, Ill., bank. Daddano was fined $13,000 and sentenced to 15 years in prison.

On December 5, 1968, Special Agents of the FBI arrested Russell Bufalino, one of the top Cosa Nostra leaders in Eastern Pennsylvania, and charged him with conspiring to transport some $23,000 worth of stolen television sets from New York to Pennsylvania.

On February 4, 1969, Ned Bakes, a notorious underworld "fixer" and "middle man," was arrested in Chicago by FBI Agents, and more than 13 million dollars' worth of stolen stock certificates was recovered.

On March 12, 1969, Carmine Lombardozzi, who has been described as La Cosa Nostra's "Wall Street representative," was convicted of participating in the interstate transportation of a $17,000 check stolen from a New York City brokerage house.

On April 15, 1969, Boston mobster Vincent Teresa was convicted in the United States District Court at Baltimore for his involvement in the theft of $750,000 worth of securities from a New York City brokerage firm. Teresa received a 20-year prison sentence, and he has also been charged with participating in the theft of some $357,000 worth of securities from a second New York brokerage concern.

Mr. Hoover noted that James Plumeri, reportedly a captain in the Cosa Nostra "family" of the late Thomas Luchese, and Peter DeFeo, reportedly a captain in the "family" of the late Vito Genovese, are currently awaiting trial in New York City. They had been taken into custody by FBI Agents in May, 1968, on charges of conspiring to share in a $47,500 series of "kick-backs" made in an attempt to secure a $2,500,000 hotel loan from the Teamsters Union Pension Plan.

Mr. Hoover went on to point out that since the death of Luchese in July, 1967, no one has been selected to assume the leadership of his "family." Reportedly, this situation exists because of prosecutive action launched against the top contenders as a result of FBI investigations. In addition to Plumeri's arrest, three other ranking members have been convicted on various charges since the death of Luchese: John Dioguardi, on November 10, 1967, for violating the Federal bankruptcy statutes; Vincent Rao, on November 17, 1967, for having perjured himself before a Federal Grand Jury; and Antonio Corallo, on June 19, 1968, for Interstate Transportation in Aid of Racketeering.

OTHER CRIMINAL INVESTIGATIONS

In discussing highlights of other FBI investigations in the criminal field, Mr. Hoover mentioned the kidnapping of Barbara Jane Mackle of Coral Gables, Florida, who was abducted from an Atlanta, Georgia, area motel. Intensive investigation by FBI Special Agents resulted in the safe return of Miss Mackle and the conviction of her abductor, Gary Steven Krist, on state kidnaping charges. Krist was sentenced to life imprisonment. His accomplice, Ruth Eisman-Schier, later pleaded guilty and received a seven-year prison sentence.

The FBI Director pointed out that violations of the Federal Bank Robbery and Incidental Crimes Statute continued to represent a serious national problem during Fiscal Year 1969. He noted that in February of this year FBI Agents arrested seven persons in connection with a series of bank robberies in the Boston, Massachusetts, area totaling more than $227,000. These individuals, together with four others already in custody, were indicted on bank robbery charges at Boston.

In another case involving th $363,000 burglary of a Jacksonville, Florida, bank, FBI investigation identified the perpetrators as two brothers, both of whom had fled to Mexico. One of them was arrested by FBI Special Agents as he attempted to re-enter the United States. He subsequently pleaded guilty to the charges against him and received a substantial prison sentence. Extradition proceedings have been initiated against his brother in order to return him to the United States to stand trial. All but $4,000 of the loot has been accounted for or recovered.

Mr. Hoover noted that another vital field in which the FBI has jurisdiction concerns statements and claims made to Government agencies, including the Federal Housing Administration.

As an example, Mr. Hoover cited one case during the fiscal year which involved the arrests of 24 persons on March 13, 1969, by FBI Special Agents in Maryland, Delaware, the Washington metropolitan area, North Carolina, and Tennessee in connection with alleged fraudulent practices used to obtain home improvement loans insured by the Federal Housing Administration. A total of 42 defendants involved in 61 home improvement loans totaling over $200,000 were named in twelve indictments returned by a Baltimore, Maryland, Federal Grand Jury on March 11 and 12, 1969. On May 6, 1969, eight more individuals were indicted on similar charges at Baltimore.

The FBI Director also noted that the war in Vietnam has caused an increase in procurement-type fraud cases and has called for stepped-up FBI activity in this area. As one example, Mr. Hoover mentioned the arrests of four individuals who had been indicted by a Federal Grand Jury at Washington, D.C., on August 7, 1968, on charges of conspiring to defraud the Government of more than four million dollars in connection with the production of rocket launchers for the United States Navy. The persons arrested are presently awaiting trial on criminal charges and civil suits seeking double damages have been filed by the Federal Government at Washington, D.C., and St. Louis, Missouri.

NATIONAL CRIME INFORMATION CENTER

Mr. Hoover reported that the FBI's National Crime Information Center assumed an increasingly important role in serving the Nation's law enforcement agencies during the fiscal year. This computerized system, which stores information concerning wanted criminals and stolen property, including vehicles, guns, securities, and other identifiable items, contained 1,100,000 active records at the close of the fiscal year. Now serving local, state, and Federal law enforcement agencies in 48 states, the District of Columbia, and Canada, the National Crime Information Center currently handles in excess of 35,000 transactions every day. Positive responses to inquiries placed in the system, known as "hits," are averaging about 350 a day.

As a typical example of the service provided by the National Crime Information Center, Mr. Hoover related that a Detroit, Michigan, supermarket was held up by two armed men, one of whom was apprehended at the scene by an off-duty police officer shopping in the store. The identity of the bandit's partner was learned and a description was immediately placed in the National Crime Information Center. About a month later, the Des Moines, Iowa, police stopped an individual for speeding and made a routine check through the computer system. They were immediately informed that the speeder was identical with the bandit wanted in connection with the Detroit supermarket robbery.

POLICE TRAINING

According to Mr. Hoover, an all-time high was reached during the past fiscal year when FBI instructors extended training assistance to municipal, county, and state law enforcement agencies in 7,804 training schools attended by 233,741 law enforcement representatives. These schools, generally conducted on a local or regional level, included 118 one-week training sessions on police management taught by special instructor teams from the

FBI's Training Division in Washington, D.C. Emphasis was also given to training local police in such subjects as the National Crime Information Center, police-community relations, mob and riot control, and similar topics.

During the latter part of 1968, the FBI organized and conducted a series of specialized conferences dealing with crimes against financial institutions. A total of 282 conferences in all sections of the country were attended by 29,265 people representing 12,210 agencies.

The FBI National Academy, often referred to as the "West Point of Law Enforcement," afforded training to 200 officers during the fiscal year. With the graduation of the 83rd Session in the East Room of the White House on May 28, 1969, a total of 5,535 officers had received this training since the Academy was founded in 1935. Of the graduates still active in law enforcement, 28 percent occupy top executive positions in their agencies.

COOPERATION AND SERVICE FUNCTIONS

During the fiscal year, the FBI Identification Division received more than 7 million sets of fingerprints for processing, the largest number handled during any year since World War II. An average of more than 29,000 fingerprint cards were processed every workday during the 12-month period. Working in cooperation with local law enforcement agencies all over the country, this Division conducted fingerprint searches resulting in the identification of more than 32,000 fugitives.

Mr. Hoover also pointed out that the Identification Division processed more than 200,000 items of evidence for latent fingerprints during the fiscal year and, in addition, handled more than 3 million miscellaneous forms and inquiries dealing with fingerprint matters. The experts comprising the FBI's Disaster Squad were dispatched to eight major disasters to assist in identifying 244 victims. At the end of the fiscal year, the files of the Identification Division contained over 192 million sets of fingerprints representing some 84 million persons.

During Fiscal Year 1969, the FBI Laboratory conducted over 354,000 scientific examinations of evidence. More than 30 percent of those were on a cost-free basis for other Federal and non-Federal law enforcement agencies.

MISCELLANEOUS

In summarizing his agency's operations during the fiscal year, Mr. Hoover reported that fines, savings, and recoveries in FBI investigations during that period reached a record figure totaling $345,832,583, a sum representing a return of $1.57 for every dollar appropriated for FBI operations. In that time, the FBI had 13,166 convictions, resulting in actual, suspended, and probationary sentences totaling over 47,000 years. For the fourteenth consecutive year all prior records were surpassed with the recovery of 29,220 stolen cars in FBI cases.

Mr. Hoover noted that the smashing of one automobile theft ring involved the arrests of 23 individuals by FBI Agents last May. This highly professional crime ring was centered in West Virginia, and its operations reportedly encompassed nine additional states. To date, some 40 stolen vehicles and stolen merchandise with a combined value of almost a quarter of a million dollars have been recovered by FBI Agents. At the end of the 1969 fiscal year, the FBI had 102 major automobile theft rings under investigation or being prosecuted in the Federal courts.

Another sharp upturn was reflected with the location of nearly 26,000 Federal fugitives in FBI investigations, a new, all-time high. This figure included 2,971 violators of the Fugitive Felon Act, criminals being sought at the request of state and local authorities, as well as 18 notorious felons who were on the FBI's "Ten Most Wanted Fugitives" list.

FOREIGN TRADE ZONES MUST BE RETAINED

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my testimony before the U.S. Tariff Commission today on the interim report of study of provisions of title 19 of the United States Code relating to the temporary entry of articles imported into the United States. My statement follows:

TESTIMONY BY MR. CELLER

Mr. Chairman and distinguished members of the Commission, I very much appreciate the opportunity to testify before you today concerning the tentative proposals now being considered by you. My testimony will be addressed in particular to the tentative suggestion that the Foreign Trade Zones Act of 1934 be repealed.

As you know, I am the author of this Act—which is often referred to as the Celler Act. The Act was sponsored by me in the 73rd Congress and passed by that Congress. It was later amended in 1950 as the result of legislation authored and sponsored by my colleague, Representative Hale Boggs of Louisiana. By including provisions relating to manufacture within a foreign trade zone, the Boggs amendment was a substantial and highly constructive supplement to the original program. As a result, I am pleased to inform you that Representative Boggs shares my views concerning this legislation and has authorized me also to speak to you today on his behalf.

At the outset, let me make two points which will make my position—as well as that of Representative Boggs—clear and unequivocal. First, we vigorously oppose any proposal to repeal the present Act. Second, not only are we adamant in our opposition to any repeal of the Act, but we are strongly in favor of an expanded implementation of the foreign trade program through a positive and dynamic administration by the Foreign Trade Zones Board—an administration that in the past has been sadly lacking. We have made our views known both to the Chairman and members of the present Board. We have also made them known to our colleagues in the Congress—most of whom, I believe, share the same views. I would hope that after thorough evaluation of the Foreign Trade Zones Act, this Commission will also endorse our recommendation that the present program certainly ought not to be dismembered, but instead be given the vitality that it justly deserves—the vitality that Congress always intended it to have.

I speak to you today not out of any pride of authorship—either on my part or on the part of Representative Boggs, the author of the 1950 amendment. If the Foreign Trade Zones Program had served its purpose and outlived its usefulness, we would be among the first to recommend that it fade gracefully and quietly into retirement. Each of us has devoted many years in Congress to the two major problem areas affected by the program—the problems of America's role in international commerce and the problems faced at home by our urban centers. Since the program makes major contributions in each of these areas, we vigorously resist any repeal of the Act. Moreover, since the program has a broad and undeveloped capacity to make enormous future contributions to international commerce and the healthy development of our now blighted cities, we insist that it be given dynamic and effective administration.

Gentlemen, the Foreign Trade Zones Act is based on an ancient idea—the idea of the Hanseatic League, a combination of so-called free ports in Europe around the Baltic Sea and North Atlantic. Although the idea is an ancient one, like the finest of old wines it has improved with age and contains the full assurance of future enjoyment.

Under the Act, "free ports" or "free zones" are established in the United States, into which goods can be imported and held free of duty until either shipped abroad or imported into our domestic customs territory. Pursuant to the Act, zones have been established in such places as New York, New Orleans, San Francisco, Seattle, Toledo, Bayonne, Honolulu, and Puerto Rico. Thirty-five years of operation of such foreign trade zones have proved their value to foreign commerce and their value to the local domestic economies of our cities.

The future need for foreign trade zones is even greater than has been the need in the past. Today we have many *air* ports in addition to sea ports. Transportation and communication facilities have increased many times since the program first started. Clearly the zones can afford our cities—both in-land and on the sea—vast opportunities for a healthy industrial development which will bring desperately needed employment. At the same time, a vigorous administration of the Zones Program would be of enormous benefit in enabling American labor to compete successfully with low-cost foreign labor. It would expand the domestic manufacture of goods sold both here and abroad. It would help to reduce the gold outflow and the outflow of capital.

I would like to enumerate for you just a few of the activities which are facilitated by the Act and which give rise to these benefits:

1. Manufacturing for export duty free and quota free—utilizing both foreign and domestic components, but only American labor.

2. The establishment and operation of production and distribution facilities employing American labor, machinery, technology, and management within the political boundaries of the United States, but outside of customs boundaries.

3. Manufacturing in the United States with the opportunity to defer the outlay of working capital for payment of customs duties on foreign components until the finished product enters customs territory for consumption—thereby giving business firms an opportunity to compete successfully in our own domestic import market with foreign manufacturers.

4. The imposition of customs duties on zone-produced goods only at the rates applicable to foreign components, rather than at rates applicable to the overall product.

5. The handling and use of quota-restricted materials in such a way as to provide manufacturing opportunities in the United States which would otherwise not be available. (In this regard, however, let me make it clear that this currently does not apply to petroleum due to the 1965 Presidential Proclamation concerning the oil import control program.)

6. Capital investment opportunities in the safe haven of the United States for domestic as well as foreign firms, which investment would otherwise be subject to the dangers of nationalization abroad.

In view of the present benefits—as well as the enormity of the potential benefits—of the program, it was with dismay that I read the report published in May of this year on the use of temporary procedures. Frankly, I am appalled—not only by the conclusions reached in the report—but by the gross deficiency of the report itself as a working tool. Nowhere in the entire report is there given even the slightest consideration to the National benefits realized under the Foreign

Trade Zones Program. Instead, this very important Act of Congress is treated in a summary and conclusive fashion. As both a lawyer and a legislator, I am quite disturbed by any government report that comes to conclusions that are not based on any findings of fact.

Let me review for you briefly the few, scanty statements that are made in the report purporting to evaluate the Act. They are all contained on a single page—page 7.

First, there appears the bald statement, and I quote: "The Foreign Trade Zones Act of 1934, the major objective of which was to expedite and encourage interi· tional commerce, has not given rise to the type of commerce for which it was designed."

No elaboration of this argument appears in the report. I am familiar with the adversary technique of creating a strawman and then knocking him down. This has not been done in this case. Instead, the technique has been to pretend that the man is invisible and then to argue that he does not exist. I submit that the Act is very much in existence and that it ought to be evaluated prior to the formulation of any conclusions about it.

Second, there appears the statement, "By far the greatest use of the zones in recent years has been storage and manipulation operations."

This statement implies that storage and manipulation operations are not among the primary purposes of the Act. Even the most cursory review of the legislative history of the Act will reveal that the Act was, in fact, intended to facilitate storage and manipulation operations.

Next there appears the statement, "subzones are currently being used to avoid import quotas on crude petroleum." This statement on the very touchy subject of petroleum has created much confusion and fostered needless controversy. There is certainly no doubt that, along with the other purposes of the Act, one of its prime functions is to facilitate the scheduling of import quotas through the use of zones. The fact that in some instances the petroleum industry has made use of zones to change the character of the cargo in question from the quota into nonquota merchandise, conforms precisely with the intent of Congress.

Let me also emphasize another point. As I indicated above, the use of quota-restricted materials in foreign trade zones does not apply to petroleum, due to the 1965 Presidential Proclamation concerning the oil import control program. There are serious problems concerning the importation of petroleum. However, these problems can be dealt with effectively by the President, by the Congress, and by appropriate agencies in a manner that is collateral to the operation of the Foreign Trade Zones Act. It would be a travesty to jettison the entire Foreign Trade Zones Program simply because of controversies that are peculiar to the petroleum industry. In this regard, speaking only for myself, I am aware that some persons contend that major segments of the petroleum industry would like to have the whole program repealed as a means of accomplishing an objective unrelated to the program itself. If, indeed, such destructive tactics are afoot, a government agency should not even have the semblance of approving them.

This brings me to the next statement on page 7, "Manufacturing operations in subzones serve solely to avoid the higher duties applicable to the imported materials." Now, this, too, is clearly one of the major functions of the Act, as amended. Under the Boggs amendment, manufacturing activities are not only permitted, but are facilitated and encouraged in a zone or subzone. The report simply ignores the basic questions—some of which are as follows: Just where should American manufacturing plants be located? Is it possible to establish new plants in the United States rather than overseas? Can we retain manufacturing plants already established in the United States rather than have them closed or reduced in size in order for the manufacturing activity to be relocated abroad—with a disastrous effect on American labor and on the domestic economies of our cities.

Next, there appears on page 7 the following statement: "Of course, all the provisions of the Foreign Trade Zones program could be made applicable to the bonded warehouse system and thereby make all bonded warehouses foreign trade zones." This is contrary to the intent and purpose of the Foreign Trade Zone System. In fact and in truth, one of the original purposes of the Act was to eliminate the myriad of compliance problems and complexities created under the bonded warehouse system.

In this regard, to illustrate just how far back the proposal would set the clock, I would like to direct your attention to the statement I made on the floor of the U.S. House of Representatives in 1934 at the time the House passed the original Act. I request that this statement be included in the record of these proceedings.

In my statement of 35 years ago, I directed the attention of the House to the opinion expressed by President Herbert Hoover when he was Secretary of Commerce in a letter written on December 19, 1925. At that time, there were procedures relating to bonded warehouses of the type suggested in the present proposal. President Hoover stated that such procedures "are so encumbered with requirements, such as filing manifests, making formal entry of all foreign merchandise whether intended for ultimate entry into this country or not, having goods weighed or otherwise examined before they are allowed to be deposited in bonded warehouses, that the privileges available are not sufficiently attractive to be used to any great extent."

President Hoover's observation of almost a half century ago has even greater relevance to our modern economy. To return to procedures that were already outmoded by 1925, can hardly be viewed as a constructive and progressive means of fostering commerce.

Turning again to the report, the final statement on page 7 is as follows:

"Another advantage of a foreign trade zone is the treatment of goods sent from customs territory into the zone as exported, for various customs purposes. If there is substantive justification for the continuation of this legal fiction, the criteria can be expressed and the favored treatment accorded in conjunction with the bonded warehouse facilities."

Since the report in no way clarifies this statement, let me make it clear that the purpose of this feature of the Act is to enable domestic firms engaged in international commerce to obtain refunds or duties under "drawback" procedures or refund of taxes under related procedures. In this area a repeal of the Act would also constitute a reversion to cumbersome and obsolete procedures. Such a giant step backwards would hamper foreign commerce and benefit only customs collectors who, as you know, are remunerated by the very persons whom they regulate.

This, then, concludes my comments concerning the brief statements that appear in the report. However, I would like also to call to your attention some serious matters which are not mentioned in the report. Both Representative Boggs and myself agree that the Foreign Trade Zones Program has to date, in fact, not lived up to our expectations, or to the expectations of Congress. If there are deficiencies, they do not flow from the Act itself. Instead, they are a direct result of the half-hearted, lackadaisical manner in which the Act has been administered. The Board created by the Act has, in fact, rarely met. Nor has it made any serious effort to apply imagination and foresight to the operation of the Foreign Trade Zones Program.

In addition, the program has been encumbered by needless and wasteful customs procedures that have sapped its vitality. Too often customs officials, jealous of their positions, have been over zealous and have enforced rules and regulations in a manner unrelated to the true purpose of our tariff system. Yet, despite these encumbrances—despite the lack of adequate administration—the program has, in fact, survived and clearly demonstrated its value and its capacity for future growth. For that reason, we shall continue to insist that there be full compliance with the intention of Congress. A vigorous administration is needed if such compliance is to be obtained.

In closing, I want also to emphasize that despite my criticism of the Commission's report, I recognize that—as is stated in the introduction—the report is of an intermediate nature. Thus, it is admittedly incomplete. I also recognize that the report has made a valuable contribution to this whole subject by raising issues which well deserve the most careful consideration. The hearings which you are now holding also afford the opportunity for extremely valuable contributions to the Foreign Trade Zones Program. It is my firm belief, and deep hope, that the intermediate report, as well as these hearings, will herald the opening of a new chapter in the history of both foreign commerce and urban development.

The Foreign Trade Zones Act, as sponsored by me and amended by the provisions authored by Representative Hale Boggs, has a bright and productive future. I urge this Commission to make itself fully aware of the purpose and operation of the Act. I am sure that it will end by agreeing with me that the worst possible step would be to abolish the Program.

RAILROAD SAFETY BILL

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. ASHLEY. Mr. Speaker, today I am introducing legislation designed to halt the soaring increase in railroad accidents. The bill would authorize the Secretary of Transportation to issue rules and regulations covering the entire spectrum of railway safety problems.

Train operations involve inherent dangers. Movement of large, heavy equipment at high speed characterizes the industry. Daily some 2 billion ton-miles of freight of all types move on the Nation's railroads. Hundreds of railroad yards receive, classify, and dispatch the 1.8 million freight car fleet on an around-the-clock, 7-day-a-week schedule. About 600,000 passengers daily commute to work and 200,000 railroad workers average 3.5 million hours of work per day.

It is logical to assume that operations of such magnitude will generate accidents and that, in fact, has been the American experience. The most obvious trend in rail travel over the past 10 years has been a large and steady rise in the number of accidents. Between 1963 and 1968, there was a 66-percent increase in the rate of train accidents, from 4,821 to 8,028. In 1968 there was an average of 669 train accidents a month, as compared with 400 a month in 1963—a significant increase by any yardstick.

Train derailments account for almost two-thirds of the problem. In 1968, there was a monthly average of 457 derailments reported, as against an average of 264 in 1963. There has also been a sharp increase in collisions, which represent the second largest category of rail accidents, from an average of 92 per month in 1963 to 144 per month in 1968.

The causes of rail accidents are fairly evenly divided among defects in or failures of equipment; defects in, or failures of, track or roadbed; and human factors. In general, the incidence of derailments is related largely to track and equipment defects—such defects cause 65 percent of all derailments—while collisions are mainly attributable to human performance.

As we fill out the skeleton of statistics, the deplorable record of railway safety takes on an even more frightening glow. In 1968, 2,359 persons were killed and 24,608 injured in railroad accidents. The most deadly accidents occurred at rail-highway grade crossings, where 1,547 people were killed and 3,807 were injured in 1968. Although such accidents account for 65 percent of train fatalities and rank second only to aviation mishaps in severity, only 20 percent of the 225,000 crossings are protected with automatic devices. Rail employees account for 6 percent of the total deaths—146 in 1968—and 71 percent of the total injuries—17,933 in 1968. The major contributing factors to the employee casualty rate include inadequate training programs, human errors, equipment defects, and noncompliance with safety, and operating rules.

In 1968, train accidents resulted in $140 million worth of damage to track and roadbed, equipment, and freight. This represents an increase of 233 percent over the loss of $59.7 million in 1961.

Railroad accidents and the three basic areas of causes—track defects, equipment failures, and human factors—take on added significance when dangerous materials are being transported. The increased shipment of hazardous materials has brought a new dimension to the railroad safety problem. Where once a train derailment caused only equipment, track, and lading damage, the presence of dangerous commodities has resulted in concern for public safety.

On January 25, 1969, in Laurel, Miss., a string of railroad tank cars carrying butane gas under pressure exploded, injuring 19 people, flattening 40 homes and rocking Laurel's 27,000 residents. In Sloan, N.Y., a train was derailed in the Penn Central Frontier Yards adjoining the village and 10,000 gallons of styrene poured into the local sewer system. Only prompt action by local authorities in evacuating the town saved the residents from grave danger. In Crete, Nebr.—a small town of 3,000—eight people were killed when some tank cars of anhydrous ammonia exploded after being derailed. Many more people were injured and Crete had to be evacuated to prevent further casualties. If this were an unusual occurrence there would be less cause for alarm. But unfortunately it happens frequently.

In short, trains are getting longer, heavier, and faster. Moreover, the need for transporting greater quantities and varieties of hazardous materials—chemicals, gases, explosives, and fuel—is increasing the likelihood that the accidents which do occur will be more serious. The alarming trend of train accidents, coupled with the prospect of even greater perils in the future, make out a clear case for comprehensive safety regulations.

It is evident that the present laws are inadequate to deal with many of the technical and operational problems of today. Thanks to statutes designed to meet specific problems, the Department of Transportation has jurisdiction over such things as power brakes, automatic couplers, locomotives, and signal devices. Federal statutes do not, however, cover the trucks, wheels, and axles of railroad cars nor their design, construction, or maintenance. Bridges and tunnels are not subject to Federal regulations and no Federal authority governs track and roadbed. Further, there is no general authority to promulgate standards for employee qualifications, physical requirements and training, nor to prescribe uniform railroad operating rules. The end result is that 95 percent of the accidents in the United States are caused by factors not subject to any control by the Federal agency responsible for promoting railroad safety.

The great rise in the railroad accident rate—as compared to improved safety records in many other fields—is testimony to the failure of the laws now governing railroad safety. The Department of Transportation's role in rail safety is in sharp contrast to its role in aviation, where it has authority over the entire aircraft. The Department can establish rules and regulations regarding the inspection and overhaul of aircrafts, the training and licensing of the personnel who operate and maintain them, and any practices or procedures necessary to the safety of air commerce.

The scope of the Departments of Transportation's authority over motor carriers is just as broad—including authority to establish reasonable qualifications for employees and requirements for the safety of operations and equipment.

The Department's successful record in the areas of rail safety over which it has jurisdiction is proof that broad Federal regulation can curb railroad accidents. In areas covered by the Department, the train accidents have remained relatively constant. On the other hand, in areas not controlled by the Department, the rate of train accidents has risen sharply. Field inspections show a slow but steady increase in the percentage of equipment found defective. Yet the Department's overall authority remains limited with respect to the important causative factors in railroad safety and State programs are few and of limited coverage.

The above-described state of rail safety supports the view of the President's Task Force on Railroad Safety:

> The safety experience of the American railroads during the past few years is at a point where some effective steps must be taken to bring the problem under control. . . Solutions short of broad Federal regulation may not adequately meet the situation.

The legislation that I am introducing today adopts the basic recommendations of the task force. It would give the Secretary of Transportation the broad authority needed to set standards for the entire range of safety problems, from equipment, roadbed and grade-crossing defects to employee qualifiactions and training programs. Moreover, it would create a National Railroad Safety Advisory Committee to bring together the views of the Federal Government, State governments, and railway labor and management. The bill would also provide Federal funds to guarantee that all grade crossings are equipped with automatic devices. In short, this legislation would give the Secretary the requisite authority to halt the soaring increase in railroad accidents.

In my view, and that of the Presidential task force, the need for comprehensive safety regulations for our railroads is clear. They must cover all aspects of railroading, and that is just what my bill would do.

I urge early hearings on this bill by the House Interstate and Foreign Commerce Committee and prompt action by the House. Such action is long overdue.

HUMAN RIGHTS IN NORTHERN IRELAND

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. BINGHAM. Mr. Speaker, the International Commission of Jurists continues its useful work on behalf of the rule of law throughout the world. It is dedicated to the cause of exposing injustice wherever it occurs.

The following is an article from the June issue of the I.C.J.'s Review, describing the shocking situation which prevails with regard to human rights in Northern Ireland:

HUMAN RIGHTS IN NORTHERN IRELAND

A depressing factor in recent times has been the regression of human rights and of the application of the Rule of Law in different parts of Europe. In Portugal and Spain the situation has long been deplorable; for nearly two years human rights have been virtually abrogated in Greece and, despite some marked liberalisation in Eastern Europe, events in Czechoslovakia have set the clock back both in that country and in many other areas of Eastern Europe. It is to be regretted that Northern Ireland has also to be added to this depressing list of European areas wherein the protection of human rights is inadequately assured. This is all the more unfortunate as elsewhere in the United Kingdom there is due respect for human rights; the good reputation of the UK is thus vicariously damaged.

SECTARIAN POLICIES

It is true that the problems in Northern Ireland are not new; they may be said to have existed ever since the partition of Ireland in the early 1920s. However, recent protests and acts of police brutality in the area, together with the obvious sectarian policies of successive Northern Ireland Governments, have highlighted the issues. Public outcry and world opinion have led to discussions be-

tween the Government of the Province [1] and the Government of the United Kingdom, which exercises sovereignty over the area, and to the initiation of some reform programmes.

Two main areas of concern arise: from discrimination based on religious and political grounds and the provisions of the notorious Civil Authorities (Special Powers) Act of 1922. In Northern Ireland historical factors have rendered political and religious differences nearly synonymous. Over sixty per cent of the population favour unity with Britain and are usually Protestant; and the remainder of the population who are Catholic mostly favour unity with the Republic of Ireland.[2] This is only a rough approximation; some Protestants are opposed to the present regime and some Catholics support it. The political-religious discrimination also has economic overtones; the Catholic minority is for the most part underprivileged economically.

The rate of growth of the Catholic population is higher than that of the Protestant section of the population; [3] accordingly, through the efflux of time, the Catholic population could become the majority. This basic factor accounts for much of the political and economic discrimination which has been systematically and ruthlessly exercised by the Belfast Government since the 1920s. Discrimination in housing and in employment has been utilised in order to weaken economically the Catholic minority and thus to preclude Catholics from acquiring property rights and to induce emigration.

ONE MAN—ONE VOTE

There are *three* separate electoral registers maintained. One for elections to the British Parliament in London where twelve members from Northern Ireland sit, one for electors to the Northern Ireland Parliament and one for Local Government elections. While there are some slight differences in regard to the "residence" qualifications between the British Electoral Laws and those of Northern Ireland applicable to elections to the United Kingdom Parliament at Westminster, these differences are not highly significant. The "One Man One Vote" principle, however, is breached when it comes to the register of voters for elections to the Northern Ireland Parliament at Belfast and the register of voters for Local Government elections. There is a different register of electors entitled to vote in elections to the Northern Ireland Parliament; this register includes voters who, in addition to their one vote, are given additional votes by reason of property or university qualifications. In 1968 there were some 25,000 more voters on the register for the Northern Ireland Parliament than for the Westminster Parliament; this represents the extent of the plural voting in elections to the Belfast Parliament.

The real gravamen of the complaint of the Catholic minority is in regard to the Local Government elections and administration. "The Campaign for Social Justice in Northern Ireland" claims that there are still a quarter of a million people, out of a total electorate of less than one million, who do not have a vote and that, among those who are privileged to be electors, many have the right to more than one vote.

In Local Government elections, voting rights depend on property qualifications, and the great majority of adults disenfranchised in this manner are Catholic. Even in areas where there is a majority of Catholic voters, the electoral areas are so designed as to produce a disproportionate balance by grouping large numbers of Catholics into some electoral units to enable other electoral areas to have Protestant majorities. This is known as Gerrymandering.[4] The "company vote" was another factor used to negate the "One Man One Vote" rule since limited companies above a certain valuation could control up to six votes in any one local electoral area. Few Catholics own limited companies.

The extent of this discrimination in regard to Local Government voting rights may be gauged from a comparison of the total electorate in Local Government elections and the total for the elections to the Westminster and Belfast parliaments. In 1967, only 694,483 were entitled to vote in Local Government elections compared with 909,841 *electors* for Westminster and 933,724 *votes* for the Belfast Parliament. In addition to this disparity, account must be taken of the fact that the 694,483 Local Government electors comprise many who are given the privilege of exercising more than one vote.

Thus although the Catholic minority is almost 40% of the total population, the (Protestant) Unionist Party controls 57 out of the 68 Local Councils.

The right to free elections by universal and equal suffrage is so well recognised in the democratic world as not to need elaboration.[5] It clearly involves the principle of "One Man One Vote"; it forbids discrimination in any form. Admittedly these elementary rules of democracy do not obtain in Northern Ireland.

DISCRIMINATION

Discrimination against Catholics exists not only in regard to housing but also in regard to work. In the first case, because of the property qualifications, houses means votes and are thus crucial political weapons. Although the situation changes from town to town and council to council, public building of houses in Catholic areas is notoriously slow. Catholic families have been known to wait as long as seventeen years for a house, while similar delays have not affected Protestants. Unemployment forces Catholics to emigrate. It is not by mere coincidence that Catholics are denied work while Protestants are accepted. Formerly actual government policy, the tradition is still actively discriminatory in practice.

SPECIAL POWERS ACT 1922

The Civil Authorities (Special Powers) Act has been the principal organ for suppression of opinion in Northern Ireland. It gives absolute powers to the Minister for Home Affairs to make pretty well whatever Regulations he wishes. The Act has been used to allow indefinite internment without charge or trial and the Act also gives powers to place persons under house arrest. This same Act makes it possible to commit an offence under the Act, although that offence has not been provided for in the Regulations. It is sufficient if the Court thinks that what has been done ought to be an offence.[6]

In addition, a special part-time police force, regarded as the militant arm of the Orange order (a political-religious society noted for its sectarianism) is mobilised from time to time and has all the authority under the Special Powers Act of the regular police force. The Special Powers Act and the "B Specials" police force were nominally aimed at preventing crime and controlling the activities of the Irish Republican Army, the military force of the Irish liberation movement. In fact, they have been used to quell civil disturbances and it is feared that they will be used in the future to put down civil rights demonstrations. In February this year the Northern Ireland Cabinet approved the call-up of an indefinite number of this special force. By reason of its composition, the regular police force is itself mistrusted by the minority. The Special Powers Act of 1922 not only gives very wide powers to the police but enables the Minister of Home Affairs to delegate his powers to any officer of the police who can then be the "civil authority." [7]

REFORMS [8]

In November 1968 the Northern Ireland Government announced that it would undertake some reforms. As is usual in such situations, the question arises as to whether these reforms are adequate and will be put into operation sufficiently quickly to allay the existing distrust of the Government's intentions. It is unfortunate that the Government, while promising to review the Local Government franchise, stated that this would only be brought into effect by the end of 1971. Local elections are due to be held in April 1970. It might have restored confidence if this reform was put into effect in time for April 1970. It is also unfortunate that the programme of reforms announced did not envisage legislation to prevent discrimination in regard to employment and housing.

UNITED KINGDOM'S INTERNATIONAL RESPONSIBILITY

The United Kingdom is a party to the European Convention on the Protection of Human Rights and Fundamental Freedoms. It is also a signatory to the two UN Covenants on Human Rights. The provisions of the Special Powers Act and the policies of discrimination referred to are clearly incompatible with the United Kingdom's international obligations. Because of this, the United Kingdom Government was obliged in 1957 to notify the Council of Europe that a "public emergency threatening the life of the nation" existed in Northern Ireland and that emergency powers were being utilised which might "involve derogations in certain respects from the obligations imposed by the Convention for the Protection of Human Rights and Fundamental Freedoms". It is unfortunate that the policies of the Northern Ireland Government and the reactions to them should place the UK Government in the in-

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[1] The political unit of "Northern Ireland" consists of 6 of the 9 counties of the Province of Ulster, one of the four provinces of Ireland. It has a Parliament and a Government with limited powers, subordinate to the control of the Parliament of the United Kingdom at Westminster. Financially, it is heavily subsidised by the British Government.

[2] The population of Ireland as a whole is 4,368,777. Of this total population 2,884,002 are in the Republic of Ireland and 1,484,775 are in Northern Ireland. The area of the Republic is 70,280 km.²; that of Northern Ireland is 14,146 km.².

[3] The birth rate in Northern Ireland at 22.4 per 1,000 is much higher than that of England and Wales which is 17.2 per 1,000. While no statistical breakdown is available showing the birth rate on denominational lines, it is probable that the birth rate among the Roman Catholic population is high.

[4] The word is derived from the name of the US politician Elbridge Gerry who was Governor of Massachusetts in 1812. At the time his party in the Legislature redistributed constituencies in the State so as to concentrate its strength and dissipate the strength of its opponents.

[5] Article 21 (1) and (3) Universal Declaration of Human Rights; Article 3, First Protocol to the European Convention on Human Rights; Articles 25, 26 and 27 of the U.N. International Covenant on Civil and Political Rights.

[6] Section 2(4) of the Civil Authorities (Special Powers) Act of 1922 provides: "If any person does any act of such a nature as to be calculated to be prejudicial to the preservation of the peace or maintenance of order in Northern Ireland and not specifically provided for in the regulations, he shall be deemed to be guilty of an offence against the regulations."

[7] Civil Authorities (Special Powers) Act 1922 Sec. 1(2).

[8] The Belgian League for the Rights of Man sent an Observer Mission to Northern Ireland. For a more detailed study, readers are referred to their *Report on Civil and Social Rights in Northern Ireland.*

vidious position of derogating from its international obligations.

Of course, it is still open for an aggrieved party to challenge the UK Notice of Derogation on the grounds that no 'public emergency threatening the life of the nation' exists in Northern Ireland or on the ground that the measures taken by the authorities are in excess of those 'strictly required by the exigencies of the situation'. The first of these grounds would raise the interesting question of whether the nation in this case is the 'United Kingdom of Great Britain and Northern Ireland', which is the State that is a party to the Convention, or 'Northern Ireland', which is only part of that State.

In any proceedings that might arise before the European Commission or Court of Human Rights, another fundamental question might well arise: if a Government by its own policies violates certain provisions of the Convention and thus contributes to the creation of a grave emergency, can it then rely on the 'derogation' clause of Article 15? This might well involve a construction in depth of Articles 14, 15, 17 and 18 of the Convention.

It is rather shocking that, in an area within the Council of Europe, there should have subsisted a state of public emergency which has forced the UK to derogate from its international obligations for over 12 years. This in itself gives a clear indication as to the need for very fundamental reforms in this small corner of Ireland. Legislation and conditions in Northern Ireland have been such a byword that they have been frequently cited by Ministers of the South African Government to justify their own policies of discrimination. Mr. Vorster has self-righteously pointed out in the South African Parliament that the South African detention legislation is less draconian than the Northern Ireland Special Powers Act 1922. A recent South African Government publication [9] quotes extensively from the Special Powers Act 1922 and the Regulations made thereunder in justification of its own repressive legislation. This use of Northern Ireland legislation to justify apartheid policies in South Africa should of itself have drawn attention to the state of human rights in Northern Ireland.

[9] *South Africa and the Rule of Law*, published by the South African Department of Foreign Affairs, April 1968.

DR. SOPHIA MOSES ROBISON

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. RYAN. Mr. Speaker, Dr. Sophia Moses Robison, professor emeritus at the Columbia University School of Social Work and noted criminologist, died on August 3 at the age of 80.

It was my privilege to know Dr. Robison for many years; I valued her friendship and her sound counsel. She was respected not only professionally, but also by the community which she served so well.

She spent her undergraduate years at Wellesley and then went on to Columbia where she received an M.A. in 1913, and a Ph. D. in 1936.

Dr. Robison was well known for her research and writings on crime. She published several works on delinquency and served as research consultant to Federal, State, and local agencies involved with the problem of crime.

She retired from her post at Columbia in 1955, but she continued her research and writings. She was cited for her contributions to the city of New York in 1960, and as recently as this spring she wrote a prospectus for the New York Crime Commission concerning its delinquency control and prevention grant program.

Dr. Sophia M. Robison will be missed by everyone familiar with her work and with her warm, wonderful spirit. I extend to her family my deepest sympathy.

I include in the RECORD the obituary which appeared in the New York Times on August 4:

DR. SOPHIA ROBISON, SOCIOLOGIST AT COLUMBIA AND WRITER, DEAD

Dr. Sophia Moses Robison, an emeritus professor of sociology at the Columbia University School of Social Work who was noted for her writings and research on crime, died yesterday at Middlesex General Hospital in New Brunswick, N.J. She was 80 years old and lived at 610 West 110th Street.

Mrs. Robison, who retired from Columbia in 1955, had also taught at City, Hunter, Queens, Smith and Barnard Colleges, at Yeshiva, Howard and Adelphi University and at the New School for Social Research.

She was the author of basic works on delinquency including, "Can Delinquency Be Measured?," published in 1936, and "Juvenile Delinquency, Its Nature and Control," published in 1960.

Her article in The Michigan Law Review, "A Critical View of Uniform Crime Reports," attracted wide attention in 1966. In it, she maintained that the police had downgraded the actual incidence of crime.

As for statistics assembled by the Federal Bureau of Investigation, Dr. Robison believed they failed to take sufficiently into account the continuing increase in population of persons between the ages of 15 and 24, where the bulk of serious crimes originate.

WORKED AS CONSULTANT

Dr. Robison had served as a research consultant to many Federal, state and local agencies on delinquency, correction, housing and population analysis. In 1960 she was cited by Mayor Robert F. Wagner for her service to the city.

This spring, she prepared a prospectus on the state's delinquency control and prevention grant program for the New York Crime Commission.

Dr. Robison, a native New Yorker graduated in 1909 from Wellesley College, where she was a Durant scholar and member of Phi Beta Kappa. She received an M.A. degree from Columbia in 1913 and a Ph.D. degree in 1936.

Dr. Robison had served on the boards of the Arthur Lehman Counseling Service and the New York Chapter of the American Friends of the Hebrew University.

She had been a research director for the State Youth Commission, National Urban League and American Council for Emigrés.

Her husband, Sylvan, an insurance broker, died in 1937.

Surviving are 3 sons, Gerson, Robert and Morris; a daughter, Marcia R. Kunen; a brother, Adolph Moses; 2 sisters, Georgette Gell and Florence Moses, and 11 grandchildren.

A memorial service will be held tomorrow, at 11:45 A.M., at the Riverside, Amsterdam Avenue and 76th Street.

FREEDOM BECOMES ILLEGAL—VII

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. RARICK. Mr. Speaker, I have received a petition signed by 2,804 parents in one school district in my State.

The petition presents its own story, an appeal by parents for restoration of their children and freedom. Our colleagues must be made aware of the impending chaos—created by the tyranny of an impersonal, untouchable government.

Mr. Speaker, I insert the petition and a penetrating analysis by Dr. Carl Hansen from U.S. News & World Report for April 21, 1969, at this point in the RECORD:

PETITION

We, the undersigned citizens of West Baton Rough Parish, State of Louisiana, beseech our leaders, appointive and elective, local, state and national in the executive, legislative, and judicial branches to hear our pleas for help in our current dilemma as regards public education.

We are not experts in the fields of sociology, anthropology, psychology, theology, or jurisprudence, but we do believe that all races and creeds are equal in the eyes of God and further that all children are entitled to the best education available in institutions supported by the public treasury; however, we believe that student placement should be the right of the parent and/or the child.

We parents cry in the night in anticipation of the chaotic conditions we anticipate in the next school year and beyond. Our hearts are heavy because of the burden that will be on our little children who will shed tears of misunderstanding.

We love our country and we are dedicated to obeying the laws of the land even though we cannot understand the enforcement practices and policies as currently applied in certain areas.

We love our homes and do not want to leave them to live in areas where racial ratios are more to our liking. We do not want our system of public education to erode and crumble; we do not want to retrogress in racial relations.

We question the feasibility of the disruption of progress we were making in our educational system under our elected school boards and appointed staffs and faculties in view of other serious problems we are facing on the college campuses, the war in Vietnam, and the war on poverty. We ponder the question whether or not our country can afford another area of divisiveness and dissolution financially or emotionally.

We do implore that those in power will consider our situation as an emergency, even though we are only a small parish in a relatively small state, and take whatever action is necessary to give us more time to educate, relocate, or abdicate ourselves to the system of education which is eventually imposed upon us.

Respectfully,

(2,804 signers.)

JULY 4, 1969.

[From the U.S. News & World Report]

WHEN COURTS TRY TO RUN THE PUBLIC SCHOOLS

(By Dr. Carl F. Hansen)

If you live in a small Nevada town—or in one in Iowa or Ohio, for that matter—and

your schools are mostly white, you may actually be flaunting a court ruling that says that racially imbalanced schools run against the Constitution of the United States.

If your schools have all-white faculties, you may someday be ordered to hire 13 per cent black teachers to make the percentage fit in with the ratio of blacks to whites in the national population.

If you live in a city like Washington, D.C., or Chicago, you may someday have to see to it that the proportion of the poor in any school does not exceed the percentage of the poor in the entire city.

If you refuse to attempt to get a balance between the poor and the nonpoor in your schools through voluntary exchanges across school-district and even State lines, you may find yourself in contempt of court.

You may find your own child someday inexplicably "volunteering" to ride a bus out of your neighborhood for the kind of social and racial integration some of the nation's leaders think is best for everybody—except possibly for themselves.

If not already current realities, these requirements may ultimately result from the emergence of the doctrine of *de jure* integration.

A new and rather pervasive body of law is being generated by the courts and a limited number of school boards and State legislatures. The effect of this action is to make homogeneous schools either illegal or unconstitutional. In order to reduce homogeneity in school populations, school boards are being required by law to produce plans for increasing racial and social balance in their classrooms.

For much too long this nation lived with *de jure* segregation. Under this immoral and inhumane doctrine, children—and in some cases teachers—were told: "You may not enter this school or that one because of your race." The law stood guard at classroom doors, sifting out blacks from whites and sending each into prescribed educational areas.

Now comes a counterpart rule—that of *de jure* integration. The effect is the same as in the case of *de jure* segregation: The law again stands guard, admonishing the black child to enter a designated school because his dark skin will improve racial balance there, or instructing a white child to transfer into a black school for the same reason.

One of the more difficult problems about assigning pupils to schools by race is deciding who is white and who is black. For this, someone ought to devise a skin scanner capable of computing racial dominance by measuring skin shade.

In today's admonition against homogeneous schools, you have to think beyond simple race differentials; you are required to weigh the purses of schoolchildren to determine whether they belong to the poor or to the affluent segments of American society. If you are going to enforce mixing of pupils by social and income class, you must find out about the financial condition of their families.

At the base of the doctrine of *de jure* integration is the assumption that homogeneous schools are bad for children. If you want to raise a nasty question, simply ask: "What is the proof that schools with fairly similar enrollments are inferior? Why is an all-white school arbitrarily suspect, or an all-black school written off as worse than useless?"

The earliest examples of *de jure* integration is found in the 1954 action of the New York City board of education when it declared that "racially homogeneous public schools are educationally undesirable," and then placed upon itself the responsibility of preventing "further development of such schools" and achieving racial balance in all of its schools.

The action was taken on the advice of social theorists who reasoned that segregation by fact—that is, resulting from the free choice of people—was as bad as segregation by law.

The action of the New York City board of education was followed up in 1960 by the New York board of regents. On the premise that homogeneous schools impair the ability to learn, the regents ordered the New York State department of education to seek solutions to the problem of racial imbalance. It declared:

"Modern psychological knowledge indicates that schools enrolling students largely of homogeneous ethnic origin may damage the personality of the minority-group children. . . . Public education in such a setting is socially unrealistic, blocks the attainment of the goals of democratic education, and is wasteful of manpower and talent, whether this situation occurs by law or fact."

Three years later, the then New York State commissioner of education, Dr. James E. Allen, Jr., now United States Commissioner of Education, sent a memorandum to all State school officials requiring them to take steps to bring about racial balance in their schools. The commissioner defined racial imbalance as existing where a school had 50 per cent or more black children enrolled.

The legislative development of the concept of *de jure* integration has continued: California, Massachusetts, New Jersey, Wisconsin and Connecticut have declared in executive or judicial statements that racial isolation in the schools has a damaging effect on the educational opportunities of the Negro pupils.

In 1965, for example, the Massachusetts legislature enacted a Racial Imbalance Act. Schools with more than 50 per cent nonwhites were required to file with the Massachusetts State board a plan for correcting the condition.

It would be a serious mistake to overlook the role of the courts in establishing the rule that homogeneous schools must be abandoned.

The *de facto* school-segregation decision in *Hobson* v. *Hansen* explicitly instructed the Washington, D.C., board of education to submit plans for the reduction of imbalance in the schools.

By clear definition, Judge J. Skelly Wright included social class along with race as factors of concern. For the first time a court spoke not only on the unconstitutionality of racial imbalance but of social imbalance as well:

"Racially and socially homogenous schools damage the minds and spirit of all children who attend them—the Negro, the white, the poor and the affluent—and block the attainment of the broader goals of democratic education, whether the segregation occurs by law or by fact."

Judge Wright overrode the conclusions of at least eight federal courts that had ruled consistently that it is not the duty of a board of education to eliminate *de facto* segregation, provided there is no evidence suggesting the maintenance of *de jure* segregation.

The sweeping Wright decision, however, went far beyond the more common legislative view in such States as New York and Massachusetts that blacks suffer from attendance in predominantly black schools. The jurist in *Hobson v. Hansen* added social-class homogeneity as a factor detrimental to democratic education. In addition, he enunciated the opinion that all children are hurt by homogeneity. In all-white, predominantly affluent schools, therefore, the minds and hearts of the pupils are being damaged for about the same reasons that black children suffer in schools peopled by their own race.

If the rule requiring integration by social class prevails, every public school in the nation is subject to its effect. Even predominantly Negro school systems like the Washington, D.C., unit will be confronted with a redistribution of its pupils along social lines, if the literal meaning of the Wright opinion is observed. In the nation's capital, with about 94 per cent Negro public-school enrollment, more then 10,000 secondary-school students were reassigned in one year to bring about better social balance in the schools, Thus, *de jure* integration by class as a doctrine is already in partial effect in at least one major school system.

The conclusion that socially homogeneous schools must be destroyed rises from an increasing stress upon the theory that social class determines the quality of education. If the only way to improve achievement among lower-social-class pupils is to integrate them with higher-income pupils, a vast manipulation of school populations is in prospect. It would require a kind of despotism the world has not yet experienced, for enforcement is inevitable where the people do not volunteer.

It is difficult to believe that freedom can survive when government seeks to control the social and racial dispersement of the people—speaking, as it does so, the line: "This may hurt, but it will be good for you."

The judicial movement toward full development of the *de jure* integration doctrine was accelerated by the United States Supreme Court in three decisions issued in May, 1968. These are the Kent County, Va., the Gould, Ark., and the Jackson City, Tenn., opinions requiring the school boards in these communities to abandon their freedom-of-choice plans for desegregating their schools.

In these opinions, the Supreme Court declared that, in States where the schools were previously segregated by law, school boards must assume an affirmative responsibility to disestablish segregation.

In Jackson City, Tenn., for example, it was not enough to set up school zones on the neighborhood principle, at the same time allowing pupils to choose to attend schools outside those zones if space existed in them. Under this plan, formerly all-white schools received significant numbers of black students. Because, however, white students refused to attend or to elect to attend all-Negro schools, the Court was dissatisfied with the freedom-of-choice plan. The presence of all-Negro schools became clear evidence of intent to preserve segregation as it existed before 1954.

Not only must the Jackson City school authorities by the force of law require white children to attend formerly all-Negro schools, but they must also enforce faculty mixing by arbitrary assignment of personnel on racial lines.

The Supreme Court's disestablishment doctrine is the principle of *de jure* integration applied to those States in which segregation by law existed prior to the 1954 *Brown* decisions. This position—quite heavily burdened with patent discrimination against a group of States—is after all only one step removed from a decision requiring all States to disestablish segregation, whether this occurs by law or fact.

De jure integration, in summary, applies currently in those States and in those school districts where the local legislative bodies have enacted legislation establishing the new doctrine. It applies specifically to the District of Columbia, where the Wright opinion required the board of education to prepare plans to reduce homegeneity by race and social class.

Directly and unequivocally, the doctrine has been invoked by the Supreme Court of the United States in its disestablishment ruling applicable to jurisdictions formerly segregated by law. As has been said here, this step is the precursor of a ruling requiring local and State boards of education to disestablish *de facto* segregation as well.

A THREAT TO PUBLIC EDUCATION

The most damaging aspect to the *de jure* movement is that its proponents must discredit predominantly white schools—of which there are many throughout the country—and predominantly black schools,

whether they exist in large cities like New York or small ones like Drew, Miss. Out of the attack on public education needed to establish an enforced abandonment of homogeneity by race or class has come a threat to public education that promises to bring down the walls of this primary citadel of democracy.

Hardly a school system anywhere with racial imbalance has escaped a scathing attack by those bent on achieving a millennium through the simplistic step of requiring racial balancing either by legislative or judicial action. Trace the anti-public-school sentiment in recent years to its source: You will discover—as in the case of the Washington, D.C., story—a sequence of attack, discredit, weaken; a strategy for imposing racial and social-class mixing through the winning of legislative and judicial support.

The danger in the drive for legislative and court actions to make integration the law of the land—here meaning the artificial management of persons to establish racial and social-class mixing—is the imminent destruction of confidence in public education.

As important as the hazard to public education is the fact that, in any case, *de jure* integration does not work.

The policy of the New York City board of education requiring racial balance produced overwhelmingly negative results. It left a trail of school disruptions, protests, boycotts and sit-ins. In the meantime, whites left the schools at an increasing rate.

In 1964, an official study group stated:

"No act of the board of education from 1958 through 1962 has had a measurable effect on the degree of school segregation. . . . Not a single elementary or junior high school that was changing toward segregation by virtue of residential changes and transfers of whites into parochial and private schools was prevented from becoming segregated by board action."

Four and a half years ago, the New York City board of education paired two schools—one mostly white, the other Negro. The promise made to the parents was that a race ratio of 65 per cent whites and 35 per cent blacks would be maintained in each school. Today—that is, in early 1969—the white enrollments are down to about 35 per cent in each of the two schools.

The Gould, Ark., experience is further proof of the futility of attempting to apply the doctrine of *de jure* integration. The community paired its two small schools last autumn. As a result, all but 50 of 250 white pupils withdrew. The authorities there estimate that in the coming school term the white enrollment will fall to no more than 20 pupils.

Washington, D.C., is an example of very rapid changes in race ratios over a period of a few years. From 1950 to 1967, the white school membership dropped from 46,736 to 11,784, while the black membership jumped from 47,980 to 139,364.

Enrollment figures show that formerly all-white Washington, D.C., public schools invariably moved to 75 per cent black membership two years after the 50 per cent point was reached. In each such school, the black membership quickly moved thereafter to 99 per cent.

The new and important discovery was that when a formerly all-white school approached 30 per cent black membership, the rate of change increased. Within two years, the black membership reached the 50 per cent point, from which it moved to 75 per cent within the next two years. The important finding is that the starting point for rapid white exodus is 30 per cent.

A police state with unlimited enforcement power will be needed to implement integration if it is required by law.

It is inviting to speculate about the ultimate possibility of an enforced integrated society. The next step may be to set up quotas for neighborhoods, so that the number of poor will be proportionate to their total number in the community. New homes funded by federal loans may, under a policy of social integration, be sold on schedules determined by the ratio of whites and blacks, Jews and non-Jews, Protestants, Catholics, agnostics and atheists in any community.

Out of the intervolutions from which the doctrine of *de jure* integration comes, two findings emerge with clarity:

One is that palpable preservation of *de jure* segregation anywhere—whether in schools, employment or housing—is morally wrong. The counterpart of this principle is that *de jure* integration is equally questionable.

CREATING THE HOMOGENIZED CITIZEN

The second main finding resulting from an analysis of the enforced mixing of people by race and class is that what is most desired is the "integrated man" made up of proportionate parts of every ethnic group and of the several religious and cultural components of American society. The homogenized citizen thus created is a dangerous change from the historic individualism which, with its supportive pluralism, has been this nation's major source of strength.

The melding, blending process inherent in the concept of *de jure* integration may destroy the dream of a free society. A development of such significance, therefore, deserves the most careful study and evaluation.

CREDIT UNION TO CREDIT UNION LOANS

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

CUNA INTERNATIONAL, INC.,
August 4, 1969.

Hon. JAMES G. FULTON,
House of Representatives, Rayburn House Building, Washington, D.C.

DEAR CONGRESSMAN FULTON: During my appearance before the Foreign Affairs Committee, you requested me to submit additional details concerning problems encountered in initiating the program of credit union to credit union loans under the guaranty loan provisions of the Foreign Assistance Act. I am happy to comply with your request herewith.

First, I wish to emphasize that the need—and the opportunities afforded by this guaranty program—have in no way diminished. The importance of this program as a true people-to-people international effort cannot be over-estimated. Now that the program in the credit union field has reached the stage of development where it can be effectively implemented, the continuance of the Extended Risk Program is of paramount importance. The opportunity to expand and develop private sector participation in such a program has never been greater, and credit union pioneer experience in the small loan field should help guide others in the private sector area.

In March of this year, the first Extended Risk Guaranty credit union to credit union loan was consummated—in effect a pilot project which verified that the procedures which have been developed are sound and operative. It is true that the establishment of these procedures has taken what may appear to be an excessive amount of time. In view of the many complex problems which arose as the program developed—problems which have now been generally resolved—the delays, though frustrating, are understandable.

Problems which were encountered included, among others, the following:

1. The extension of small loans by U.S. credit unions to foreign credit unions was a totally new experience both to AID and to CUNA International. AID had to adapt the complex and intricate procedures of its normal multi-million dollar loan machinery to the "nickel, dime and quarter diplomacy" of comparatively insignificant loans of only several thousand dollars. CUNA, on the other hand, was faced with establishing the basic framework for its internal procedures.

2. The Bureau of Federal Credit Unions, which supervises federal credit unions comprising over half of the credit unions of this country, had to accommodate the regulations of the Federal Credit Union Act to permit international lending by federal credit unions.

3. To comply with legal requirements contained in laws, AID must have an arrangement covering guaranty loans with the foreign country involved. While some such arrangements existed, many were based on a less than 100% guaranty and thus had to be modified. At best, such action between governments is always a slow, time-consuming process. This program was no exception to that rule.

4. Treaty requirements provide that the foreign government must certify each loan application. Again, this procedure is beyond our government's control, and involves considerable time. As an example, it has taken four months to secure such certification from the government of one country in which a loan is about to be consummated.

These problems, of course, were associated with the purely administrative processes of getting the program "off the ground." Other factors had a bearing on the delay, however. For example, AID had four turn-overs of attorneys who were assigned to work with us during the time the administrative machinery was being set up and negotiations with foreign governments were being consummated—a situation which was beyond the Agency's control. CUNA, likewise, had similar problems in this area.

The actual preparation of loan applications by credit unions in the foreign countries has been another factor in slowing the program. In many of these credit unions the administrative know-how was lacking, placing an additional burden on CUNA's limited technical staff in those countries to give detailed assistance.

Finally, inflation here in our own country as well as abroad has had some effect. Interest rates on credit union loans and fluctuations in exchange values of national currencies have had a restraining influence on potential borrowers. Currency devaluation in one country has resulted in a credit union organization securing a loan in dollars and having to pay back, in subsequently devaluated currency a considerably greater amount to meet the dollar value of the loan.

We are now at the stage where our pilot operations have resulted in identifying and overcoming most of the technical obstacles which confronted us in initiating the program. Countries where major problems have been removed and the program is now moving forward include Bolivia, Brazil, Colombia, the Dominican Republic, Nicaragua and Venezuela. Chile and Paraguay are also in a similar category, although credit union development in these nations is not sufficiently advanced to utilize the advantages of the guaranty program at this time. Participation by Costa Rica and El Salvador will soon be possible. The growth of credit unions in several other less developed countries will undoubtedly bring them into this program in the near future.

It has taken more time than any of us had anticipated to establish the essential groundwork, develop machinery, secure foreign government clearances, and to meet innumerable legal requirements. We are now

ready to move into high gear on the program in a number of countries. It is imperative that the Extended Risk Guaranty program be continued. I therefore urge that every effort be made to this end in order that this vital people-to-people program may be fully implemented.

Thank you for the opportunity to provide this additional information on our CUNA/AID operations. We deeply appreciate your interest and concern in these matters.

Respectfully yours,

J. ORRIN SHIPE,
Managing Director.

MIZELL COMMENTS ON H.R. 13111

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. MIZELL. Mr. Speaker, last week Congress considered the most far-reaching legislation since I took office last January. After I took part in the consideration and ultimate passage of H.R. 13111, there were a number of things that came to my mind that I feel are important enough to submit to my colleagues at this time. There is no question that hindsight is better than foresight, but recording observations after the fact can more than not prove beneficial to future activities and considerations.

There is no question in my mind that many sections of H.R. 13111 will benefit each and every American citizen. The health and education benefits are far-reaching and necessary. I feel, however, that we have to determine once and for all just how much we can afford to do. Runaway, irresponsible spending has caused this Nation to continuously operate at a deficit. This is one of the major contributions to the inflationary spiral which is plaguing the people of this country. The President has time and time again called on Congress to take a more responsible attitude toward spending programs and has clearly pointed out the need to do so. Now, with the cooperation of Congress, this Nation will operate at a surplus. This is a necessary condition if we hope to put an end to the inflationary trend. I cannot help but feel that the President has done more than his part in the great effort to get the Nation's economy back on an even keel. He has even gone so far as to cut drastically the budget and to present Congress with a comprehensive and sound fiscal program for the coming year.

Congress, however, continues to vote for increased spending in appropriation bills at a time when it is necessary to continue the surtax to try and meet our present obligations. To continue to vote for increases in spending at this time, I believe, is an irresponsible approach to sound fiscal policy. If a citizen would apply the same philosophy to the handling of his household budget and continue to spend more than he is taking in, bankruptcy is inevitable.

The President has stated that he is for phasing out the surtax while at the same time reducing spending for the purpose of curbing inflation and getting our economy back on a sound basis. This is a responsible position. So, in view of what happened last week when more than $2 billion was added to H.R. 13111, I challenge this body to take a more responsible attitude and follow the President's suggestion to holding the line or a reduction in spending. I do not see how we are going to get out of our fiscal plight unless Congress assumes its fiscal responsibility as the President has asked us to.

I voted against this tremendous increase in spending as I believe the vast majority of the citizens of the Fifth Congressional District would want me to.

MANKIND'S GIANT LEAP

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. TEAGUE of Texas. Mr. Speaker, the success of Apollo 11 has done much to lift the sight of man beyond his everyday environment and encourage the world to seek its own betterment. Mr. Robert Hotz in an editorial in Aviation Week & Space Technology of July 28, 1969, points to several important considerations in the success of this program. As we ponder our future course of action in our national space program, it would be well to remember the points made in Mr. Hotz's significant editorial.

The editorial follows:

MANKIND'S GIANT LEAP

(By Robert Hotz)

The small step of Neil Armstrong's boot from the lower rung of the lunar module landing gear ladder to the powdery surface of the moon was indeed a giant leap for all mankind.

Man's first adventure on the lurain embodied many triumphs of technology and spirit. But its greatest significance will prove to be the watershed it marks in man's knowledge of himself and his universe. From now on, the theories that have beguiled scientists and fiction writers alike will fade swiftly into obscurity as they are submerged by the vast quantity of new facts garnered in man's accelerating exploration of the moon and the rest of his universe.

Vanished already are the horror stories of man's difficulties in operating on the moon—banished by the swift mobility, varied work and easy communications of Neil Armstrong and "Buzz" Aldrin in man's initial 2 hr. on the lurain. Gone too are the long-espoused theories on deep layers of lunar dust that would engulf both man and spacecraft—refuted by the first scuffs of man's boots and the hard, mallet-driven progress of the core-sampling drill. Going fast are many of the theories of a cold, dead moon—jolted by Armstrong and Aldrin's first observations of lunar rocks. The first 78-lb. load of rocks brought back by the Eagle crew from Tranquility base will provide more answers on the origin and composition of the moon than a century of stargazing through instruments from earth.

Less than a week after the Apollo 11 crew returned safely to earth, the Mariner satellites will start transmitting back to earth man's first close view of the Martian surface in another astonishing triumph of space age science fact over theoretical fiction.

Among the other triumphs of Apollo 11 that should be noted are:

OPEN PROGRAM OVER SECRECY

The U.S. policy of an open space program for all the world to see paid a stupendous dividend on Apollo 11 as people of almost every nation on earth were able to see man's first steps on the moon in that incredible television transmission. Never has the American image been projected brighter on such a global scale. It showed all mankind that this country is truly willing to share its triumphs, tragedies and knowledge with all who care to participate. The world owes a great debt to Stanley Lebar and his Westingthouse colleagues, who conceived and built the tiny 7-lb. television camera that transmitted so faithfully from the moon, and also to the National Aeronautics and Space Administration officials, who fought so hard to keep it on the mission.

ENGINEERS OVER SCIENTISTS

One of the key differences between the U.S. and USSR space programs has been the divergent philosophies of its managers. The USSR program, dominated by the senior scientists of the powerful Academy of Sciences, has tended to overestimate the technical problems of manned space flight and insisted on over-testing with unmanned spacecraft or animal subjects. The U.S. program is managed by engineers backed by experience with operational development of high-speed aircraft from the X–1 to X–15. They have tackled problems such as the sound, heat and bio-medical barriers by designing and proceduring around them, while U.S. ground-bound scientist experts in this fields urged slowdowns or abandoning manned space flight. The engineering approach not only enabled the U.S. to overtake and pass the USSR in the race to put men on the moon, but is also producing far more scientific data faster than the conservative small-step programs of the scientist-dominated USSR effort. The wild gyrations of Luna 15 in lunar orbit and its ignominious crash in the Sea of Crises at the same time Astronauts Armstrong and Aldrin were broadcasting priceless data from the Sea of Tranquility offered a valid contrast in the two national philosophies.

MANNED OVER UNMANNED SPACECRAFT

Apollo 11 was another demonstration of the vital necessity for man in the control loop for a truly effective space exploration vehicle. Without man aboard, the lunar module would have crashed in an uncharted crater of huge boulders. Wailing would have been heard around the world on the futility of trying to land spacecraft on the lurain. With Neil Armstrong at the controls, the danger of the automatic landing site was quickly recognized. Eagle was flown manually beyond the dangerous crater to a feathery touchdown on powdery sand. In addition, the LM guidance computer became overloaded, rebelled and flashed false alarms until it was bypassed by the human brains aboard. No unmanned spacecraft could have accomplished the reconnaissance, evaluation and experimenting that Armstrong and Aldrin did in their relatively short lunar stay. Unmanned spacecraft are certainly necessary for preliminary exploration of distant planets just as Ranger, Surveyor and Orbiter blazed a trail for Apollo. But man must eventually be on board to insure the mission's operational and scientific success.

Apollo 11 also gives man his first spark of immortality. It demonstrated that he no longer need be a prisoner of his earthly home. If, at some future time, this planet be-

comes uninhabitable because of a nuclear war, cumulative pollution or the end of its galactic cycle, the human race now has the capacity to seek a new environment.

Man may find that his ultimate survival as a species may depend solely on his resources of space technology and his skill as a space voyager.

WHO OWNS THE AIR?—CONGRESSMAN WYDLER OPPOSES PAY TELEVISION

HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. WYDLER. Mr. Speaker, there is an old-fashioned expression "as free as the air" and for many generations this has implied that everyone had equal access to this native element without cost or hindrance. While the development of radio and television communication has necessitated certain regulations on the use of broadcasting wavelengths, the air has still, in the broadest and best sense, remained free. Whoever could afford a radio or television receiver could hear or see the best available programs without further investment. I now find that through subtle and confusing arguments efforts are being made to "sell the air" so that certain television channels will be visible only to those paying a fixed monthly fee for this privilege. I cannot for the life of me see how this can be a legitimate move in the best interest of the public. I have, therefore, introduced legislation to amend the appropriate sections of the Communications Act of 1934 to prohibit the granting of authority to broadcast pay television programs.

I have taken my stand on this matter for three very specific reasons:

First. I do not believe that any regulatory body of the Government, which is exactly what the Federal Communications Commission is, has the right to bargain away the airwaves of this country for the exclusive use of broadcasters who can then hang price tags on their programs. I believe that the air belongs to the people and is not for sale.

Second, I believe that over a period of time the best and most worthwhile programs, those having the major educational, cultural and recreational value, will move over to the pay TV channels. At a time when the television industry is being urged by its critics to upgrade itself, I cannot see how we can on the one hand ask for better quality programs and on the other hand make it financially difficult for the regular—or free—channels to provide such programing.

Third, I foresee that instituting pay television will ultimately disenfranchise a very sizable segment of our national population from seeing the programs best suited to inform, entertain and educate them. People on modest incomes, the aged, the retired, the newly married homemakers—these are the ones least able to pay for television programs, and yet they are the very ones for whom free television provides a window on the world. Some may not consider television a necessity of life, but I feel strongly that it occupies a significant place in the average individual's existence and that he is entitled to the freedom of the air much as we have always maintained the freedom of the seas.

I have now received from my congressional constituents petitions containing over 40,000 signatures requesting me to take action to forestall the initiation of pay TV. My bill might be called the "Television Consumers Protective Act," and I urge speedy action before we find ourselves faced with the alternative of a blank screen or an empty pocket.

U.S. MERCHANT MARINE—PART II

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. FEIGHAN. Mr. Speaker, there is a crisis at sea.

That crisis is the archaic condition of our Nation's merchant marine fleet. Yesterday I included in the RECORD the first of a series of three articles currently appearing in the Washington Evening Star which deal with the serious problems being faced by the merchant marine. The second article in this series is now included for my colleagues' consideration:

CRISIS AT SEA—THREE PIONEER SHIPPING CHANGES

(By Miriam Ottenberg)

An ex-trucker, a onetime furrier and a movie magnate are pointing the way to a revolution in America's ailing maritime industry.

They are introducing the first new ideas to American shipping since the clipper ships of a century ago captured the world's markets for Yankee sea captains.

Impatient with archaic methods, they pioneer at a time when fewer merchant ships are being built every year, when the present fleet is carrying only about 5 percent of the nation's ocean trade and when congressional demands for a program to revitalize the merchant marine remain unmet.

The new pioneers are:

Malcolm McLean, the onetime trucker and now president of McLean Industries and chairman of Sea-Land Services, Inc.

Joseph Kahn, the former furrier, now chairman of the board of Seatrain Lines, Inc.

Spyros S. Skouras, son of the chairman of 20th Century-Fox and president of the family's theater chain, now president of Prudential Lines, Inc.

All three argue that a long-range government program is a must if the country is to take full advantage of the shipping innovations now available.

They want a program that rewards efficiency, penalizes inefficiency, gives a fair shake to all segments of the shipping business and provides incentives for further development of new kinds of ships.

COORDINATED TRANSPORT

Their basic premise is that the merchant ship as a separate entity is a thing of the past. Today, it is considered an extension of rail and truck carriers. Linked to inland transportation, the ship has a bright future. Standing alone, it is finished.

Each of the three men saw that concept in a different way.

McLean was president of a successful trucking company in the mid-1950s when he got the idea that if he could combine the go-anywhere flexibility of trucks with the low cost of sea transportation, he could provide shippers with fast, safe and more economical distribution of their products.

He devised a container—actually a demountable truck trailer 35 feet long, 8 feet wide and 8½ feet high—that could be loaded at the shipper's door, sealed, trucked to a port, lifted off its chassis and stowed aboard ship. At its port of destination, it could be lifted off the ship onto a truck chassis and delivered to the consignee.

This door-to-door, across-the-sea transportation would reduce the longshoring expense, reduce pilferage and damage (since the trailers would be sealed throughout their journey), save on packaging and make one carrier responsible for the entire freight movement.

In January 1955, McLean bought four old tankers and the container era was launched.

VIETNAM SUPPLIES SPEEDED

Today, Sea-Land has more than 33,000 of these containers in use all over the world, with some 1,400 trucking companies and railroads under contract. By the end of this year, Sea-Land's fleet will total 39 ships—all converted World War II vessels.

One area where McLean's vision paid off is Vietnam. Conventional ships often were tied up in ports for 60 to 90 days in a logjam of unloading. Defense officials say Sea-Land's fast unloading of containers has saved the government millions in transportation costs and reduced damage and left losses to almost nothing.

Other American shipping lines now have shifted to containerization. So have foreign companies.

Kahn, the ex-furrier, entered the shipping business in 1950 just as the Ship Sales Act was expiring. Starting with two Liberty ships, and gradually improving and adding to his fleet, he came up with a number of innovations.

One was a method of having a full cargo coming and going, instead of an empty ship one way. He developed a technique for cleaning a ship at sea between ports after transporting oil, for example, so he could pick up grain or some other cargo for the return trip.

Another innovation was using low-cost Liberty ships to receive grain from the costly super-tankers in which large quantities of grain move in single sailings. Using that technique, the tanker Manhattan, largest commercial American flag vessel, became the biggest single factor in carrying grain to relieve famines in India and Pakistan.

Seatrain now owns almost 50 ships, including the Manhattan, which is being refitted as the world's largest ice-breaker.

"When we entered the shipping business, we knew very little about it and as a consequence we had open minds," says Kahn. "We didn't accept existing shipping methods, some of which hadn't changed basically since the Phoenicians."

Spyros Skouras is another who didn't accept the traditional way as the only way. In the early 1960s, when his line had to replace five old Victory ships with modern vessels, he challenged a naval architect to come up with an idea that would do for shipping what jet engines had done for the airlines.

LIGHTERS ABOARD SHIP

The architect confided that he had been working on something for years. His new concept: a barge known as LASH—for "lighter aboard ship." As the architect envisioned it, 73 of them could be carried on one ship.

Confident that this was the breakthrough he sought, Skouras began ordering LASH ships in November 1967. He expects delivery of the first of five next year. Pacific Far East Line joined the LASH movement and ordered six. The barge idea also attracted Lykes Steamship Co., which developed giant

sea barge carriers called Seabees and has ordered three of them.

Shipping lines are enthusiastic over the barge idea and McLean's containers because they will mean big savings in time and money.

A ship can come into port and load and unload in one day instead of five, 10 or even 15. The trailers or barges can be unpacked after the ship has gone on to the next port and repacked with other goods to await the ship's return.

The cost difference is tremendous. It costs about $5,000 a day to keep a conventional ship in port, compared with $10.50 a day for a barge floating at the dock, as Skouras figures it. And barge-carrying ships don't have to wait for berths in crowded ports. They can anchor out in the harbor and unload their "floating cargo holds."

Conventional ships spend half their time in ports. The barge carriers will be able to spend 90 percent of their time at sea.

The 14 barge-carrying ships on order, the scores of container ships now sailing the seven seas and the others being built are ushering in a new era, one focused on capital rather than labor.

Labor is so much more productive in this form of shipping that labor costs ultimately will drop.

COST IS PROBLEM

But the new ships cost more to build at a time when bankers are reluctant to lend to ship lines without some long-term guarantees because returns normally are small on merchant ships.

McLean's Sea-Land has faced both labor realities and capital demands.

Under agreements signed 13 years ago, Teamsters Union drivers truck the Sea-Land trailers to the gate of the sprawling yard in Port Elizabeth, N.J., and pick up trailers at the gate. They don't enter the yard. That's the province of the longshoremen. Sea-Land deals with more than a dozen unions.

Sea-Land's gross increased from less than $20 million in 1956 to more than $250 million in 1968. Various methods of private financing kept Sea-Land bankrolled for years in building its fleet, but when future requirements for capital became too big to handle, McLean Industries decided this year to merge with R. J. Reynolds Co.

Neither McLean's Sea-Land nor Kahn's Seatrain receives direct government subsidies for ship construction, but both benefit from various indirect subsidies without which even the most inventive American ship owner couldn't survive against the subsidized foreign carriers.

Both McLean and Kahn feel strongly that the future health of America's merchant marine depends on how government assistance is provided.

McLean believes that the tax deferment now enjoyed by subsidized lines should be extended to the unsubsidized lines. Through this method, the subsidized lines can amass enough capital to pay half the cost of new ship construction.

"What we need," Kahn says, "is some form of tax incentive, either a long-term investment credit or some other tax credit."

He says the present system of awarding operating and construction subsides is time-consuming, costly and cumbersome.

"Instead of a construction subsidy, I suggest that the government establish a system of giving the shipping lines on an annual basis a five percent investment tax credit which over a perod of 20 years would amount to 100 percent tax credit."

Skouras, although president of a subsidized line, agrees that the tax deferment should be extended to the unsubsidized lines.

McLean, Kahn and Skouras all believe the breakthrough in shipping techniques of the past decade, together with the opening of Alaska's North Slope, have brought the American merchant fleet to the threshold of a new era.

But they also agree that it will take some long-term government commitments to cross that threshold.

ANTIMILITARY ATTITUDE ALARMS ISRAEL

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. BOB WILSON. Mr. Speaker, as the Congress considers the vital Safeguard ABM issue, it appears that its ramifications are so broad that objective observers are indicating alarm, including some with a liberal orientation.

I have noted with great interest a report that the U.S. antimilitary attitude has alarmed a friendly foreign nation, the State of Israel. The Israelis have no illusion about peaceful Soviet intentions. They are besieged by Russian rockets, jets, artillery, and tanks operated by Arab troops advised and aided by Soviet military personnel. I wish to call attention to a syndicated feature column published in Jewish newspapers throughout America and worldwide. It is written by a veteran member of the congressional press galleries, Mr. Milton Friedman, correspondent of the Jewish Telegraphic Agency.

So that my colleagues may know of another point of view on the ABM controversy and related antidefense pressures, I request insertion of Mr. Friedman's column, entitled "Antimilitary Attitude Alarms Israel."

I wish particularly to stress Mr. Friedman's observation that:

Israelis perceive something more than a simple controversy over the merits of the costly anti-ballistic missile (ABM) system or some other weapon. They fear neo-isolationism. They envisage a naive rejection of defense needs that could encourage the Kremlin to risk nuclear war.

The full text of the Friedman column follows:

ANTIMILITARY ATTITUDE ALARMS ISRAEL

(By Milton Friedman)

WASHINGTON.—Are American liberals—Jews among them—inadvertently jeopardizing Israel by joining the growing public crusade against United States military establishment, defense spending, and foreign commitments?

This question has emerged among Israel soldiers, from officers of highest rank to privates in the bunkers along the Suez Canal. They want to see a strong and militant America. Their concern arises from radar blips and sonar contacts: Soviet nuclear submarines and middle-firing cruisers hovering distantly off the Israeli coast.

Israel can cope with the Arabs. But Russian nuclear blackmail may be used one day in an ultimatum for Israel withdrawal from all occupied territory. The question is: In such a contingency, will American voices now demanding cutrailment of missile systems and foreign involvement then demand a nuclear showdown? Will the present American antimilitary mood tempt the Russians to flex nuclear muscles against Israel?

The Kremlin can now be about 99 percent certain that Washington would not confront Moscow in a nuclear confrontation over Israel. Israel, unlike NATO countries, has no U.S. guarantee of security protection. But one percent of doubt remains; even one percent may be enough to deter the Russians from risking a world nuclear holocaust.

Israelis are concerned that even that very thin—but very vital shield—is being eroded by the anti-war mood in the United States.

Yet this flimsy shield is all that Israel has to depend upon. It is in Israel's vital interest to see America remain superior in ultimate weaponry and disposed to deter nuclear blackmail against free people.

Soviet strategists, mindful of the Vietnam war backlash in America, are now regarded as more likely to resort to an atomic-missile blackmail than to deployment of Mideast expeditionary force. They don't want to emulate the American debacle in Vietnam. There are also logistical, economic, propaganda, tactical and other reasons for not landing troop units in Egypt.

About 8,000 Russian military personnel are already in Egypt. They perform advisory and technical functions in the Egyptian military establishment. But care is being taken to avoid a role like that of the U.S. Green Berets in the early years of the Vietnam war. Russian officers do not accompany Egyptian patrols across the Suez Canal. Moscow is pressing for unconditional withdrawal of Israeli forces. The Arab-Israel fighting is escalating. Israel fears that at some point the Kremlin may decide to deliver a grim ultimatum. Then the scene would shift to Washington where liberals are assailing the U.S. role as protector—some say "policeman"—of the free world.

The Israeli conviction is that their embattled nation must not become another "Czechoslovakia." Israel can look only to Washington for a credible deterrent to any Russian nuclear blackmail.

Israelis are beginning to worry also that Washington may grow reluctant to supply further sophisticated weapons as pressure mounts against the sale of arms to belligerents or even countries at peace. Egypt can still look to Moscow for support as the Russians plunge ahead with reckless military spending for constantly modernized implements of war. Israel can at this point turn only to the U.S. for balancing jets, missiles, and other arms essential for survival.

Israelis do not want to become embroiled in domestic American affairs. They have problems enough of their own. But many listen with dismay when Americans suggest that the defeat of racism and poverty is contingent upon curtailment of defense commitments. Meanwhile, developments of new and better arms reassures Israelis but horrifies Americans alarmed by unmet urban needs.

Israeli military men accept as valid any legitimate move to end waste and incompetence in any army. Zahal, the Israeli defense establishment, practices such stringent weapons tests and cost accounting that American military officers would be horrified if called upon to practice it.

Israelis perceive something more than a simple controversy over the merits of the costly anti-ballistic missile (ABM) system or some other weapon. They fear neo-isolationism. They envisage a naive rejection of defense needs that could encourage the Kremlin to risk nuclear war.

An anti-war vogue has arrived in the U.S. with Jews in the forefront. It is an understandable response to the fiasco in Vietnam and the chaos at home. But it has ramifications beyond the borders of the U.S. that reach as far as the besieged kibbutzim and cease-fire outposts of Israel. A nuclear Armageddon will not confine itself to cease-fire lines; Israel's concern may prove truly universal while the American Jewish response could be dangerously provincial.

BANK PROFITS INCREASE AVERAGE OF 20 PERCENT ACROSS NATION IN FIRST 6 MONTHS OF 1969 AS SOME SMALL BANKS BEGIN TO CUT PRIME RATE

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1969

Mr. PUCINSKI. Mr. Speaker, we will be debating the tax reform bill later this week and during that debate a plea will be made for the continuation of the surtax as an anti-inflationary measure. But I am certain no one will tell us that some banks have enjoyed increases in profits in the first 6 months of 1969, ranging up to 49 percent because of high interest rates.

Mr. Speaker, I originally voted for the surtax because Members of Congress were assured by the Treasury Department that the surtax was necessary to curb inflation.

The continued rise in the cost-of-living index and continuing inflationary pressures which have created tremendous problems for the entire Nation have in no way been abated by the surtax. Despite statements to the contrary, I have seen no evidence that the surtax has in any way curbed inflation.

A statement was made here on the floor the other day that the slowdown in the gross national product is one indicator of the anti-inflationary effect the surtax has had on the economy.

I submit that any such suggestion is preposterous.

If there has been a slowdown in the GNP, it is because we are witnessing a slowdown in the whole economy. There are even those who say that this Nation already is in a recession and heading for a serious depression.

My firm conviction is that the cause of this economic slowdown is the direct result of high interest rates which have now reached such a plateau that normal business relations are being forced into a tragic standstill.

Interest rates have been climbing steadily since 1956 and the Federal Reserve Board has proven itself time and again incompetent and incapable of dealing with the interest rate spiral.

A study I recently completed shows that during the first 6 months of 1969, the average increase in profits for all banks in America amounted to 20 percent across the board. A study of 50 major banks shows their profits increased in the first 6 months of 1969 from 49.1 percent for one bank in Detroit to 11 percent for a leading bank in Chicago.

Rising interest rates have indeed brought substantial earnings to the banking industry of America but they are playing serious havoc with the rest of this Nation.

If indeed there is an economic crash in this country, those who have watched interest rates rise with impunity will have to assume the full blame for this tragedy.

I shall place at the conclusion of my remarks a table which shows the gain in profits for the 50 major banks in this country during the first half of 1969.

I was pleased to see in the press this morning that two small banks in widely scattered parts of the country have undertaken the difficult task of rolling back interest rates.

United Press International reports out of Maywood, Ill., a western suburb of Chicago, that the Maywood-Proviso State Bank has reduced its prime rate to 8 percent from 8½ percent.

This same UPI story points out that the Wynnewood State Bank in a Dallas suburb also reduced its prime rate, but it is significant that the larger banks around the country tend to ignore the cuts being made by these small banks.

I believe this Nation owes a debt of gratitude to Mr. Peter D. Giachini, president of the Maywood-Proviso State Bank, for his daring move to voluntarily reverse the interest rate spiral by reducing the prime rate in his bank.

Mr. McChesney Martin, Chairman of the Federal Reserve Board, recently stated that we must have "patience, perseverance, and persistence" in maintaining tight money which inevitably creates skyrocketing interest rates. He tells us that this "in the long run" will result in taming inflation.

I should like to remind Mr. Martin the wise saying of one renowned economist when he remarked: "In the long run, we will all be dead."

There can be no doubt, Mr. Speaker, that exorbitant interest rates have brought the building industry in this country to a virtual standstill. Nor can there be any doubt that exorbitant interest rates have paralyzed our channels of commerce and to a great extent are responsible for the continued downward trend of the stock market.

The impact of this problem is best reflected when we recall that inflation increased 6 percent per year while prime interest rates charged by commercial banks jumped from 6.5 percent to an effective prime rate of 10.6 percent during the same period.

The reason prime rates are 10.6 percent is because the borrower, in addition to paying 8½ percent interest on his loan, frequently must leave 20 percent of his loan on deposit, making the effective interest rate 10.6 percent.

This amounts to an increase of 60 percent in prime rates the banks now charge. To put it another way, the banks have increased their prime interest rates 10 times more than the rise of inflation, or 1,000 percent.

The only other time we had a similar experience in our history was in 1928 just before the great crash.

The basic cause of the present chaos lies on a vicious circle of ballooning bank profits which come from ballooning bank interests and overloaned positions, overextended credits which in turn feed the fires of inflation resulting in more demand for credit and even greater bank profits.

Perhaps we should be reminded that even the biggest balloon has a finite capacity for retaining air before it bursts.

It is for this reason, Mr. Speaker, that I believe we must address ourselves to the continual rise in interest rates. It would be unfair to single the banks out for the full blame of this phenomenon when it is the Federal Reserve Board that is equally responsible for this chaotic condition. Until we get a Reserve Board that has the courage to tackle unbridled interest rates, the current crises will continue.

I am mindful that the Government can play a key role in bringing interest rates down simply by eliminating deficit spending and getting the Government out of the money market. The $3 billion surplus in fiscal 1969 is a good start toward getting the Government out of the borrowing business. I hope we can do as well and perhaps better in fiscal 1970.

Getting the Government out of the money market is not the cure-all for all of our problems. It will help. But there have to be more people like Peter Giachini who are willing to take a chance for the best interests of America. Mr. Giachini frankly admits that he was accused of being crazy when he suggested that his bank should voluntarily reduce prime rates.

In looking over the fantastic profits some of the leading banks in this country are making, which I place in the RECORD at this time, one cannot help but conclude that Mr. Giachini above all is a truly patriotic American who puts the survival of his country above the extra profit that his bank could earn.

God grant that Mr. Giachini's patriotism could become infectious in the banking industry and that there will be others who will follow his superb example of dedicated Americanism.

The list of 50 major banks and gains in their profits during the first 6 months of 1969, as well as the entire UPI story about Mr. Giachini, and another article from the Wall Street Journal, follow:

Fifty major banks and their gain in profit for the first half of 1969

	Percent
Bank of Commonwealth, Detroit	49.1
Valley National Bank, Phoenix	40.7
First, Pennsylvania	38.4
Security, Long Island	30.8
Newark and Essex	33.0
Philadelphia National	28.7
First National, Atlanta	25.6
Detroit Bank and Trust	29.6
Industrial Providence	27.5
North Carolina National Bank	25.3
United Virginia Bank Shares	21.7
Fidelity, Philadelphia	25.9
Bank of Hawaii	24.5
Western Bancorp	22.5
First Bank System	21.5
First and Mercantile, Richmond	23.1
Manufacturers National, Detroit	21.1
Bay State Corporation	21.2
First National State, New Jersey	21.8
Marine Midland, New York	20.0
Manufacturers Traders', Buffalo	21.7
Long Island Trust	22.4
Bank of New York	21.8
Manufacturers Hanover	21.1
Charter, New York	11.6
Pittsburgh National	20.3
Citizens and Southern, Atlanta	20.0

Fifty major banks and their gain in profit for the first half of 1969—Continued

	Percent
U.S. Trust, New York	18.7
National Westchester	18.0
Lincoln First, Rochester	15.1
First National, Boston	12.0
Cleveland Trust	16.6
National City, Cleveland	12.9
First National, Dallas	15.7
Girard, Philadelphia	19.8
Mellon, Pittsburgh	10.0
Union American, Los Angeles	14.9
Wells Fargo, San Francisco	12.2
Crocker Citizens, San Francisco	12.7
Bankamerica, San Francisco	13.1
Republic, Dallas	19.1
Harris, Chicago	13.2
Virginia National	15.1
Southeast Bancorp	16.2
First Union Bancorp	9.9
Wachovia, Winston-Salem	15.2
Chase Manhattan	8.6
Continental Illinois, Chicago	11.0
Chemical Bank	9.2
First Chicago	6.8

SOME SMALL BANKS CUT PRIME RATE

MAYWOOD, Ill. August 5.—"We checked the other banks and they all think we are crazy," said the president of a small bank in Chicago's suburbs yesterday after trimming the prime interest rate to 8 per cent from 8½ per cent.

"But we think rates are too high and we feel they are going to come down. And if we are going to do it later, we may as well do it now," Peter D. Giachini, president of Maywood-Proviso State Bank, said.

Maywood-Proviso was one of a small number of suburban banks that trimmed the prime interest rate—that charged large and most credit-worthy clients—without creating much of a ripple in banking circles on Wall Street.

Last Wednesday it took only a rumor that Morgan Guaranty Trust Co. of New York was about to cut its prime rate to send the stock market sharply and abruptly upward. Morgan Guaranty subsequently denied any such plan.

But Morgan Guaranty is a large enough bank for stock speculators to regard as a probable leader in any downward movement in the prime rate that would signal an approaching end to fiscal and monetary restraints and the resumption of business expansion.

The larger banks around the country tended to ignore the cuts by Maywood-Proviso and other small banks like Wynnewood State Bank in the Dallas suburbs—just as they ignored the number of widely scattered small banks that did not follow the majority of commercial banks up to 8½ per cent last June 10.

[From the Wall Street Journal]

TWO SMALL BANKS CUT PRIME RATE TO 8 PERCENT BUT MAJOR INSTITUTIONS DISCOUNT THE MOVE

Two small suburban banks reduced their "prime" lending rate to 8% from the record 8½% but the move was discounted by large banks, which usually lead in making changes in this key interest charge.

Major banks said they saw no immediate prospect for a change in the prime rate, although some money-market rates have eased slightly in recent weeks. They said there have been no indications of any relaxation of the stringest monetary policies being imposed on the banking system by the Federal Reserve Board.

Wynnewood State Bank, in suburban Dallas, announced it's lowering its prime rate to 8% to its most credit-worthy customers. W. David Long, president, said: "We can see a visible shrinking in the demand for hard goods and appliances. This factor, together with the current stock market decline and the easing of loan demand, evidences a sufficient cooling off of the economy during the past 60 days to warrant the reduction of our prime rate to qualified customers.

Maywood-Proviso State Bank, a small bank in suburban Chicago, also announced a reduction in its rate to 8%. "We feel rates are going to come down and, if we are going to do it later, we may as well do it now," said Peter D. Giachini, president.

LENDING LIMITS CITED

Bankers said it isn't at all unusual for local banks to be more responsive to local credit conditions than they are to national demand.

Smaller banks have lending limits that keep them from being significant suppliers of funds to the large national corporations that usually are considered prime customers. The Wynewood bank, for example, has a lending limit of $415,000 to a single customer. The limit at Maywood-Proviso is $142,500.

Even larger regional banks sometimes don't hitch their rate structures to the widely publicized prime rate, bankers noted. For example, a survey of larger banks taken nationally last month by the Federal Reserve Board showed some differences among the banks.

The board received responses from 336 banks and found that 309 were charging the prime rate, which was raised to 8½% from 7½% on June 9. Of the 309, 27 banks charged the 8½% prime rate only to national corporations. Their most credit-worthy local businesses could get loans at 7½% to 8%, a situation bankers call a "split rate."

Three banks had minimum lending charges of more than 8½%—one was at 9½% and two at 8¾%. Twelve banks charged a minimum of 8%, nine were at 7.5% and three had no specific minimum rate.

The Midland National Group of four banks in Milwaukee, for example, didn't follow the point increase in June and have maintained their prime rate at 7½%. John Kelly, president, said the banks since have increased outstanding loans "by about $5 million. We've heard from a lot of brokerage houses and a lot of finance companies, and even some conglomerates looking for our cheap money."

However, Mr. Kelly stressed, "we're mainly taking care of our regular customers."

The Midland National Group has assets of $138 million and deposits of $129 million.

OTHER RATES EASE

Recently, there has been some speculation about the possibility of a reduction in the prime rate because of changes in other short-term interest rates. For example, rates on commercial paper have dropped below the prime rate. This means large corporations can issue their promissory notes directly to investors or through dealers and pay less interest than banks would require, thus easing the upward pressures on bank credit demand. However, bankers say loan demand generally remains strong and money-market interest rates haven't yet dipped far enough for a long enough period to bring down the prime rate.

"There are modest indications the money market is reaching a plateau, but not enough to make any changes," said Edwin S. Jones, president of First National Bank in St. Louis. A spokesman for Wells Fargo Bank in San Francisco said demand for real estate and business loans is as strong as ever and the bank sees no prospect of reducing its prime rate.

The Wynnewood bank's action "doesn't mean anything" in terms of influencing the major banks' prime rate, said Vinson Grice, executive vice president of United California Bank in Los Angeles. "Obviously, the prime rate isn't too high in terms of other short-term interest rates," he said.

SENATE—*Wednesday, August 6, 1969*

(Legislative day of Tuesday, August 5, 1969)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by Hon. HERMAN E. TALMADGE, a Senator from the State of Georgia.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Thou Sovereign Lord of life and of history, judge of men and nations, whose covenant is to bless those who desire to know and to do Thy will, help us this day that by prayer and study we may know and do Thy will. By the illumination of Thy spirit make us precise in analysis, accurate in expression, pure in motive, and wise in decision.

O Lord, grant us Thy grace and wisdom more perfectly "to establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity." Enable us to "put on the whole armour of God; to be strong in the Lord and the power of His might," and to deploy the strength of our true character, so that as a people we may send forth missiles of friendship and good will to all mankind.

In Thy holy name we pray. Amen.

(At this point a disturbance occurred in the gallery. The Presiding Officer directed the Sergeant at Arms to preserve order.)

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., August 6, 1969.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. HERMAN TALMADGE, a Senator from the State of Georgia, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. TALMADGE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Tuesday, August 5, 1969, be approved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.